

SCREEN

RADIO

MUSIC

STAGE

VARIETY

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VOL. 141 NO. 4

NEW YORK, WEDNESDAY, JANUARY 1, 1941

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H'WOOD'S BIG PUSH IN '41

**M. P. Relief Fund Home Site Picked;
\$800,000 Bankroll to Get It Going**

Script-Casting

Hollywood, Dec. 31. San Fernando Valley, north of Hollywood, has been selected as the site for the Motion Picture Relief Fund home for indigent film workers, with \$800,000 currently on hand for building expenses. Construction starts when the titles to various parcels of land, now in escrow, have been cleared.

There is still a difference of opinion among the board members about the architecture. Some are in favor of large dormitories and some are for more homelike cottages. Construction plans for both ideas have been under consideration for several months and may end in a compromise. Admission to the home is inclusive of any branch of the film industry, although practically the whole building fund has been raised through contributions from members of the Screen Actors Guild and other groups with the same thought in mind. SAG draws \$10,000 weekly, with all performers donating their services, from the Gulf Oil Co.

For a time the Will Rogers ranch near Santa Monica was under consideration as a possible site for the Fund home, but the committee decided on the 40 acres in the Valley.

**U.S. Tax Threat Spurs
ASCAP to Cut Up Its
\$800,000 War Chest**

Writer and publisher members of the American Society of Composers, Authors and Publishers will be enriched accumulatively this week by another \$800,000 as the result of an extra distribution authorized by the Society's board of directors Thursday (26). The money had been extracted from each quarter's collection during 1940 so that the organization would have a nest-egg if the major part of the broadcast music industry failed to renew with ASCAP Jan. 1. After the royalty melon for the final '40 quarter was distributed Dec. 20, the Society learned that this proposed nest-egg would be subject to heavy Federal taxation.

The accumulated funds were to be used to swell the distributions during 1941. Because of the divvy brought about by the tax situation, writers and published members will, if the tax is light, receive only their share of the license fees actually collected by ASCAP during each quarter. Distribution for final quarter of 1940 was around \$1,300,000.

BMF'S \$1,000,000 INSURANCE

Broadcast Music, Inc., took out \$1,000,000 copyright insurance, to protect artists, stations and agencies against post-New Year's copyright infringements.

Seaboard and Underwriters companies took \$250,000 each, and indemnity. Insurance handled the remaining \$500,000 of the total policy.

**WOMEN'S CLUBS
GANG UP ON
ACTRESS**

Hollywood, Dec. 31.

Wave of sentiment a gains t a female star, generated by women's clubs throughout the country, is having serious repercussions in Hollywood. Attempts by Hays office and those studios which hold future commitments with actress to head off the campaign is failing to stem the tide, and theatre operators are plenty worried over her current releases.

Theatres have been notified by the Federation of Women's Clubs, Daughters of the American Revolution and the University Women's Club that this actress is listed "undesirable."

Parents-Teachers Association is also reported joining the movement against the femme, with several local PTA groups threatening her pictures to a virtual black-out.

Clubwomen have taken up the cry against the player for the past five weeks after a story got around of an episode in a Hollywood nitey.

Studio publicity departments handling her pictures are finding it difficult to plant copy or plug her with syndicates and fan magazines.

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Hollywood, Dec. 31.

Dionne quint quint ceases to contact players for 20th-Fox unless they call out with a picture before the next season's out next month.

The five little gals have appeared in two features, 'The Country Doctor' and 'Reunion,' for the Westwood lot, and three shorts for RKO. 20th Fox is permitting its contract to lapse.

**TOP EXEC'S WANT
PROD. IN ORDER**

**Major Film Officials in Coast
Powwows This Month —
Chart Consent Decree
Course**

OUTSIDE PRODUCERS

Hollywood, Dec. 31.

Except of the eight major film distributing companies and those of at least one of the bigger independenties, the major film officials of the makeup of their 1941-42 product states by the end of January. With Universal's home office and studio toppers already huddling here on vehicles and budgets for next season, eastern and western chiefs of other concerns, including Metro, 20th-Fox, Paramount, Warners, RKO, United Artists, Columbia and Republic, will gather at their respective Coast places within the next three weeks for similar confabs.

Forthcoming war councils will be the most important ever held here, for they have been called to plot re-gearing of production machinery to bring product into line with terms of the consent decree. In all cases, matter of swelling top and middle-class player contract rosters will be discussed. Both home office and studio moguls realize even in 'B' product, there is a definite market in way of marquee bait. Then, there's the matter of strengthening producer personnel on practically all major lots.

20th Wants 10-12 Outside Pix

20th-Fox execs making no secret of fact they are willing to take in from 10 to 12 outside pictures for 1941-42 but even they doubt whether they will be able to find many to match the standard of their own outfit.

They will get three from William Hawks' United Productions, a profit-

(Continued on page 12)

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Dan Frohman's Own Obit, As He Wrote It In 1938; Simple Biography

Dan Frohman, the showman, who died at 89, in New York, last Thursday (Dec. 26), was the author of two books and sundry other works. The following is his last autobiographical writing, a self-torured obit which he submitted to the press in March, 1938. Other Frohman anecdotes on Page 42.

March 30, 1938.

Editor, — Daily:
I enclose an article for your Mortuary Department. As I may soon pass away, you may want these facts.

Yours very truly,

Daniel Frohman.

Born in 1851.

Daniel Frohman was born in Sandusky, Ohio, Aug. 1, 1851. He has been in the theatrical business for about 60 years. His mother brought the family from Sandusky to New York, where he went to school. When he was 14, he answered an advertisement for a messenger boy, which was printed in the paper by Albert D. Richardson, then a writer on the N. Y. Tribune. After three or four months' work with Mr. Richardson, Frohman went West with Horace Greeley, who was the editor of the Tribune, and ran for President of the United States.

Before he left, Mr. Richardson got (Continued on page 42).

DRAMATISTS PROPOSE NEW BASIC CONTRACT

Under proposed changes in the Dramatists Guild's minimum basic agreement with Broadway managers, all authors, translators, adaptors or collaborators of "legit" shows must join the Guild. That is the outstanding point in the draft of the proposed new agreement received yesterday (Tuesday) by the members of the Present Agreement, expires Feb. 28.

Present agreement permits producers to present certain percentage of plays by foreign authors who are not Guild members; translations by non-members or adaptations of novels or other works of non-members. Under the proposed new setup, however, foreign writers, translators, adaptors, authors of original novels adapted for the stage, and all others participating in the authorship of any stage work would have to join the Guild.

Another important change in the proposed new agreement relates to subsidiary rights to produced plays. Terms governing film or television rights remain the same, the producer being entitled to 40% of the proceeds for 10 years after the legit production. However, the proposed changes would give a producer a larger share in the matter of amateur stock and radio rights. Instead of losing his share of such rights three years after a play has ceased being done in stock, the producer would be entitled to his 50-50 split of the stock, amateur and radio rights for five years after the Broadway presentation.

Canary Flies South

Hollywood, Dec. 31. Jeannette MacDonald resumes her concert tour Jan. 14 at Memphis after a three-week vacation at home.

Second section of the route includes two days in Havana and winds up in New Orleans, Feb. 16.

N. Y. to L. A.

Joseph Bernhard
Hy. Daab.
Walter Jurmann,
Sidney R. Kent,
Oscar Levant,
Richard Maney,
Anna Neagle,
Rosario and Antonio,
William F. Rodgers.

L. A. to N. Y.

Virginia Bruce,
Merian C. Cooper,
Reginald Denham,
David Hempstead,
Bernard Hyman,
Jack Lipton,
Al. Lichman,
J. Walter Ruben,
Moroni Olsen.

Aint Like It Wuz

Hollywood, Dec. 31.

Woody Van Dyke, film director, rose in the military scale when he became a major in the U. S. Marine Corps, but skidded from \$5,000 a week to \$250 a month in the financial scale.

Owner of a swank estate in Bel Air, the major is paying \$25 a month for his digs in an auto camp adjacent to the Marine barracks in San Diego.

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'GRINGO-HATERS' RAP NBC

Pro-Axis Steamups Making It Tough On U.S. Films with Anti-Nazi Themes

Between official protests by German and Italian embassies and allegedly "un-American" demonstrations by Nazi and Fascist sympathizers at certain American studios, it is becoming increasingly difficult to obtain playing time in Latin America for films with anti-Axis angles. Principally affected is Charles Chaplin's "The Great Dictator," while also suffering are James Roosevelt's "Pastor Hall," 20th-Fox's "The Man in the Mountains," Paramount's "The World in Flames" and Warner Bros.' reissue of "Confessions of a Nazi Spy."

Latest bau came in Argentina last Friday (27) against "The Dictator," following protests from the Italian embassy. Argentine foreign office in Buenos Aires announced that Mayor Carlos Alberto Pueyredon had imposed a ban after Italian ambassador Raffaele Boscarelli had reported to the foreign office that the picture "attacked the Italian regime." Municipal film censor board previously had authorized the Chaplin satire while confirming an earlier ban on "Nazi Spy."

Meantime, in Mexico the Ministry of Foreign Relations rejected an of-

(Continued on page 47)

**Lazarus Can't Laugh
Off Col.'s \$30,000 That
Was for \$4,500 That Is**

Milton Lazarus, whose "Every Man for Himself" recently was purchased by Columbia for \$4,500, is burning at the Dramatists Guild, which refused to relax its regular rules to permit him to accept an offer of \$30,000 from the same studio for a piece of the show and the film rights before the Broadway opening. Author has been huddling on the matter with his attorney, H. William Fitelson.

Under the Guild's minimum basic agreement with the Broadway managers, the film rights to a legit play may not be sold until after three weeks' run on Broadway or 75 performances out of town. Rule also forbids the author or producer to negotiate for a sale elsewhere. Lazarus claimed to have a deal tentatively set with Columbia at the \$30,000 price, but the Guild declined to make an exception, so the pact chilled. After the play flopped at the Guild, N. Y., Lazarus quickly accepted Columbia's offer of \$4,500, the only bid available.

"Show was 'tried' out on the Coast prior to the Broadway presentation, but was originally tested several seasons ago in the east, under the title 'One Upon a Night.' Lazarus was reportedly offered the part at that time on the ground that the organization's restrictions on film financing were holding up a professed desire by Warner Bros. to back a legit production of the play.

**Prexy Vallee Will Act
For His Slotter Firm**

Hollywood, Dec. 31. Rudy Vallee is a double entry in the Dime-in-the-Slot Handicap, as film actor and president of the Vis-a-vis Pictures of America, which has established quarters in the Hollywood quickie sector.

Gertrude Nielsen has been signed to star in four 16 mm. films for the new company.

Hempstead in N. Y.
David Hempstead, who recently completed "Kitty Foyle," his initial production assignment for RKO, arrived in New York Saturday (28) from the Coast. He'll remain east vacationing until after the film's prem at the Rivoli, N. Y., in mid-January.

Producer's next assignment is another Ginger Rogers starrer, "Tom, Dick and Harry."

Triple Jeopardy

Hollywood, Dec. 31.

One cop on Sunset boulevard was enough to censor a motion picture in the old days, but how it takes three governments.

20th-Fox is filming "The Eagle Flies Again," a story of the American volunteers in the Royal Air Force, under technical supervision of officials from the U. S., Canada and Great Britain.

RADIO QUOTES FOR LEGIT PLAY

Ads in the dailies Monday (30) for "Johnny Belinda" at the Longacre, N. Y., quoted drama reviews from nearly all the New York radio stations covering the Broadway feature. So far as known, this is the first time a legit management has advertised the opinions of the radio critics in that manner. Only missing one was Howard Barnes of WOR. Ad listed the quotes and stations, but not the names of the critics.

Stations included were WNEW, WINS, WHN, WBBC, WAAT, WMCA, WEVD, WBNX and WHOM.

K.O. \$105,000 SLANDER SUIT VS. JIM TIMONY

Hollywood, Dec. 31.

Slander suit for \$105,000 against James Timony, filed by Frank Wallace, who claims to be Mae West's husband, was tossed out of Superior Court Monday (30) with ruling by the bench that Wallace is not resident of the county and had not posted the bond required from non-residents.

Wallace claimed his reputation was damaged by remarks of Timony, who is Miss West's business manager; he is a "fraud," sought to prove legality of their marriage.

Attach Dietrich's \$2,000 From Radio Sponsor

Forrester-Parant Productions, Inc., which is suing Marlene Dietrich for \$98,450 for alleged breach of contract, attached a \$2,000 check supposed to go to the actress for a radio appearance on Dec. 12. Attachment was made from Sealtest, Inc., the sponsors, and McKee & Albright, Inc., the agency.

Plaintiff, a French motion picture producing company, claims the actress failed to go through with an agreement to make a picture in France for them. Previously attachment was made on behalf of a N. Y. property in the original order of the New York supreme court, but she had nothing here to attach.

FINAL TO MANY SUITS Jack Hays Accepts Settlement On Shirley Temple Claim

Hollywood, Dec. 31.

After three unsuccessful attempts in court trials to recover damages from the parents of Shirley Temple, on claims he coached and groomed the little girl for stardom, Jack Hays on Monday (30) accepted a satisfactory settlement and the suit dismissed.

Terms of payoff not disclosed. Hays claimed Shirley's parents repudiated a contract with him and turned her over to 20th-Fox.

SNEER AT U. S. HARMONY MOVES

John F. Royal of NBC Mentioned By Name in One Attack — "Professional Spaniards" Stir Old Affections, Old Prejudices

ALSO DECRY PIX

By DOUGLAS L. GRAHAME,

Mexico City, Dec. 31.

Pro-Nazi and pro-fascist elements here have already dispensed with fury against the bloodshed in Spain. The nicer the United States treats all the Latin republics, the more Mexicans and other Spanish-speaking people tend to return the broad grins, the more indignant the Germans and Italians and their agents, "the professional Spaniards," become.

Radio is playing a conspicuous part in Pan-American harmony, with both the American networks, NBC and CBS, showing interest in Mexican radio and the possibility of a regular CBS network in 1941, it is significant that a particularly violent blast (in Spanish) recently published here in "Hispanidad" singled out an American broadcaster, John F. Royal of NBC, by name.

As a sample of the attack upon Yankee motives put out by professional Spaniards here, see the section on the "Hispanidad" article re telltales. The publication is quite new, these remarks appearing under the caption "South America defends itself against the 'peace' invasion." Mexican readers were told:

The so-called "continental solidarity" that is being woven with

(Continued on page 21)

Oliver-Leigh Sail For Native Eng. at Peak Of Hollywood Careers

Departure of Laurence Olivier and Vivien Leigh for England on Saturday (29) has caused considerable speculation in the film industry. British screen stars, who were married on the Coast in August, were both at the peak of their careers in this country and there appeared to be no reason for their unannounced takeoff.

Couple recently completed work in Alexander Korda's "Lady Hamilton." But guess what? It was repeatedly stated that Olivier could be of more service in the United States than in England and even the unofficial

(Continued on page 34)

WACKY COMPROMISE Wack's Museum Becomes Book by H. Allen Smith

H. Allen Smith, N. Y. World-Telegram features editor and Doubleday author, is struggling for a title to a book. Smith recently completed and which D-D will publish in the spring. It's a humorous volume about the writer's experiences in interviewing celebs.

His original idea was to label it "Wack's Museum," but the publishers balked for fear those mentioned in it might object to being so designated. So now, after some titles were rejected, none of which satisfied all the parties. Finally, in desperation, Smith suggested "Let's just call it 'Book by H. Allen Smith'" And that will probably be the title.

Frankie Bailey III

Hollywood, Dec. 31. Frankie Bailey, early stage favorite, billed "The Girl with \$1,000,000 Legs" is seriously ill in Los Angeles. She is 81.

Dante Socks P.A., Who 'Slighted' Lead Femme, and Thus Hangs a Court Story

And That's Terrif

Amusement business was terrific in Manhattan over the weekend.

So much so it was even impossible to get curb space at 46th street and Broadway to view the Wilson whisky animated sign.

Philadelphia, Dec. 31.

Samuel Friedman, press agent for the "Sin-Sala-Bim" show, yesterday (Monday) swore out a warrant for Dante, the magician, charging the Danish sleight-of-hand artist with socking him in the jaw in the lobby of the Ritz-Carlton hotel here. Friedman said the one-sided battle happened on Friday night (27) and started when Dante accused the flack of "slighting" Moi-Yo Miller, leading comedian in the company, in his publicity.

According to Friedman, Dante accused him in the Ritz lobby as he was posting a couple of letters and said, "Well, Friedman, I see you got your notice" (earlier, Friedman had received his two weeks' notice from Robert E. Neesmeyer, his manager). Now he wants to make sure you're getting it," said Dante, and from this let loose with a right hook to Friedman's jaw, the flack said.

I don't want to hit him in return," said Friedman, "Dante is a man close to 60." Since he was socked, he said, he'd never been under the care of a physician. Friedman said the alleged "slighting" of Miss Miller started after a "kidding" remark he had made to her that he "wouldn't

(Continued on page 46)

SAVANTS GAUGE THE B.O. TRENDS

Philadelphia, Dec. 31.

The best boxoffice years of actors and actresses are those in which they're in bloom—and the bloom last longer with the females.

According to Dr. Harvey Lehman, of Ohio University, Dr. Lehman propounded this thesis before the savants gathered here over the weekend at the American Association for the Advancement of Science at Convention Hall.

Statistics reveal, said Dr. Lehman, that male performers have their best years between the ages of 30 and 34, while women hit the peak of their boxoffice popularity between 25 and 29.

The age curve when success comes is six years earlier for the actress than for the actor, Dr. Lehman asserted. This finding implies that the professional life-span of the actress is considerably briefer than is that of the actor.

Is this difference due to the fact that women tend to age more rapidly than do men? Or is it due to the possibility that some of the actresses may voluntarily abandon their professions earlier to become wives and homemakers?

Dr. Lehman declared the age curve for better actors falls "somewhat more rapidly than the common or garden variety."

As "unusual exceptions" he cited the cases of Shirley Temple, who achieved stardom before she was 10, and the late Marie Dressler, who reached the peak of her fame when she was past 60.

ALL-NIGHT BROADCAST FOR BRITISH FUND

Stan Shaw, whose "Millman's Matinee" is a recorded session six early-mornings weekly over WNEW, New York, had an all-live show 1-7 a. m. Sunday (29). Occasion was a Bundles for Britain benefit, with guests including names from orchestra, nitery, vaude, legit, film and opera circles participating. Many of those who appeared had made no advance arrangements to do so, but hurried to the studio when they heard the program was on.

Among the name guests were Fredric March, Florence Eldridge, Arthur Treacher, Phyllis Brooks, Wynn Murray, Sonya Stolowsky, Lucille Manners, Jane Pickens, Bea Wain, Hazel Scott, Josephine Antoine, Ella Fitzgerald, Joan Edwards, Tommy Dorsey, Raymond Paige, Bill Robinson, Count Basie, Glenn Miller, Charlie Barnet and his orchestra, Andy Iona, Sammy Kaye, Rags Ragland and Benny Leonard. There were a number of impromptu jam sessions by bands composed of name leaders and musicians.

Hollywood, Dec. 31.

Julien Duvivier, French director, named with his wife, Jeanne, in a pre-break of contract suit filed in L. A. by Transcontinental Films. Suit alleges Duvivier signed a contract to make two pictures in U. S. at \$80,000 per picture, plus a percentage of the profit, but instead took a deal with Korda.

Action asks Korda and Duvivier be restrained from continuing their business relationship.

JULIEN DUUVIER SUED OVER KORDA FILM DEAL

Hollywood, Dec. 31. Julien Duvivier, French director, named with his wife, Jeanne, in a pre-break of contract suit filed in L. A. by Transcontinental Films. Suit alleges Duvivier signed a contract to make two pictures in U. S. at \$80,000 per picture, plus a percentage of the profit, but instead took a deal with Korda.

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Happy New Year

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VARIETY RADIO DIRECTORY

(Published in N. Y. for copy)

\$5 per copy

DAILY VARIETY

(Published in N. Y. by Daily Variety Ltd.)

\$10 a year—\$12 foreign

Pat Scollard to Become Exec Aide To Agnew; Par's Other Appointees

C. J. (Pat) Scollard, with Par for two years in various capacities, at present in charge of advertising budgeting, becomes executive assistant to Neil F. Agnew Jan. 6. He was for years associated with Joseph P. Kennedy in the old FBO and Pathé companies.

Jack Bannon, sales manager for Astor Pictures, independent distributing company headed by Bob Savini, is also joining Paramount in a distribution capacity as yet undefined next Monday (6). With Astor for a year, Bannon was formerly with Sam Dembow, Jr., in Paramount, later in National Screen and subsequently with Fanchon & Marco in New York. Dembow himself returned to the Par fold last spring.

Recently set for a post in the distribution department at the Par-Ho., John Philipson assumes his new duties as head of a new office and a special department that is being created at Par headquarters in line with the consent decree. Philipson will be second in command of the department, it is understood, with someone else, not yet chosen, to head it under F. E. Agnew, v.p. over all sales. It may be that Scollard, as an assistant to Agnew, will be its active head.

For many years Philipson has been in charge of film buying and accounting for the J. H. Coeur circuit, operating in the midwest.

PLAGIARISM SUIT ON METRO'S 'MURDER MAN'

Stephen Van Gluck and Joseph Eisinger have filed suit in N. Y. federal court against Metro, Loew's, Inc., Culver Export Co., Edward E. Cohen, Guy Bolton, and Tim Whelan, seeking an injunction, accounting of profits, and damages for the alleged piracy of their play, known under three titles, "96 Point," Jane Brady, Editor, and "The Last Edition," in Metro's "Murder Man." Plaintiffs allege that their play was written prior to May, 1933, and submitted to Metro in 1934.

It is claimed that it was submitted as a script for a play to the film company to have it for a picture. After rejection, the Metro scenario was made. Cohen is brought in as a defendant since he claims to be entitled to 5% of the play. Bolton and Whelan are the authors of the Metro scenario on which "Murder Man" was based.

ADD: B.O. WOES

Kids Under 17, Same Parents, Tabu
After 9 P.M. in East St. Loo

St. Louis, Dec. 31. A dozen exhibits in East St. Louis, pop. \$4,000,000, are moaning long and loudly over the passage here of a Curfew Ordinance which bans kids under 17 from the streets after 9 p.m. with a result that b.o. takes, on average, out of business each month, are taking another licking. The new ukase forbids youngsters, unless accompanied by a parent or guardian, from running an errand; running from church; theatre or a social affair. Hizzoner John T. Connors indicated the ordinance was designed to make someone responsible for all kids out on the streets after dark.

The teeth in the ordinance fix a fine of \$5 to \$10 for a child, and a fine of \$5 to \$25 for a parent "consuming alcohol outside of home." The exhibitors report that after adoption of the ordinance they received a good play from the young lads who caught the last show, some with the idea of beating an early-to-be-bed parental order.

Ford Vice Holden

Hollywood, Dec. 31.

Glen Ford took over the top male spot in Columbia's "Texas" as a replacement for William Holden, who has been removed from the payroll pending settlement of a salary argument.

Filming starts next week and Sam Bischoff producing.

Gables in Baltimore

Baltimore, Dec. 31.

Clark Gable, Carole Lombard and Howard Strickling, Metro studio publicity chief, arrived here Monday (30) for checkup at Johns Hopkins hospital under care of Dr. Louis Hammon, celebrated diagnostician. Gable's ailing shoulder will be given a once over. It's due to take three days.

The Gable party will fly back to the Coast to go into production Jan. 5.

PITT GOP SEEKS JOHN HARRIS FOR MAYOR

Pittsburgh, Dec. 31.

John H. Harris, head of theatre circuit bearing his name and national president of the Variety Clubs, is understood to have been approached again by city GOP leaders to become a candidate for the mayorship on Republican ticket if primary election winner, Harris, who is 42, was mentioned four years ago as a possibility, but decided at last minute against making a race of it.

Harris family has long been involved in city, county and state politics. Founder of the chain, John P. Harris, father of John H., was a Pennsylvania state senator for years and son was an uncle, Frank J. Harris, who is presently county GOP chairman and was one of the original Wilkins boosters in this state.

Harris, in addition to his theatrical interests, operates Gardens, sports arena here, and is the owner of the Pittsburgh Hornet baseball team. His hobby, however, is politics and not politics is his game and says he hasn't even given the mayorality any consideration. It's well known that party leaders are anxious to have him consider it. He's married to the former Lucille Williams, one-time screen actress, and they have one son, 4.

Hostelry Proprietors No Like Pix 'Hotel' Tags

Films with the word "hotel" in the title, which have given hostelry operators a headache in the past, are again providing a call for an aspirin. Exec committee of the International Geneva Association, composed of hotel owners throughout the world, sent protest letters on the subject to Hollywood studios and distributors last week.

Grieve which occasioned the latest protest was advertising for the French film, "Hotel du Nord," now at the Little Carnegie, N. Y. Bonfaces specifically complained about the film, "Hotel du Nord," of New York, which, out of the 100 cities in the City reading "When in New York," did not fail to visit "Hotel du Nord." Apparently a number of visitors have come into town and searched for the hostelry. IGA claims to have letters from out-of-towners "who have been inconvenienced by trying to find a hotel that didn't exist."

Same type of advertising, hotel-men squawk, has been done in the past on "Grand Hotel," "Hotel Imperial" and "Hollywood Hotel." They want it stopped.

Other News Pertaining to Pictures

British credit bank plan Page 12

Hoyle-Greater Union merger off Page 12

Increase rentals in Aussie? Page 12

More German pix in Norway? Page 12

Par, 20th push action pix in S. A. Page 12

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Metro Reviews: "The Citadel," Conrad Nagel, Olivier-Leigh Page 29

BMI: Coast composers Page 31

Metro may make music plugging shorts Page 31

ACVA-Equity merger snags Page 35

Carrying On

Hollywood, Dec. 31.

Old familiar name of Chaney reappears on a dressing-room door in Culver City after a lapse of years.

Lon Chaney, Jr., is playing in "Billy the Kid" at Metro, where his father was a star.

MONOGRAM-PRC MERGER SEEN

Merger of Monogram with Producers Releasing Corp. is foreseen as result of steps recently taken by both companies. Latest was the election last week of O. Henry Briggs as prez of PRC. Briggs is a member of the Mono board. He has also long been associated with various Pathé enterprises and is a former head of Pathé Laboratories and Pathé Film Corp., which owns an interest in Mono.

There have been reports during the past six months of Mono giving up its production unit and that the new setup may envisage PRC units doing all the film-making and Mono limiting itself to distribution of their product. One of PRC's producers, Sig Neufeld, is understood to be for studio spot. Other producers are Jed Buell, Ted Richmond and E. B. Dene, and it is said that negotiations are in progress for addition of more producers.

Briggs' election followed the resignation several weeks ago of president Harry Rader and replacement of PRC. Elected capital has been obtained, it is reported, to make the 21 pictures remaining of the 38 promised for the year.

Indications of a change in Mono's status is the resignation during the past few weeks of Thomas P. Loach as v.p. and treasurer and of Edward A. Golden, salesmanager. Loach is former v.p. and treasurer of Pathé Film Corp. and Pathé Labs and was repping Pathé interests at Mono.

RKO and Loew Both Now Want 'Night Train'; Pic Originally Went Begging

Following the opening of "Night Train" at the Globe, N. Y. Saturday (28), both RKO and Loew's are fighting to get the picture, whereas previously 20-Fox had offered it to RKO and latter refused to give it more than two days on the circuit. Interesting development is that Loew's can, along, offering 2016 the service film rights to RKO, in turn, also bid for five days, the film, which had been in a lower bracket, has now moved it up to the highest allocation group. Elsewhere it is being delivered at lower percentages or flat figures where contracts had been taken.

"Night Train" is a British-made. The Brandos bought it first run for the Globe some time ago and decided to give it one of the biggest campaigns any picture has gotten for the house. A total of \$5,000 was spent on ads for the first week and advance. It will do around \$14,000 the first week, it is estimated.

Brands are planning to spend considerably more through a campaign along controversial lines that will include ballooning by the public whether or not it is better than "Grapes." Brandos voted at the picture of the year by the N. Y. Film Critics Circle, Angie is to challenge "Grapes." Understood that a few of the critics picked it as one of the best 10 of the year, but not enough votes were obtainable to get it included. Brands obtained permission of 20th-Fox on the challenge campaign since "Grapes" is also a 20th film.

A hopeful sign in the state of Louisiana is that the new governor has repealed the 1% sales tax which frees the film business of the obligation of paying this on film rentals and admissions.

Majority of the state legislatures are for 60 days, although many have no stipulation as to the length of their session. The state solons came to stand on Colorado, Oregon, Delaware, Idaho, Illinois, Indiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Montana, Nebraska, New Hampshire, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Dakota, Tennessee and Vermont.

Misty-Eyed Old Timers Dedicate Sound Stage to Mabel Normand

Dubbers Bottle-Necked

Hollywood, Dec. 31.

Overcrowding of RKO's dubbing department caused Harold Lloyd to set back the preview of "A Girl, a Guy and a Hobo," for three weeks.

Biggest jam of features in several years is responsible for the delay in the dubbing traffic.

Hollywood, Dec. 31.

Silent ghosts flickered above a spot in San Fernando Valley, wondering what all the talk was about. Nothing like that had ever happened when Mack Sennett was producing mute pictures and Mabel Normand was his vivacious star. It was Republic Studios, now, and Sennett, with a touch of nostalgic, homespun tones, was making a speech, dedicating a sound stage to one he had called "the girl with the golden heart."

Ghosts of the Keystone Kops swooped down from their eternal chase in Elysian Fields to glimpse the legend on the plaque:

"We dedicate this stage to the memory of a lovable artist, Mabel Normand. May we never forget her—a great soul who pioneered and gave purpose to the early motion picture. Through the new art she brought laughter and beauty, otherwise denied millions burdened with despair and drabness."

The spooks may have wondered at the changes that have come over the film art since they flatwheeled through Hollywood streets and up into the forests of Griffith Park. A cowboy was a strong silent man. In those days, who spoke only with his trusty six-gum, that was before he broke out with a croon and a guitar and sang in modernistic uniforms.

Gathered around what remained of the ground were pairs of the dressed spooks, solemnly taking part in the ceremonies. Charley Murray, Jack Mulhall, Noah Beery, Chester Conklin, Charley Ray, Eddie Gribbon, Jimmy Finlayson, Raymond Hatton, Walter McGrail and Eddie Quillan listened with misty eyes to the memories evoked by the master of ceremonies, William Farnum.

From out of the front offices came Y. F. Fair, Mrs. William Beery, J. Stuart Blackton, Harry C. Brown, A. Edward Sutherland, John Auer, Jed Buell, Roy Del Ruth, J. R. Grainger, John Waldron, Eddie Kenton, Frank McDonald, Joseph Santley and Louise Fazenda, who was there in a double role as the wife of Hal B. Wallis and a former Mack Sennett comedienne.

Pulling the strings to unveil the plaque was Judy Canova, slated to appear shortly in one of the early Normand roles, Sis Hopkins.

Running a Shoestring Into a Film Career

Hollywood, Dec. 31.

Alan Mowbray and Donald McBride signed an acting deal with RKO, calling for four pictures a year with "Curtain Call" and is continuing with "Show Business," now in production.

Third of the series is in preparation, with Mowbray and McBride teaming as a pair of shoestring producers.

Underwood's Successor At 20th Still Uncertain

Interviews with prospective candidates for Franklin Underwood as eastern story editor of 20th-Fox are being held by Joseph H. Moskowitz, New York rep for the studio. Moskowitz emphasized Monday (30) that no selection for the post has been made and that he may take up to a couple of months, or longer, to get the man he wants.

Underwood died about 10 days ago. Robert Bassler, former assistant story editor, who now is assistant to Coast story editor Julian Johnson, has been mentioned for the New York job as has been Bert Bloc, who last served as story ed for Samuel Goldwyn.

'Twilight' for Raskin Hollywood, Dec. 31.

Everett Raskin draws the production chores on Columbia's recently purchased story, "Mr. Twilight."

Sidney Harmon wrote the yarn. It has a U. S. Supreme Court background.

SHELL DARE TO

Hollywood, Dec. 31.

Femme lead opposite George Brent in Columbia's "They Dare Not Love" goes to Martha Scott.

Sam Bischoff production gets underway Jan. 3, with James Whale as pilot.

SEES NO FILM SHORTAGE

Atlas (Odlum) Buys Part of Meehan's K-A-O Pfd; 12,000 Shares at \$1,600,000

Par's Own Camp

Atlas Corp. (Floyd B. Odlum) actively entered the theatre end of RKO's operations this week through the purchase of part of M. J. Meehan's Keith-Albee-Orpheum preferred stock. Understood that around 12,000 shares were included in the original block, with sale price reported to be approximately \$1,600,000.

Atlas deal provides for an option on the remainder, some 14,000 or 15,000, KAO preferred shares being subject to terms of a voting trust whereby representatives of Meehan will exercise voting rights for an extended period of time after the option is not exercised. Report said the total number involved for the Keith bonds will be less than \$3,000,000 or about what RKO at one time offered to get the shares into the company treasury.

RKO has been seeking the Meehan shares for more than six months, it being part of the contemplated corporate simplification plan outlined by the parent corporation nearly a year ago. However, proposed deal for 26,000 Meehan preferred shares and a plan to retire about \$4,500,000 worth of B. F. Keith bonds was put up by a recent meeting of RKO's board.

It was felt that the Meehan shares because it would represent a saving of at least \$88,000 annually. Retirement of the Keith bonds also was proposed because producing an annual interest saving of around \$135,000 per year. Calling in of these bonds also would help simplify the corporate setup.

Already In on RKO

Atlas has held a substantial interest in RKO and nominal direct interest in the theatre end of the Keith group. With the purchase of KAO shares, the Odlum group apparently is definitely committing itself to the theatre operating branch of RKO's setup, admittedly the most profitable end of film business today. Shift of the KAO preferred stock to Atlas does not mean any saving to RKO since Odlum's company is a holding corporation with no connection with RKO excepting stock holdings in the picture company. What it does do is strengthen the financial portfolio of Atlas, the KAO shares admittedly being a valuable investment. Presently \$15.75 is due in bank dividends on this preference stock with the prospect of extra divvy distributions likely each year besides the \$7 in regular annual dividends.

KAO has cleared up about \$14 in divvy arrears during the last four years, paying \$11.75 in extra dividends during that period. Company paid \$8.75 in 1940, \$8.75 in 1939, \$10 in 1938 and \$12.25 in 1937. There still shows \$15.75 in arrears on KAO preferred, representing slightly more than two years of regular dividends.

**Elect Board Members
In Four Acad Groups**

Hollywood, Dec. 31. Academy of Motion Picture Arts and Sciences elected 12 board members in four of its branches, actors, writers, directors and producers. Fifth branch, technicians, requires a new election because of a tie vote.

New members are Edward Arnold, Rosalind Russell and James Stewart for the actors; Howard Estabrook, Jane Muir, John Wayne, screenwriters; Frank Capra, Frank Lloyd and Sam Wood; directors; Y. Frank Freeman, David O. Selznick and Walter Wanger, producers.

Oscar for scientific achievement will be awarded again this year by the Academy of Motion Picture Arts and Sciences. Nominations in that class have been requested by President F. L. Smith, chairman of the Research Council.

Entries cover all devices, methods, formulas and discoveries or inventions of outstanding value which were actually employed during the year.

NEW PIX PROD. OFF WITH A RUSH IN '41

Hollywood, Dec. 31.

Production slowed down a bit but maintained its momentum during holiday week with only a slight hesitation. Work naturally halted on Christmas day, with 24 hours for recuperation, but two pictures rolled on Friday and another on Saturday at Warners. The two were "30 Days Hath September," a Western, and "The Weekendenders," with Marlene Dietrich.

"The Weekendenders" was "Meet the Vicious Discourtesy Americans." Two more, "The Bride Came C.O.D." and "Sergeant York," get the green first working day of the New Year, and "Affectionately Yours" goes before the lenses next week.

Universal has three films scheduled to lead off during the second week of January and may add a fourth. One designed for the end of Jan., 6, is "A Day from Cheyenne," "Motel Wife" and "The Man Who Lost Himself."

Possibly added starter is the Marlene Dietrich starrer, "The Flame of New Orleans."

Monogram is soaring to new production highs with the delivery of 12 features, five "Range Buster" westerns and two Tex Ritter horse dramas. The finished product constitutes 45% of the studio's program for 1940-41.

O'BRIEN SIGNS FOR FIVE YEARS WITH COL

Hollywood, Dec. 31.

Pat O'Brien closed a five-year deal with Columbia for a minimum of two pictures annually, with provisions for more if mutually agreeable. Contract goes into effect Jan. 2.

For years under contract to Warners, O'Brien recently finished his first freelance picture, "Escape to Gloria," for Columbia.

George J. Schaefer Will Stay at RKO Studio for a Year; Edington Leaving?

12,428 Film Workers' Pay

Average \$44.90 a Week

Hollywood, Dec. 31.

Studio workers, exclusive of execs and talent, drew down \$557,957 in November, representing a \$8,036 increase over previous month. Weekly paycheck is \$14,428.

Employment gain 1.7% over No-

ember '39 in salaries but showed numerical loss of 2.3%. Studio workers averaged \$1.29 per hour during the month.

SCHAFFER THINKS RKO SETS PAGE

Cutting Picture Programs

**Will Be the General Policy
of Each Company, RKO
Prez Opines — Extended
Playing Time Inevitable**

BLOCKS-OF-5 SNAG COIN

No product shortage in 1941-42 is envisioned by RKO prez George J. Schaefer, despite a clash in number of films as a result of the consent decree. Probability, Schaefer predicted, will be that exhibts assign films longer playing time to compensate for the diminution in numbers.

Increased playing time, providing greater film rental for individual pictures, is viewed by Schaefer as a healthy development. He rendered the opinion recently in revealing that RKO will cut 40 pictures next season from the 45-48 slated for the current year.

Although other companies have given no outward indication yet of an intention to reduce their quantity of product, they are expected to follow the RKO suit. Two reasons for the cut were assigned by the RKO topper and are generally applicable. One is the fact that five-picture blocks which must be sold under the consent decree tie up coin, because completed films are held on the shelf and bring in no revenue while waiting for the four other pictures in the group to be finished. Second reason is that such a "shoebox" situation will be more profitable with fewer and better films.

Flexibility in Blocks

Schaefer predicted that no switching of individual pictures from one group of five to another by exhibts will be permitted, as it would cause too many complications. Only spots which aren't open a full week or where other unusual conditions prevail will be able to buy fewer than five pictures at a time.

As to a query whether pictures in a block must be played in a particular order, Schaefer replied, "Same flexibility of booking as now exists will continue, he explained, governed only by usual rules of clearance and availability.

Exhibits in later runs, RKO chief said, will be able to buy two or three groups of pictures at a time, although this will be impossible in early runs where films are played as they come off the production line.

As to the question of how long a exhibt has a couple of months' wait before getting product, he'll be able to see several blocks before it becomes necessary for him to buy any.

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George J. Schaefer Will Stay at RKO Studio for a Year; Edington Leaving?

Hollywood, Dec. 31.

George J. Schaefer, president of RKO, is due in town Jan. 15 for a one-year stay, probably to take over the chores now performed by Harry Edington at the Gower street studio. Edington, it is reported, may leave the lot when Schaefer arrives.

The production controlling Schaefer is to remain in the production setup, bringing into the fold now producers, some of whom will work on the company payroll and some independently. New policy is to let the staff producers stand or fall on the merits of their own pictures, with Schaefer as a consultant executive whenever necessary.

\$12,900,000 British Coin Withdrawal

For 1941 Finally Okayed; Joe Breen Stresses 'Keep the Screen Clean'

Cutting Credits

Hollywood, Dec. 31.

Production credits are in for a drastic trimming for 1941 at Metro and probable at other major studios. Idea is that the public is interested chiefly in the players and is bored by a long list of technical and production aides.

One complication halting an immediate reduction of names is the number of contracts which call for screen credit.

The British frozen coin agreement for eight U. S. major companies was approved and finalized last Friday (27) by both the American film companies and the government of Great Britain. Announcement of basic feature, including the maximum total, \$12,900,000, which American distributors may receive in the year started last Nov. 1, and percentages according to companies, was made at the Hays, office directors' meeting that day.

Talk by Joseph I. Breen, production code chief of the Motion Picture Producers & Distributors Assn., before the directorate was the other important feature of the session. He urged the top officials present to exert pressure on their production chiefs on the Coast in maintaining clean product. The board of directors pledged Breen 100% support, informally explaining that they would do all they could to see that producers cooperated in keeping pictures clean. Breen and Will Hays, several weeks ago went over the situation on the Coast, with producers then expressing willingness to watch their steps.

Understood that some executives present admitted that certain products were not as good as others and that surefire boxoffice films or what they considered such. In recent months perhaps had gone a little too far. It was pointed out that protests about dirt in screen productions and fresh censorial troubles were caused by this sloppiness over on the yen to get in double-meaning gags or questionable scenes. Breen apparently wanted company heads to be more sensitive and to get an expression of opinion. Apparently in the future attempts to crowd in objectionable material will not be handled with gloves; rather, it will be a case of elimination before shooting begins or trimming after the picture is completed.

How Split Up

The British frozen coin pact, which permits the majors to remit \$12,900,000 to the British in the period Jan. 1 to June 30, will enable these companies to obtain the bulk of \$4,837,500, which is 37 1/2% of the total allowed out in the first 13 weeks. Agreement allows another 37 1/2% (\$4,837,500) out of Great Britain in the second 13 weeks, and the remaining 25%, or \$3,225,000, in the last six months of the period ending next Oct. 31.

All of this is on an 'if-earned' basis, because neither the British nor the American studios will receive any money until it is earned.

The allocation agreement, which is entirely separate from the exchange pact with the British, has yet to be signed and probably won't be for some weeks. This covers the method whereby the frozen coin total is to be split up among the eight companies. The 'if-earned' phase of the coin pact makes this a complex matter, especially so because many companies want to include advance sales, ready deals, etc., in the amount they should receive.

Understood so far that if in any of the three specified periods one company lags below its assigned percentage in earnings and another distributor goes above its percentage, there will be an adjustment in favor of the latter who the money is actually split. Thus if Columbia should fall below its percentage figure in the first 13 weeks, the studio should show earnings ahead of its allotted percentage, an adjustment will be made. Similar realignment would be followed with all eight majors. Whole matter of allocating the coin received in each period is so complicated that company statistics are running around in circles trying to fathom the figures.

O'LEARY RUNS COMERFORD CHAIN NOW

RADIO, PIX REGULATE BENEFITS ON COAST

Hollywood, Dec. 31.

Regulation and direction of charity endeavors undertaken by the two branches of show business, pictures and radio, hereafter will clear through a single agency to avoid duplication and conflict. Collaboration was effected last week between the two branches.

Appointees of Harry Witteman, prez of Southern California Broadcasters' Assn., were Don Gilman, CBS; Donald Thurnburgh, CWS; Lewis Allen Weiss, Don Lee-Mutual; Harry Almquist, KFWB, and Calvin Smith, KPAC.

At a recent meeting between radio and film leaders it was indicated that a group benefit committee, consisting of radio and motion picture curb duplicates as well as British broadcasts from Hollywood a week apart. Both Sam Goldwyn and Gilman chided the two groups sponsoring the British programs for not getting together on one massive broadcast instead of splitting them up, with the performers and networks forced into double duty.

Bernhard's Coast Huddle

Joseph Bernhard, general manager of the Warner circuit, convened Monday (30) for the Coast.

He will confere with Harry and Jack Warner on general mat'ls pertaining to production and the theatres.

VERTICAL UNIONIZATION

SWG Signs Virtually All Indies To Same Pact as Major Studios

Hollywood, Dec. 31.

Screen Writers Guild has gained virtual control of the scripter situation in the film industry by signing contracts with practically all the independent producers and reaching tentative agreements with the rest. Pacts, similar to those with the major studios, are for six months and give SWG the right to arbitrate any disputes that may arise over screen credits.

Indies who have signed are Edward Small, Howard Hughes, Globe, Principal Artists Production, Alexander Korda, James Roosevelt, Frank Lloyd, Frank Capra, Louis B. Mayer and David L. Loew-Albert Lewin. James David O. Selznick has promised to sign after he forms a new corporation. With a few minor details to be worked out, tentative agreements have been reached with Republic, Hal Roach, Walter Wanger and Monogram.

Coast leaders of the CIO, armed with 17,000 membership pledge cards from various labor classifications in the major studios, are waiting for a chance to take the film industry. They will be no strangers to that direction, according to the leaders, who insist that any action will have come from the workmen themselves.

Cox of the situation, the CIO representatives declare, is the unsettled condition of several studio locals aligned with International Alliance of Theatrical Stage Employees. George E. Browne, proxy of IATSE, is reported to be investigating the possibility of a CIO drive in Hollywood.

Belief here is that any such move by CIO would result in IATSE taking command of the 10 studio locals to protect its own jurisdiction, with the American Federation of Labor taking over some of the independent crafts to forestall CIO. Thus far the AFL in the name of an organization campaign in the film industry, has been keeping hands off the indie unions.

Deep Cut Into Extra Lists

Producers Association meets Jan. 6 to approve the Standing Committee report recommending a heavy cut in the list of available extras. Approval means the dropping of 2,000 extra players who worked 10 days or less in 1939. These casual extras were paid approximately \$200,000, which will be available for distribution to regular extras whose sole support is the picture industry.

Motion Picture Costumers Union submitted demands to Pat Casey, producer-labor contact, for a five-day 40-hour week, with upped wages for employees in the lower pay brackets. Riddles between producers and union representatives begin next week.

Herbert Aller, business representative of International Local 659, conferred with Walt Disney studio executives to discuss a proposed contract governing the wages and working conditions for cameramen. Most of the cartoonists in the Disney plant have already signed their intention to affiliate with the Screen Cartoonists Guild.

Producers and Studio Scenic Artists are exchanging diplomatic notes with a possibility that a contract will be signed when Herbert Sorrell, business representative of Motion Pictures Painters Local 644, returns from his Oakland vacation.

RCA Common's 20c Divvy

Common stockholders of Radio Corp. of America, on record as owners last Dec. 29, will get off the new year with a 20c divvy melon. Dividend is payable Jan. 27, but action on the distribution was taken early in December. It gives RCA common shareholders a flying start on dividends for the year because only 20c was paid all of 1940.

RCA also is paying the customary 8½c and \$1.25 on its first preferred and its preferred shares as of today (Wed.), thus representing the usual quarterly distribution for the final quarter of 1940.

Three in Row for Maureen

Hollywood, Dec. 31.

Erich Pommer, picked Maureen O'Hara for the female lead in his forthcoming RKO production, "Two Islands."

Two pictures, the current "They Met in Argentina" and "Water Gypsies," precede "Island" Miss O'Hara's schedule.

Geo. Ballantine, 20th, S. F., Placed About the Decree

San Francisco, Dec. 31.

The much-mooted consent decree that its multifarious ramifications won't make much change in the customary serenity of Frisco's film row. A little more paper work, a few more visits from exhibitors, and perhaps fewer headaches for the shipping department is the way they summarize it here. It's like all the other overwhelming, stupendous problems, the philosophic philosophies. George Ballantine of 20th-Fox. When they actually arrive they always unsnarl themselves somehow and a short time later you never know anything has happened.

An increase in clerical work apparently will be the major change here. The screening problem, worry many eastern centers, has caused no ripple here yet.

"There'll be a few more exhibits in the picture houses than you'll find that the average extra will continue to gauge his reactions by audiences in first-run houses. But as for tradeshowing the first-runners always look at their product anyway, and we screen all our pictures, so actually, there won't be any great change in the present setup."

Paramount, 20th, Universal, Warners, and RKO all have screening rooms, in addition to another room on the side of the road, which is expected to be ample to care for preview needs. In the event of overflow, plenty of houses are available in convenient locations.

Still additional difficulty in De-

IATSE DRIVE REPORTED ON

Stated That the Wedge Into Theatres, Nationally, Will Come Via the N. Y. Home- Offices of the Sundry Chains or Partnerships

DETROIT EXAMPLE

Reported that the International Alliance of Theatrical Stage Employees, which has been quietly organizing various theatre crafts throughout the country, is beginning to make its big move in the organization of picture houses from top to bottom. Various points around the country, such as Detroit where trouble has just cropped up, may serve as testing points on the IA campaign and not overlooked for in the trade is that the IA may use its strike drive as a pressure weapon.

Among other things, it is believed that IA would like to throw the responsibility on labor matters as much on New York as possible, especially so far as large circuits, which have partnerships, are concerned, with result negotiations may be pressed with circuit h.o.'s instead of through local operators or particularly through the newly organized under IATSE auspices, the all-theatre help under contract in N.Y. and Brooklyn excepting ushers.

During the past week union trouble cropped up in Miami Beach in connection with the opening Christmas Day (25) of the new Beach theatre, an S. A. Lynch-Parr operation, but that was straightened out.

Detroit's Case

Much more alarming are the difficulties and the threats in Detroit, affecting not only Par there but other operators in Detroit. The Detroit Par subsidiary, had scheduled to open a new house the Royal, Friday night (27) but ran up against unanticipated union demands. Stagehands got tough by insisting on putting in a maintenance man at \$78 a week, with result when demands were refused, the operators would not get into the booth. House wouldn't open and is still unlatched. William H. Wetmore, independent neighborhood operators, are involved since they built the Royal and have a piece of it with Par.

Still additional difficulty in De-

\$78 Stagehand Balks Preem Of 2,500-Seat, \$300,000 Nabe

troit involves an effort of the janitors to obtain recognition and a contract. Redwood laborers from Chicago, probably representing the IA, organized the janitors in Detroit and they are making their bid under threat to picket theatres. Understand they have obtained agreement from other unions not to cross a picket line if thrown up. American Guild of Variety Artists, the IA and musicians, are mentioned in this connection.

Because of resistance from the janitors, the janitors threatened to organize a picket line last night "New Year's Eve" in front of Par's Michigan in Detroit, which this week has a holiday stage show.

Fears are that similar unrecognized unions in the IA or AFL group may begin testing their strength in other parts of the country shortly after New Year's in a move directed by George E. Brown to solidify the IA throughout the entire nation.

Unionists' \$9,000 For False Arrest Affirmed in L. A.

Hollywood, Dec. 31. District Court of Appeals on Monday (30) affirmed a judgment for damages to Herbert Sorrell, biz rep of the Studio Painters Union, and Ralph Peckham growing out of false arrest in a studio strike several years ago.

Warners and Blayne Mathews, studio police chief, were defendants in case. Jury's award of \$15,000 was reduced to \$9,000 by subsequent court actions which Appeals Division has just affirmed.

Lang on 'Man Hunt'

Hollywood, Dec. 31. Fritz Lang gets the directorial a lot on "Man Hunt," a slot undergoing a lot of rewriting since its publication as the novel "Rogue Male."

Filming starts early in January at 20th-Fox.

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PAR BORROWS LODER

Hollywood, Dec. 31.

Paramount borrowed John Loder from 20th-Fox for one of the top roles in "One Night in Lisbon."

A fox recently finished "Uncensored" on that lot.

Detroit, Dec. 31.

Refusal of the United Detroit Theatres and the Wisper & Wetman circuit, joint operators of the new luxury house, to pay a \$78 weekly salary to a stagehand for the new Royal halted the scheduled opening of the 2,500-seat \$300,000 nabe here. Instead of a gala opening Friday (27), the theatre turned away 3,500 customers at the windows; refunded to those who had bought in advance and handed out the following statement to all who came out for the opening.

"We exceedingly regret the inconvenience caused you by the failure of this theatre to open. We feel the following explanation is due you. This theatre, constructed and equipped in its entirety by union labor, will not open as the result of the unreasonable and illegal demands of the Stage Hands Union, who demand that we employ a stagehand at a salary of \$78 per week. For your information, a stagehand is one who during the presentation of a stage show moves sets and other equipment used by the actors in the presentation of their act. Since this theatre will have no stage shows there is absolutely no work of any kind for a stagehand to do."

"Two moving picture operators to whom we are willing to pay the union scale of \$105 per week per man refuse to man the house unless we employ a stagehand. Because of these facts and for no other reason whatever you can imagine, we are unable to pay a man \$78 per week when there is absolutely no work of any kind for him to do. What would you do if you were in our position?"

The Detroit Theatrical Protective Association claimed that there was work for a stagehand to do at the new house in the form of maintenance. The union said it was necessary for a stagehand to handle the lighting backstage and supervise exit facilities.

Roger Kennedy, International representative of the M.P.O.W. said nationally none of the members of the operators' union would go to work until the theatre's dispute with the stagehands was settled.

The house continued dark over the weekend with no negotiations, impending.

L'ville Usher Walkout In Unionization Drive

Louisville, Dec. 31.

Ushers at the Strand, Rialto, Rex (Fourth Ave. Amus. Co. houses), and the Kentucky, operated by Swifto Bros., were on strike last week as part of a move by Clem Johnson, representing the Building Service Employees Union (AFL) to organize the ushers. Ushers at the Brown, Lowe's, State and Mary Anderson were not affected and declined to join the movement, which up to the present has merely resulted in the affected houses being subject to picketing. No violence has been evident, with the exception of a minor alteration with one of the working ushers, who had his tie pulled out.

IATSE local has refused to take any part in the strike, claiming that while the Building Service Employees group is affiliated with the AFL, question resolves itself into a jurisdictional dispute. Clem Johnson, usher president, belongs to IATSE. If that union would be interested in taking them in, and that if and when this is decided upon, then it would be time enough to enter into the local situation.

By Sunday (29) night all ushers had returned to work and picketing had been practically discontinued.

PAR BORROWS LODER

Hollywood, Dec. 31.

Paramount borrowed John Loder from 20th-Fox for one of the top roles in "One Night in Lisbon."

A fox recently finished "Uncensored" on that lot.

Lincoln Would Kayo Giveaways; 70 Philly Nabes Go for Games

Lincoln, Dec. 31. Determination of the county attorney's office here to rid Lincoln of give-away contests in theaters found him disregarding actions against the Nebraska city manager, R. W. Huffman, and house manager Gene Shanahan one day last week, and filing a new one.

His target is the theater's "Ameri-Art" grocery giveaway game, played with answers to questions on card like bingo, first to get four rows of queries answered taking the prizes. First action was taken by the court to Municipal Judge Fisher because it could only be filed under the state's anti-lottery statute, and it was not. So the first action was folded by the d.a., and the second set of papers went on the docket immediately. Case will come to trial Jan. 10, and both managers have posted \$500 bond for appearance.

Nebraska is no longer sponsoring the game show, which ran every Thursday night for two months before legal action was initiated.

'Prosperity Clubs'

Asking for action on pleadings in the case against the Omaha Motion Picture Exhibitors association, Atty. Gen. Walter Johnson filed a motion with supreme court this week asking judgment be awarded for continued operation of the gift stunt of OMPEA's 'Prosperity Clubs.'

Johnson claims it's bank night in principle, fancied up to evade the lottery law. Banks was slapped down June 26, 1937, and Johnson wants punishment handed OMPEA for attempting to dodge the lottery issue.

Nebraska lottery promoters call for immediate suspension of laws and consideration. OMPEA admits the first two, but since agreeing to pay off to registrations on the day of drawing whether a ticket is bought or not, believes there is no element of consideration. Johnson says the mere turning into a theatre lobby and signing a name is giving of a person's time, and time is worth something—therefore, consideration is paid.

OMPEA offers \$500 each Wednesday night, the assessment of 26 Omaha theatres. If undrawn, it goes to \$750, then to \$1,000; \$1,000 is the most which can be given away each week. There are some 40,000 registrations now on tab for the stunt.

All the gambling elements and urge to speculate that this is according to Johnson, and he paints a picture of the theatres preying on the individual who is enticed to risk small money to get big.

Oho Still Uncertain

Columbus, Dec. 31. Status of bank night in Ohio, after the Supreme Court refused to rule on its legality, still remains status quo majorly. Dayton, Cincinnati, and nearly two years of court action over the case of Attewell vs. Troy Amusement Co. reached the highest state court, but the bench, while refusing to grant an injunction preventing Troy police from interfering with bank night at the Mayflower theatre there, declined to rule on legality of the game. Court explained status inasmuch as it may not make a decision on criminal statute in injunction proceedings, by pointing out that an arrest on lottery charges, with appeals, would bring a solution.

Philly Goes for Games

Philadelphia, Dec. 31. More than 70 Philly nabs are hoping on the games bandwagon as result of the recent ruling of Judge Howard Davis, of Common Pleas Court, who decided that "Zingo" and "Cash Quiz" were legal.

"Cash Quiz" distributed here by David Malsman, goes into about 35 houses starting this week. The game consists of flashing questions on the screen and punching of correct answers on cards held by patrons. Cash prizes are given to winners.

"Zingo," a new game distributed by David Mulliver, local indie exhibitor, goes into a like number of theaters on Jan. 6. In this game a play is enacted from the screen with sound effects emanating from the sound track. Players are asked to identify the sounds.

Aldridge Vice Rogers

Hollywood, Dec. 31.

Katherine Aldridge was assigned to fill the role left vacant by the illness of Jean Rogers as female lead in "Dead Men Tell" at 20th-Fox.

Shift was made before Miss Rogers appeared in the picture, so no relatives are necessary.

INSPIRATION?

Hill on the Head, Theatre Man Writes Best Ad Campaign

San Francisco, Dec. 31.

While everybody gave him credit for fluff, seems that Charley Schaefer of the United Artists here spent two hours in his office, writing on the count of a concession. Stooped over in his own kitchen and banged his noggin on an open cupboard door as he came up. Didn't notice anything until several hours later when he suffered a near-collapse, doc ordering him to bed pronto, where he stayed.

Odd sidelight is that the campaign for "Third of Bagdad" which he prepared while flat on his back turned out better than the regular one.

After a glimping first day his Schaefer's boss has suggested he get at least one concussion per month.

"I'd be wails Charles, but because I'm in a car," wails Charles, "but because it happened in my own house, everybody just laughs."

CLIFF LEWIS MAY GO RKO ON SCHAEFER OK

Cliff Lewis, advertising-publicity head of the Paramount studio who was succeeded in that post recently by George Brown, may join RKO instead of coming east to go into an exploitation spot with Paramount at the h.o. Understood RKO interested in him on the recommendation of George Schaefer, who was very well with Par when Lewis was on h.o. advertising.

Arch Reeve, lately with 20th-Fox and now on the Coast, was under consideration for the Lewis spot at the studio before Brown was set. Reeve is now ill with gastric ulcers which caused serious hemorrage complications.

Fantasia' Into Boston, Philly, L. A. in Late Jan.

"Fantasia" will have its first three openings outside of New York late in January. They will be in Boston, Philadelphia and Los Angeles, with only Boston fully set. It will be Jan. 23 at the Majestic. Dates in Philly and L.A. will be within a couple of days of Boston. Houses have not been set.

The home of the Disney musical is a 1,400-seat Shubert house which has recently been dark. Broadway, at which the pic is playing in New York, is also a Shubert holding, although there is said to be no significance in the coincidence. Policy in Boston will be exactly the same as two-day seat reserved seat as in Manhattan. Miller, Chamberlain, who formerly operated the Little Carnegie and other class houses in N. Y., will be manager. Jack Goldstein, Boston legit p.a., will handle press.

Dick Condon, Disney publicity chief, who has been on an advance tour, was called back to his desk in New York last week as result of the tour caused by quicksilver orders from the studio.

Frank Baum, who was accompanying him during the winter layoff of "Ringling Bros." circus, which he regularly publicizes, will handle the Philly preem.

L.A. unit will be under auspices of studio press department.

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Hal Horne, Disney eastern rep., will go to Chicago and Detroit this week to make a selection out of the number of houses given over by Disney engineers. Chi, Detroit and Washington will be the second trio of openings.

Baines' Radio Tieup

"Scattergood Baines," first production made by Pyramid here for RKO release, is getting a novel twist this month on the radio show of the same title sponsored by Wrigley. Programs will concern themselves with the film version of "Scattergood Baines," many of scripts being framed around the picture and possible production locations.

Film now is set for release on Feb. 21. Guy Kibbetts has title role.

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VARIETY

Yeh, Let

Boston, Dec. 31.

George Raft is playing the RKO Boston on a personal appearance.

The Translux, across the street, is offering him in a reissue of "Scarface," with an English feature tabbed "Let George Do It."

Hollywood, Dec. 31.

Hy Daab, veteran film publicist of Vanux, has checked in at Paramount to take charge of special campaigns. Shift is one of the results of the general shakeup following the appointment of George Brown as studio's publicity chief.

Five members of the flaccery Bert Howow, Herbert, Arthur Powell, Leo Burkin, and Eddie Belfort have checked off the lot. Hollaway's post as head of the unit room was taken over by Murphy. McHenry, who moved over from Edward Small Productions, where he was in charge of publicity and advertising for two years. Other vacancies will be filled later.

Daab graduated from the newspaper field to become advertising-publicity boss of the old Cole-Rothschild outfit, which turned into a 100-seat Columbia's ad-publicity staff in New York, and joined VARIETY in 1938.

DISC COSTS STYMIES FILMS' S. A. BALLY IDEA

Plan to use an industry radio program, via discs spotted on local Latin-American stations, has struck a snag. Heavy expenditure caused a snafu. The company has called in several major company foreign exchange officials to oppose the idea, originally outlined by Metro. It was the cost item which was one of the principal objections raised against the Latin-American shortwave proposal of National Broadcasting Co.

Despite the objections to cost, final check is not completed and it may be that a vote of major companies on the discs plan will be made. However, almost unanimous vote will be necessary if the Latin-American idea becomes an industry affair.

Special 'Va.' Preem For Brit. War Relief

The Canadian Maple Leaf Fund, Canadian-sponsored organization in this country for British war relief, has arranged to take over the entire orchestra floor of the Paramount, N. Y., Jan. 28, for a special premiere that night of "Virginia."

The Fund plans selling the seats itself at advanced prices, with the proceeds to go into the Fund's treasury.

In addition to the Glenn Miller band and the regular Far show to play with "Virginia," there will be personal appearances of stars from screen, stage and radio on the preem which will be at 8:30 p.m.

Shapiro With Selznick

Hollywood, Dec. 31.

David O. Selznick engaged Victor M. Shapiro to handle special publicity for his pictures, indicating that the producer's plan is to "keep the public about to make an early start on the two films he owes United Artists."

Shapiro's contract is with the new David O. Selznick Productions, successor to Selznick-International. He will remain with the new outfit until spring, when he moves out to fulfill a previous commitment.

Pilot Joins UA Staff

Eduard Pilot, who had been doing occasional work for the United Artists exploitation department, was added permanently to the publicity staff.

Arthur Jeffrey will continue to service dailies and syndicates and Burt Champion will handle general duties, specializing in radio.

Telley Heads PFA Unions

Pittsburgh, Dec. 31.

Ed Tolley of MCA has been elec-

tured president of PFA and B-11.

Alfred Kuhn, WB, was named to the business agent's post. Other officers

Len Goldenson's Swing to Contact Par Field; Theatre-Exchange Shorts

Starting shortly, Leonard Goldenson, Paramount home office theatre executive working directly under Barney Balaban, will make an exhaustive tour of several parts of the country to personally confer with field operators, house managers and to look over theatre properties he has been seeing.

He will cover the entire south, and New England among others. During the past year Goldenson, in company with Sam Dembow, Jr., has covered every northern theatre in the Par fold. At present recuperating at his Cedar Island (Larchmont, N. Y.) home from an auto accident, house managers and to look over theatre properties he has been seeing.

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Chi Knee-Deep in Holiday Coin: 'Neighbor'-Vaude Smash \$53,000, East-Unit 24G, Wolf-Weems Big

Chicago, Dec. 31.

With the holiday season in full swing, the theaters are raking in the money in Chicago. The city's box office bright spots at present, all the pictures are hits; and all types of management are surefire. Everybody and everything is a success.

Chicago has a big winner with the Jack Benny and Allen Ludden "Love That Neighbor." Should roll up a tremendous score with the \$1 top which will hold throughout the town on the New Year's eve shows.

Patricia Morison's "Kildare" to day (Tuesday) and here is another surefire money smash from the bell, New Year's eve or Yom Kippur, makes no difference.

Elsewhere there are no complaints either, though there is no outstanding money production. Highly satisfactory for the season are such holdovers as "Bitter Sweet" (Col.) and "Children" (Col) is cinching nice \$11,000. Last week "Kildare's Crisis" (M-G) and "Escape Glory" (Col.) were \$7,000. "The Devil's Ring" (RKO) and "Friendly Neighbors" (Rep.) okay \$5,000.

"State" (Loew) (3,200; 28-39-50) — "Comrade X" (M-G) and "Lone Wolf" (RKO) both open with "Bagdad" (UA) "Chad Hanna" (20th) and "Private Detective" (20th) helped by Christmas upswing to good \$7,000.

"The Devil's Ring" (RKO) and "Friendly Neighbors" (Rep.) okay \$5,000.

"State" (Loew) (3,200; 28-39-50) — "Comrade X" (M-G) and "Lone Wolf" (RKO) both open with "Bagdad" (UA) and "Private Detective" (20th) helped by Christmas upswing to good \$7,000.

"Love Thy Neighbor" (Par) and "Aunt Maggie" (Rep). In Christmas week cleanup spot, "Second Chorus" (Par) and "Texas" (Par) made off with \$4,000.

"Earl Carroll's" (Par) and "Before I Hang" (RKO), slow \$3,700.

BAGDAD

\$16,000, WASH. B.O.

MILD

Ted Weems orchestra on the stage of the Oriental is the insurance for a big session.

Estimates for This Week

Apollo (B&K) (1,200; 35-55-65-75) — "Arizona" (Col) (2,200; 35-55-65-75) — "Kildare" (Par) and stage show. Cinch for smash coin, maybe \$53,000 which is sensational for the week.

"Pan Alley" (20th) finished fortnight to \$25,000 for second session.

Garrison (B&K) (900; 35-55-65-75) — "Pan Alley" (20th) is here again. "Garrison" and vaude, Ted Weems band on stage and real box-office asset, which will zoom the take to \$22,000. — Last week, "Men Against Sky" (RKO) and Singer's Millions" (Rep.) were \$10,000.

Palace (RKO) (2,500; 28-44-66) — "Kitty Foyle" (RKO) and "Saint Palm Springs" (RKO). Opened today (Tuesday). Last week, "Nanette" (RKO) and "Mexico" (RKO) excellent at \$10,000.

Roosevelt (B&K) (1,500; 35-55-65-75) — "Bagdad" (UA) (2d wk). Going to bright \$12,000, after taking \$9,500 last week.

Saint Lake (B&K) (2,700; 28-44) — "East River" (WB) and "Streets of Paris" unit. Wow take in the offing at \$24,000. Last week, "Blonde Cupid" (Col) and Ada Leonard's All-American Girl Band took fine \$15,000.

United Artists (B&K-M-G) (1,700; 35-55-65-75) — "Bitter Sweet" (M-G) (2d wk). Will snatch \$12,000, fine, following neat \$11,200 last week.

Washington, D.C., Dec. 31.

Holiday openings, which have played well with audiences, and rain, which has messed up the box office, leave the figures in pretty much of a tangle this week, at least, as far as drawing any conclusions goes. In the capital, the totals are distinctly disappointing, especially in view of fact that all major houses tossed in big attractions with plenty behind 'em.

Local theaters switched bills to open on Christmas eve and all are changing now for New Year's eve.

Tops for a week ending yesterday, the new season, is Palace. Loew's big straight pic spot, with "Thief of Bagdad." Second is Capitol, Loew's vaude, with "Chad Hanna" and third comes with "Pan Alley." WB made house with "Men Against Sky" and had to get 'em into "No, No, Nanette," but couldn't do better than average \$7,500.

Estimates for This Week

Capitol (Loew) (4,434; 28-44-66) — "Fin" (Col) and "Giant" (Col) and vaude. Opened today. Last week.

Strand (WB) (1,000; 10-39-44-66) — "Santa Fe Trail" (WB) and vaude. Opened today. Last week, "Four Mothers" (WB) passed \$10,000.

State (WB) (2,216; 28-39-44-66) — "Santa Fe Trail" (WB) and vaude. Opened today. Last week, "Four Mothers" (WB) passed \$10,000.

Kitty Foyle (RKO) opened today. Last week, "Nanette" (RKO) held for average \$7,500.

WB (1,000; 28-44) — "Hercules" (WB) (Col) and "Nanette" (RKO) Opened to eighth. Last week, "Cherrie Stripe" (RKO), passable \$4,000.

Palace (Loew) (2,242; 39-55) — "Comrade X" (M-G). Opened today. Last week, "Bagdad" (UA) topped week's holiday takes with solid \$16,000.

Estimates for This Week

Capital (Loew) (4,434; 28-44-66) — "Fin" (Col) and "Giant" (Col) and vaude. Opened today. Last week.

Strand (WB) (1,000; 10-39-44-66) — "Santa Fe Trail" (WB) and vaude. Opened today. Last week, "Four Mothers" (WB) passed \$10,000.

Kitty Foyle (RKO) opened today. Last week, "Nanette" (RKO) held for average \$7,500.

WB (1,000; 28-44) — "Hercules" (WB) (Col) and "Nanette" (RKO) Opened to eighth. Last week, "Cherrie Stripe" (RKO), passable \$4,000.

Palace (Loew) (2,242; 39-55) — "Comrade X" (M-G). Opened today. Last week, "Bagdad" (UA) topped week's holiday takes with solid \$16,000.

Estimates for This Week

Albee (RKO) (2,200; 28-39-50) — "Kitty Foyle" (RKO) and "Saint Palm Springs" (RKO). Opening tonight (31) as "Nanette" (RKO) and "San Francisco Dancer" (U.S.A.) and "Galant Sons" (M-G) end fourth downtown week with total \$3,000 after similar take in 3d stanza.

"Fay's" (Indie) (2,000; 15-28-44) — "Fargo Kid" (RKO) (re-issue) and vaude, G.I.'s Wings (U.S.A.) and "Range Business" (U.S.A.), currently clearing up swell \$3,500. Last week, "Scandal"

face" (Astor) (re-issue) and "Sky

Master" (Fox) (2,200; 28-39-50) — "Santa Fe Trail" (WB) and "Where Get You" (U.S.A.). "Chad Hanna" (20th) and "Private Detective" (20th) helped by Christmas upswing to good \$7,000.

"The Devil's Ring" (RKO) and "Friendly Neighbors" (Rep.) okay \$5,000.

"State" (Loew) (3,200; 28-39-50) —

"Comrade X" (M-G) and "Lone Wolf" (RKO) both open with "Bagdad" (UA) and "Private Detective" (20th) helped by Christmas upswing to good \$7,000.

"Love Thy Neighbor" (Par) and "Aunt Maggie" (Rep). In Christmas week cleanup spot, "Second Chorus" (Par) and "Texas" (Par) made off with \$4,000.

"Earl Carroll's" (Par) and "Before I Hang" (RKO), slow \$3,700.

Strand (WB) (1,000; 28-40-50)

"Roxy" — "Chad Hanna" (20th) (3d wk).

Strand — "Santa Fe Trail" (3d wk).

Week of Jan. 2

Astor — "Great Dictator" (UA) (12th wk).

Broadway — "Fantasia" (Disney) (6th wk).

Capitol — "Comrade X" (M-G) (2d wk).

Criterion — "Little Nellie Kelly" (M-G) (2d wk).

Globe — "Night Train" (20th) (2d wk).

Music Hall — "Philadelphia Story" (M-G) (2d wk).

Paramount — "Love Thy Neighbor" (Par) (4th wk).

Rialto — "Lone Wolf" (Rep.)

Date (Col) (1).

Rivoli — "Victory" (Par) (3d wk).

Roxy — "Chad Hanna" (20th) (2d wk).

Strand — "Santa Fe Trail" (3d wk).

Week of Jan. 3

Astor — "Great Dictator" (UA) (13th wk).

Broadway — "Fantasia" (Disney) (7th wk).

Capitol — "Comrade X" (M-G) (3d wk).

Criterion — "Texas Rangers Ride Again" (Par) (8).

Globe — "Night Train" (20th) (3d wk).

Music Hall — "Philadelphia Story" (M-G) (3d wk).

Paramount — "Love Thy Neighbor" (Par) (5th wk).

Rialto — "Invisible Woman" (U)

(8).

Strand — "Four Mothers" (WB) (8).

Week of Jan. 4

Astor — "Great Dictator" (UA) (14th wk).

Broadway — "Fantasia" (Disney) (8th wk).

Capitol — "Comrade X" (M-G) (4th wk).

Criterion — "Texas Rangers Ride Again" (Par) (9).

Globe — "Night Train" (20th) (4th wk).

Music Hall — "Philadelphia Story" (M-G) (4th wk).

Paramount — "Love Thy Neighbor" (Par) (6th wk).

Rialto — "Lone Wolf" (Rep.) (9th wk).

Date (Col) (1).

Rivoli — "Kitty Foyle" (RKO) (8).

Roxy — "Chad Hanna" (20th) (3d wk).

Strand — "Four Mothers" (WB) (9).

Week of Jan. 5

Astor — "Great Dictator" (UA) (15th wk).

Broadway — "Fantasia" (Disney) (9th wk).

Capitol — "Comrade X" (M-G) (5th wk).

Criterion — "Texas Rangers Ride Again" (Par) (10th wk).

Globe — "Night Train" (20th) (5th wk).

Music Hall — "Philadelphia Story" (M-G) (5th wk).

Paramount — "Love Thy Neighbor" (Par) (7th wk).

Rialto — "Lone Wolf" (Rep.) (10th wk).

Date (Col) (1).

Rivoli — "Kitty Foyle" (RKO) (9th wk).

Roxy — "Chad Hanna" (20th) (4th wk).

Strand — "Four Mothers" (WB) (10th wk).

Week of Jan. 6

Astor — "Great Dictator" (UA) (16th wk).

Broadway — "Fantasia" (Disney) (10th wk).

Capitol — "Comrade X" (M-G) (6th wk).

Criterion — "Texas Rangers Ride Again" (Par) (11th wk).

Globe — "Night Train" (20th) (6th wk).

Music Hall — "Philadelphia Story" (M-G) (6th wk).

Paramount — "Love Thy Neighbor" (Par) (8th wk).

Rialto — "Lone Wolf" (Rep.) (11th wk).

Date (Col) (1).

Rivoli — "Kitty Foyle" (RKO) (10th wk).

Roxy — "Chad Hanna" (20th) (5th wk).

Strand — "Four Mothers" (WB) (11th wk).

Week of Jan. 7

Astor — "Great Dictator" (UA) (17th wk).

Broadway — "Fantasia" (Disney) (11th wk).

Capitol — "Comrade X" (M-G) (7th wk).

Criterion — "Texas Rangers Ride Again" (Par) (12th wk).

Globe — "Night Train" (20th) (7th wk).

Music Hall — "Philadelphia Story" (M-G) (7th wk).

Paramount — "Love Thy Neighbor" (Par) (9th wk).

Rialto — "Lone Wolf" (Rep.) (12th wk).

Date (Col) (1).

Rivoli — "Kitty Foyle" (RKO) (11th wk).

Roxy — "Chad Hanna" (20th) (6th wk).

Strand — "Four Mothers" (WB) (12th wk).

First Runs on Broadway (Subject to Change)

Week of Jan. 2

Astor — "Great Dictator" (UA) (12th wk).

Broadway — "Fantasia" (Disney) (8th wk).

Capitol — "Comrade X" (M-G) (2d wk).

Criterion — "Little Nellie Kelly" (M-G) (2d wk).

Globe — "Night Train" (20th) (2d wk).

Music Hall — "Philadelphia Story" (M-G) (2d wk).

Paramount — "Love Thy Neighbor" (Par) (4th wk).

Rialto — "Lone Wolf" (Rep.)

State (Col) (1).

Rivoli — "Victory" (Par) (3d wk).

Roxy — "Chad Hanna" (20th) (2d wk).

Strand — "Santa Fe Trail" (3d wk).

Week of Jan. 3

Astor — "Great Dictator" (UA) (13th wk).

Broadway — "Fantasia" (Disney) (9th wk).

Capitol — "Comrade X" (M-G) (3d wk).

Criterion — "Texas Rangers Ride Again" (Par) (5th wk).

Globe — "Night Train" (20th) (3d wk).

Music Hall — "Philadelphia Story" (M-G) (3d wk).

Paramount — "Love Thy Neighbor" (Par) (6th wk).

Rialto — "Lone Wolf" (Rep.) (13th wk).

Date (Col) (1).

Rivoli — "Kitty Foyle" (RKO) (4th wk).

Roxy — "Chad Hanna" (20th) (3d wk).

Strand — "Four Mothers" (WB) (5th wk).

Week of Jan. 4

Astor — "Great Dictator" (UA) (14th wk).

Broadway — "Fantasia" (Disney) (10th wk).

Capitol — "Comrade X" (M-G) (4th wk).

Criterion — "Texas Rangers Ride Again" (Par) (6th wk).

Globe — "Night Train" (20th) (4th wk).

Music Hall — "Philadelphia Story" (M-G) (4th wk).

Paramount — "Love Thy Neighbor" (Par) (7th wk).

Rialto — "Lone Wolf" (Rep.) (14th wk).

Date (Col) (1).

Rivoli — "Kitty Foyle" (RKO) (5th wk).

Roxy — "Chad Hanna" (20th) (4th wk).

Strand — "Four Mothers" (WB) (6th wk).

Week of Jan. 5

Astor — "Great Dictator" (UA) (15th wk).

Broadway — "Fantasia" (Disney) (11th wk).

Capitol — "Comrade X" (M-G) (5th wk).

Criterion — "Texas Rangers Ride Again" (Par) (7th wk).

Globe — "Night Train" (20th) (5th wk).

Music Hall — "Philadelphia Story" (M-G) (5th wk).

Paramount — "Love Thy Neighbor" (Par) (8th wk).

Rialto — "Lone Wolf" (Rep.) (15th wk).

Date (Col) (1).

Rivoli — "Kitty Foyle" (RKO) (6th wk).

Roxy — "Chad Hanna" (20th) (5th wk).

Strand — "Four Mothers" (WB) (7th wk).

Week of Jan. 6

Astor — "Great Dictator" (UA) (16th wk).

Broadway — "Fantasia" (Disney) (12th wk).

Capitol — "Comrade X" (M-G) (6th wk).

Criterion — "Texas Rangers Ride Again" (Par) (8th wk).

Globe — "Night Train" (20th) (6th wk).

Music Hall — "Philadelphia Story" (M-G) (6th wk).

Paramount — "Love Thy Neighbor" (Par) (9th wk).

Rialto — "Lone Wolf" (Rep.) (16th wk).

Date (Col) (1).

Rivoli — "Kitty Foyle" (RKO) (7th wk).

Roxy — "Chad Hanna" (20th) (5th wk).

Strand — "Four Mothers" (WB) (8th wk).

Week of Jan. 7

Astor — "Great Dictator" (UA) (17th wk).

Broadway — "Fantasia" (Disney) (13th wk).

Capitol — "Comrade X" (M-G) (7th wk).

Criterion — "Texas Rangers Ride Again" (Par) (9th wk).

Globe — "Night Train" (20th) (7th wk).

Music Hall — "Philadelphia Story" (M-G) (7th wk).

Paramount — "Love Thy Neighbor" (Par) (10th wk).

Rialto — "Lone Wolf" (Rep.) (17th wk).

Date (Col) (1).

Rivoli — "Kitty Foyle" (RKO) (8th wk).

Mpls. Forte: 'Suez-Krupa \$15,000,

'Neighbor' 8G, 'Bagdad' Good \$3,500

Minneapolis, Dec. 31. With the 4,000-seat Minnesota they are back on the firing line, 1941 gets off to a fighting start in the loop here. Chief combatants are the \$2,000 fee due later to the Orpheum, which has shown better pitted against each other at these houses. Extra hefty attractions also are bringing the straight film houses up to the front and, all's it's a Minnesota affair.

As usual, all the theatres are having special midnight shows tonight. The switch to Tuesday openings, occasioned by the mid-week Christmas, may have an impact on the week.

The Minnesota stage line-up includes Ken Murray, Dixie Dunbar and Ruth Petty. The Orpheum counters with Gertrude Nielsen, Ada Levenson, and the two newest addition films in this instance are the Orpheum's "Go West" and the Minnesota's "Hit Parade of 1941."

Most important and consequential of all is the new "Love Thy Neighbor." There are two holdovers— "Love Thy Neighbor," which met with a fine reception at the State and has moved over to the Century, and "Bagdad," remaining at the World.

Estimates for This Week

Aster (Par-Singer) (800; 15-28)— "Dreaming Loud" (RKO) and "Give Us Wings" (U) Good \$1,800 for six days. Last week, "Won't Talk" (Col) and "Always Bright" (WB) \$800. *Fugitive* (M-G) and "Hullabaloo" (M-G) open today (31).

Century (Par-Singer) (1,600; 28-44)—"Letter" (WB) (2d wk)—on moveover). Much praise for this one and second week was relatively better than first. Last week, results pretty fair \$3,500. Last week, "Escape" (M-G) (2d wk), light \$1,800 in five days. "Love Thy Neighbor" (Par) moves over today (31) from State. Second week, "Bagdad".

Gopher (Par-Singer) (98; 28)— "Nellie Kelly" (M-G). Didn't catch on so well. Fair \$2,000 in prospect. Last week, "Angels Broadway" (Col), fair \$1,800.

Minnesota (Middle States) (4,000; 28-39)—"Hit Parade" (Rep), with Ken Murray. All seats. House reopens tonight (31) with second pieces, 44 and 55c, for New Year's eve only. Heavy array of stage talent.

Orpheum (Par-Singer) (2,800; 28-44)—"South Seas" (WB) and Gene Krupa. All seats. Stage show and stage show, pulling 'em in, and eliciting raves. First trip here for Krupa, and they like him. Will finish to big \$15,000, despite day-before-the-holiday opening, according to the normal Friday openings. Adams, which usually is a take-over house, initiated Thief of Bagdad on Christmas and carries strong with "Long Voyage" and "Comrade X" in a second week.

State (Par-Singer) (2,300; 28-39-44)—"Love Thy Neighbor" (Par). Customers like this one and it will do well enough to justify its transfer to the Century. Second week, Good \$8,000 in prospect. *Comrade X* (M-G) opens today (31). Last week, "Letter" (WB) \$3,600 in five days, mild.

Upper (Par) (1,200; 28-39)—"Third Finger" (M-G). First neighborhood showing. Hitting good \$2,500. Last week, "City Conquest" (WB) first neighborhood showing, \$1,500. Last week, "Northwest Mounted" (Par) starts local.

World (Par-Singer-Steffes) (350; 28-39-44-55)—"Bagdad" (U). Will hold over, with good \$3,500 indicated last week. Walt Disney's "Fantasia" (RKO) \$900 for five days, mild.

"BAGDAD" 12G, DENVER

"Neighbor" 2d. Poor— "Vigilante" Okay \$5,000

Denver, Dec. 31.

Best Exploitation: Denver. President Roosevelt's talk Sunday night temporarily put a crimp into business, but the theatres got it from the public. Bagdad has the town's leading gross.

The Denham grabbed a share of publicity by tying up the evening night show with a Christmas party for poor children.

Estimates for This Week

Aladdin (Fox) (1,400; 25-40)— "Hit Parade" (U) and "Cavalcade" (Col), after a week at the Denver. Nice \$4,000. Last week, "Seven Sinners" (U) and "Next Time Love" (U), after a week at the Denver, fair \$3,000.

Denham (Fox) (1,040; 25-35-40)— "Go West" (M-G) and "Gallant Sons" (M-G) (2d wk), after a week at the Orpheum. Fair \$2,500. Last week, same pain ditto.

Denham (Cockrell) (1,750; 25-35-40)—"Love Thy Neighbor" (Par). Second week looks like poor \$4,000. Last week: Benny-Alen film packed

them in to the tune of a swell \$14,000. *Denver* (Fox) (2,325; 25-40)—"Bagdad" (U) Strong \$12,000. Last week, "Hit Parade" (U) and "Elery Queen" (Col), fair \$6,500. *Orpheum* (RKO) (2,600; 25-35-40)—"Nanette" (RKO) and "Hullabaloo" (M-G). N.s.h. \$7,000. Last week, "Women" (M-G) and "Babes in Arms" (M-G) brought back for five days, poor \$4,000.

Paramount (Fox) (2,200; 25-40)—"Vigilantes" (U) and "Where Get Girl" (U). Nice \$5,000. Last week, "Give Us Wings" (U) and "Love Wolf" (Col). *Slate* (Fox) (678; 25-40)—"Seven Sinners" (U) and "Next Time Love" (U), after a week at each the Denver and Aladdin. Fair \$1,800. Last week, "Letter" (WB), after a week at the Aladdin, and "Girls 21" (Col), ditto.

FIND OUT-VAUD 28G, DETROIT SPLENDID

Detroit, Dec. 31.

Even without the added boost of three of this town's first-run, will get well vindicated. "Love Thy Neighbor" in Detroit is running strong. In some quarters it is believed that the heavyway orders are making themselves felt finally, if only in the last bushes, as the company handed out here.

It is, Detroit came through a Christmas season the best in a decade and indications are that business will go on strong. Some spiffy up-ticks in mid-week holiday.

the Michigan, Palms-State and Fox

all have stage attractions for

the coming months. New Year's Eve for which the prices slide up from the usual 65¢ to \$1.65 down-stair and \$1.10 in the balcony.

Michigan and Palms-State are trying to show new by Rosemary Lane, Four Ink Spots and Dean Murphy with "Second Chorus" on screen, between the two houses. The big opening is set for Friday, December 27, with midnight starts, but for the next nine days, Palms takes over the Michigan's current "Love Thy Neighbor" and "Kit Carson".

Michigan's stage show, "Truth or Consequence," on Christmas and winds it up with the mid-night show, following it with "Hudson Bay" and "Lone Wolf" Kepes Day, and "Love Thy Neighbor" and "Bagdad" (U), two days, good \$5,000.

Fox (Fox-Michigan) (5,000; 28-39-44)—"South Seas" (WB) and Gene Krupa. All seats. Stage show and stage show, pulling 'em in, and eliciting raves. First trip here for Krupa, and they like him. Will finish to big \$15,000, despite day-before-the-holiday opening, according to the normal Friday openings. Adams, which usually is a take-over house, initiated Thief of Bagdad on Christmas and carries strong with "Long Voyage" and "Comrade X" in a second week.

Estimates for This Week

Adams (Balaban) (2,300; 30-40-55) \$10,000 New Years'— "Bagdad" (U) and "Sand Man" (U). With a steady start, this house will be in top form. Last week, "The Aladdin" (20th) (St. 5th wk) and "Give Us Wings" (U), five days, and "Bagdad" (U), two days, good \$5,000.

Fox (Fox-Michigan) (5,000; 28-39-44)—"South Seas" (WB) and Gene Krupa. All seats. Stage show and stage show, pulling 'em in, and eliciting raves. First trip here for Krupa, and they like him. Will finish to big \$15,000, despite day-before-the-holiday opening, according to the normal Friday openings. Adams, which usually is a take-over house, initiated Thief of Bagdad on Christmas and carries strong with "Long Voyage" and "Comrade X" in a second week.

Estimates for This Week

Michigan (United Detroit) (4,000; 28-39-44-55)—"Bagdad" (U). Will hold over, with good \$3,500 indicated last week. Walt Disney's "Fantasia" (RKO) \$900 for five days, mild.

Upper (Par) (1,200; 28-39)—"Third Finger" (M-G). First neighborhood showing. Hitting good \$2,500. Last week, "City Conquest" (WB) first neighborhood showing, \$1,500. Last week, "Northwest Mounted" (Par) starts local.

World (Par-Singer-Steffes) (350; 28-39-44-55)—"Bagdad" (U). Will hold over, with good \$3,500 indicated last week. Walt Disney's "Fantasia" (RKO) \$900 for five days, mild.

Denham (Par) (1,040; 25-35-40)—"Hit Parade" (Rep) and "Cavalcade" (Col), after a week at the Denver. Nice \$4,000. Last week, "Seven Sinners" (U) and "Next Time Love" (U), after a week at the Denver, fair \$3,000.

Denham (Fox) (1,040; 25-35-40)—"Hit Parade" (U) and "Cavalcade" (Col), after a week at the Denver. Nice \$4,000. Last week, "Seven Sinners" (U) and "Next Time Love" (U), after a week at the Denver, fair \$3,000.

Denham (Fox) (1,040; 25-35-40)—"Go West" (M-G) and "Gallant Sons" (M-G) (2d wk), after a week at the Orpheum. Fair \$2,500. Last week, same pain ditto.

Denham (Cockrell) (1,750; 25-35-40)—"Love Thy Neighbor" (Par). Second week looks like poor \$4,000. Last week: Benny-Alen film packed

Tropics-Calloway
Slick 18 1/2, Omaha

Omaha, Dec. 31. Even with Nebraska's 10,000 in the Rose Bowl, and every O'hagan's ear glued to a loudspeaker, New Year's day, the theatre take in Omaha for the holiday week will be very much up. For Cab Calloway plus "Love Thy Neighbor" and "Tropicana" in the tropics, the figures are likely to be better than \$18,500 because of the sellout midnight New Year's eve show at \$1. The Brandies, too, is up with "Nanette" and "Elery Queen" going to \$12. The "Nebraska" (M-G) and "Hullabaloo" (M-G) split the bill. Robert Taylor in "Flight Command" and "Christmas in July" will touch a little better than \$8,000.

Estimated for This Week

Orpheum (RKO) (3,000; 15-25-45-55)—"Night Tropics" (U) and Cab Calloway and Cotton Club revue on stage. Good \$18,500. Last week, "Sister" (Par) and "The Light" (M-G). *State* (Col) (1,500; 25-35-40)—"Nanette" (RKO) and "Elery Queen" (Col). Good \$7,000. Last week, "Here Comes Navy" (WB) re-issue) and "Don't Talk" (Col), light \$6,000.

Paramount (U) (2,200; 25-40)—"Vigilantes" (U) and "Where Get Girl" (U). Nice \$5,000. Last week, "Give Us Wings" (U) and "Love Wolf" (Col). *Slate* (Fox) (678; 25-40)—"Seven Sinners" (U) and "Next Time Love" (U), after a week at each the Denver and Aladdin. Fair \$1,800. Last week, "Letter" (WB), after a week at the Aladdin, and "Girls 21" (Col), ditto.

State (Loew's) (3,450; 30-35-42-55)

—"Love Neighbor" (Par). Extra nice!

1500—"Comrade X" (M-G) pushing it inside today (31). Last week, "Long Voyage" (U), mid \$4,500 in five days.

St. James (Par) (1,072; 30-35-42-55)

—"Rangers Fortune" (Par). Developed sparingly at \$3,500, weak for mid-week.

State (Par) (1,072; 30-35-42-55)

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Frisco Good Despite Rain; 'Bagdad' \$12,000, 'Nanette' - Vaude Big 16G

San Francisco, Dec. 31.

Business generally good this week, picking up Christmas Day despite heavy rain, particularly at the Golden Gate, with 'No, No, Nanette' on screen and Nancy Welford on stage, and at the United Artists, where they had 'em standing in the rain for 'Thief of Bagdad.' 'Arizona' also proving a strong magnet at the Orpheum.

Estimates for This Week

Fat' (F-WC) (5,000; 35-40-50)—'Giant' (F-WC) (20th). Opening shifted to Tuesday to take advantage of New Year's Eve, tonight (31). Last week, 10-day run, 'Cab Calloway' (Col) and 'Golden Gate' (RKO) (\$2,500; 39-44-55)—'Nanette' (RKO) and Nancy Welford on stage. Aided by one of the best Christmas openings ever, rolling up a fine 16,000. Last week, 'Fat' (F-WC) faded to a brutal \$9,000.

'Orpheum' (F&M) (2,440; 35-40-50)—'Arizona' (Col) and 'Noblesse' (Paramount) (Col) with Wirt Sweeten on stage. In sight, this gives the house unique possibility of doing almost equal the first week's okay (\$13,500).

Paramount (F-WC) (3,740; 35-40-50)—'Love Thy Neighbor' (Par) and 'Murder Over New York' (20th). Another shift here gives this house a Tuesday opening, the Benny-Alien film and another, 'The Devil's Disciple' (Col), opening 10-day run, in 'Santa' (Par) and 'Chorus' (Par) and 'Melody Ranch' (Rep) garnered \$15,000.

St. Francis (F-WC) (1,475; 35-40-50)—'Flight Command' (Par) and 'Gallant Sons' (Col). Tentatively scheduled as a mover-over from the Fox, to open today. Last week's 10-day moverover of 'Go West' (M-G) and 'Christmas Day' (Par) finished with about \$8,000.

United Artists (Cohen) (1,200; 30-40-50)—'Bagdad' (UA). With \$2,500 in the till, Christmas Day to send this on its way, will hit a big \$12,000. Last (2d-final) week, 'Kit Carson' (UA) was a miserable death at under \$5,000.

Warfield (F-WC) (2,860; 35-40-50)—'Hudson's Bay' (20th) and 'Michael Shayne' (20th). Another shift for purposes of a New Year's Eve opening, the latter pair in today (31). Last week, 'Chan Hanna' (Par) and 'Youth Served' (20th), picked up good \$14,500 in 10 days.

BAGDAD' 11G, K.C. ALL RIGHT

Kansas City, Dec. 31.

Holidays having their effects on theatres, with schedule of opening days still sparse. Marquees are much better, if not big, since it's a quiet spot. Heavy play of the week is split between the Newman with 'Love Thy Neighbor' and the Midland with 'Thief of Bagdad.' Benny Alien and 'Santa' are still around, and certain of an extended run, while 'Thief' is giving the Midland one of better weeks.

In a lighter vein 'No, No, Nanette' and 'The Devil's Disciple' at the Orpheum and Equine Uptown, respectively, are getting a share of the holiday trade—but not setting any records. Both moved out today (31) and were replaced by 'Chad Hanna' (Par) in RKO and by 'Kildare' (Harris) in the Fox. Midwest pair, Midland also changed today with 'Comrade X' as the main attraction. As always, the tower keeps its regular Friday.

All spots after the New Year's Eve business with special showings of their regular features.

Estimates for This Week

Equine (F-WC) and *Uptown* (Midwest) (2,000; 30-35-40; 10-30-40)—'Hudson's Bay' (20th). Closed a week's run today (Tuesday), winding up with better than average \$6,000. Last week, 'Hit Parade' (Par) had a slow opening at \$4,000. 'Chad Hanna' (20th) opens in both spots today.

Midland (Loew's) (4,101; 10-28-44)—'Bagdad' (UA) and 'Plane' (Col) and 'Santa' (Par) on New Year's Eve, opening night (30) after a five week at \$11,000. Last week, 'Escape Glory' (UA) and 'Kildare's Crisis' (M-G) twirled for a five-day, in, tally \$9,000. 'Comrade X' (Col) and 'Queenie Queen' (Col) open today (31).

Newman (Paramount) (1,900; 10-24-44)—'Love Thy Neighbor' (Par). Friday opening, playing to strong trade, but for an extended run after \$10,000, best of all.

Tower (Joffre) (2,110; 10-30-40)—'Headley Ranch' (Rep) with Bill headley by stripper Mona Leslie. Autry film, long a favorite, the usual tall and weak 'Youth Served' (20th) and vaude, including annual Kiddie re-

Key City Grosses

Estimated Total Gross	
This Week	\$1,872,700
(Based on 22 cities, 151 theaters, chiefly first runs, including N.Y.)	
Total Gross Same Week	\$1,581,800
(Based on 23 cities, 159 theaters)	

'Trail' 9 1/2G For 5 Days in Pitt., 'Neighbor' \$14,000

Pittsburgh, Dec. 31.

Between-holiday biz pretty good here but not outstanding. In fact, it's been making an unusual showing although everybody's getting by with room to spare. In most cases new attractions are opening tonight (31) with midnight shows and will run for 10 days, getting majority of business. 'Santa' (Par) will open Friday opening Jan. 10.

'Love Thy Neighbor' is making the best showing at the Penn, but isn't coming close to biz Allen-Benny feeder in doing elsewhere, while 'Santa Fe Trail' five-day run, at 31, is entire success. 'Santa' (Par) is 'Arizona' something of a disappointment at Senator, yet sticks for second week, while 'Bank Dick' got along all right, at Fulton, but not enough to warrant a new week's trial try. 'Northwest Mounted Police' in fifth downtown weekend sensational, and 'Xmas' in July and 'Here Comes Navy' re-issue best.

'Santa' (Par) and 'Melody Ranch' (Rep) garnered \$15,000.

St. Francis (F-WC) (1,475; 35-40-50)—'Flight Command' (Par) and 'Gallant Sons' (Col). Tentatively scheduled as a mover-over from the Fox, to open today. Last week's 10-day moverover of 'Go West' (M-G) and 'Christmas Day' (Par) finished with about \$8,000.

United Artists (Cohen) (1,200; 30-40-50)—'Bagdad' (UA). With \$2,500 in the till, Christmas Day to send this on its way, will hit a big \$12,000. Last (2d-final) week, 'Kit Carson' (UA) was a miserable death at under \$5,000.

Warfield (F-WC) (2,860; 35-40-50)—'Hudson's Bay' (20th) and 'Michael Shayne' (20th). Another shift for purposes of a New Year's Eve opening, the latter pair in today (31). Last week, 'Chan Hanna' (Par) and 'Youth Served' (20th), picked up good \$14,500 in 10 days.

Estimates for This Week

Fultons (Shea) (1,700; 25-30-40)—'Love Thy Neighbor' (Par) and Fields comedy and press kept plugging him right through the run, but biff lopped off over the weekend and management decided not to chance him. As result, 'Hudson's Bay' (20th) opened this evening (31) in fourth place, but on a good day. 'Dick' grabbed around \$4,600, fair. Last week, 'Blackout' (UA), big disappointment at \$2,700.

Penn (Loew's) (UA) (3,000; 25-35-40)—'Love Thy Neighbor' (Par). Doing the biz of town for the holiday session, but at \$14,000 still nothing to get very excited about. Moves to Ritz for second week. Last week, 'Long Voyage' (UA) was five days a comer, but closed after four days a come-up.

Ritz (WB) (600; 30-40-60)—'Northwest Mounted' (Par). Fifth downtown week, and has plenty of stuff left. 'Coke' stick indefinitely, but must move out of market and back to clear space. 'Santa' (Par) is a good buy, will get flesh for a minimum of 12 weeks.

Estimates for This Week

Albee (RKO) (3,300; 33-40-50)—'Santa' (RKO) (six and one-half days). Fair, \$9,000. 'Love Thy Neighbor' (Par) opens tonight (31) for P.M. advance, 47-60-seat capacity. Last week, 'Chad Hanna' (20th), five days, so-so.

Capitol (RKO) (2,000; 50-55-65)—'Gone with Wind' (M-G). Okay for a week, then down to 10-day run at pop seats. Last week, 'Go West' (M-G) (2d run), five days, slow.

Fair (RKO) (1,430; 33-40-50)—'Chad Hanna' (20th), six days. Transferred from Albee for second week. 'Flopp' \$3,000. 'Son Monte Cristo' (Par) moves in today (31). Last week, 'Bank Dick' (U), midday, \$6,500.

Faience (RKO) (1,500; 33-40-50)—'Santa Fe Trail' (WB). Getting five days in second week and should collect around \$9,500 in abbreviated session. Not bad, but money to the side. 'Santa' (Par) and 'Youth Served' (20th) fell off near end but still struck gold at \$18,000.

Warren (WB) (2,000; 25-40-50)—'Christmas Day' (Par) and 'Here Comes Nancy' (Par) (re-issue). Reviewers went to town on Preston Sturges film and with Dick Powell, local fav, being hailed for his performance, and help from Cagney O'Brien, who is in 'Santa' (Par).

This is the best in long time for a dual at this spot. Last week, 'Northwest Mounted' (Par) in five days of fourth week, great at \$4,000.

bit, but not big. Total of \$10,000 above average, but cut today for 'Santa' (Par) and 'Love Thy Neighbor' (Par). Last week, 'Escape Glory' (UA) and 'Kildare's Crisis' (M-G) twirled for a five-day, in, tally \$9,000. 'Comrade X' (Par) and 'Queenie Queen' (Col) open today (31).

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'Comrade' Great \$5,600, 'Arizona' 2d 4 1/2G, Port.

Portland, Ore., Dec. 31.

'Comrade X' is the best new opener for the Broadway. Most major spots have 'hos.' with 'Arizona' in the lead. 'Santa' (Par) and 'Love Thy Neighbor' coming in a close second at the Orpheum.

Estimates for This Week

Broadway (Parker) (2,000; 35-40-50)—'Comrade X' (M-G) and 'Bit of Heaven' (U). Looks like great \$5,600 opening. 'Santa' (Par) and 'Love Thy Neighbor' (Par) (re-issue) did good enough \$4,000.

Mayfair (Parker-Evergreen) (1-50; 35-40-50)—'Texas Rangers' (Par) and 'Woman Talk' (Col). Both are abysmal. 'Santa' (Par) and 'Go West' (M-G) moved over from UA, and 'Tin Alley' (20th) moved over from Orpheum, made a strong duo for three days at \$1,800.

Orpheum (Hamrick-Evergreen) (1-50; 35-40-50)—'Hamrick-Evergreen' (Par) and 'Love Thy Neighbor' (Par) (re-issue). Second week still holding up to okay \$4,000. First week, \$4,000.

Paramount (Hamrick-Evergreen) (3,000; 35-40-50)—'Arizona' (Col) and 'Santa' (Par) (re-issue). Second week still solidly \$4,500. First week,

great \$6,000.

United Artists (Parker) (1,000; 35-40-50)—'Nellie Kelly' (M-G) and 'Dulcy' (M-G). Second week good \$3,800. First week, \$4,500.

Shubert (Parker) (1,000; 35-40-50)—'Santa' (Par) and 'Love Thy Neighbor' (Par) (re-issue). Second week still holding up to okay \$4,000. First week, \$4,500.

Wardrobe (Parker) (1,000; 35-40-50)—'Santa' (Par) and 'Love Thy Neighbor' (Par) (re-issue). Second week still holding up to okay \$4,000. First week, \$4,500.

Albee (Parker) (1,000; 35-40-50)—'Santa' (Par) and 'Love Thy Neighbor' (Par) (re-issue). Second week still holding up to okay \$4,000. First week, \$4,500.

Capitol (Parker) (1,000; 35-40-50)—'Santa' (Par) and 'Love Thy Neighbor' (Par) (re-issue). Second week still holding up to okay \$4,000. First week, \$4,500.

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Hoyts-Greater Union Merger Off; Additional Cancellation Privileges Sought by 20th Among the Snags

Sydney, Dec. 31.

Hoyts-Greater Union Theatres merger, set recently for final consummation Jan. 1, is off "for good" with the latter circuit continuing solo. Several new barriers are reputed to have prevented the merger, chief of which is said to be additional cancellation clauses sought by 20th on product. 20th controls Hoyts. Another is the Warner Bros. position in the proposed new booking alignment.

Warners, which has a deal with Hoyts for its product, is reported not being keen over the transfer of its product franchise for a period of 20 years to General Theatres under the same terms it currently is operating with Hoyts. Hoyts circuit management states that Warners' rep here felt it was being pushed around under the proposed new setup.

Under so-called merger agreement, Hoyts and Greater Union would have re-established General Theatres on an active basis as booking and operating outfit for the two Australian circuits. Deal was to be for 20 years.

Another barrier is the way Snider-Dean chain, linked with Hoyts' operations, figured under the proposed booking arrangement. Snider-Dean houses were taken under the Hoyts wing with its far-flung circuit operations after Greater Union decided to go it alone a couple of years ago. S-D combino did not like its position in the new setup, and consistently protested. Exhibitors here, originally opposed to merger, recently swung to support it.

Greater Union, no longer in the red on 1940 operations, likely will show a net profit of about \$165,000 for the last 12 months, bulk of this coming from circuit operations. This company went into black after Norman B. Ryde, chairman, had charge of the management less than a full year. His theatre construction and renovations have been materially.

Greater Union has had to depend on Universal, Columbia, Republic and Monogram for most of its American product, although obtaining some Metro and Paramount first-run. Latent two have their own key city houses which naturally get the bulk of the top features. Hoyts has 20th-Fox (with National Theatres, a Fox sub), holding control of the circuit, Warner Bros., U.A., RKO and occasional Metro pictures.

Showdown Near

Reported in New York this week that the final showdown over the other would come on the Hoyts-Greater Union merger deal within the next 10 days. Dan Malchow, National Theatres executive, who has followed the proposed pact closely as representative of 20th-Fox, has abandoned all intention of going to Australia for the present. Trip to Sydney was planned for last fall or early this year.

TWO \$100,000 SUITS VS. GAUMONT-BRITISH

Two suits by the Film Alliance of the U. S. Inc., against Gaumont-British Pictures Corp. of America and Isidor Oster for \$100,000 each were revealed Thursday (28) in N.Y. supreme court, when plaintiff applied for permission to examine Oster and Mary Larkin, assistant secretary of GB, before trial. Both actions are identical, charging breach of contract.

Suit asserts that on March 21, 1940, plaintiff's assignor, Albert P. de Courville, entered into an agreement with GB for the sole American distribution rights to "Things Are Looking Up" and paid \$2,500 for the rights.

It is claimed that the defendants are now refusing to live up to a part of the picture. Because the large amount paid for, plaintiff explains, is due to the presence in the picture of Vivian Leigh, who has attained great popularity in the U. S. since "Gone With the Wind."

Bento Del Villar, Paramount managing editor in Chile, Peru and Bolivia, arrived in New York Monday (30) for a month's visit.

Hanbury Memorial Fund Draws \$2,000

London, Dec. 15.
Fund for shaping a concrete memorial to Ralph Hanbury, RKO chief here killed by bombing, drew subscriptions from cinema trade reaching \$2,000.

Amount turned over to Cinema Trades Benevolent Fund for setting up some permanent reminder.

PAR, 20TH PUSH ACTION PIX IN S. AMERICA

Buenos Aires, Dec. 31.

Action pix and the often neglected shorts are to be emphasized here by both Paramount and 20th-Fox next season. Sales conventions of both companies recently stressed the big spectacle, fast-moving, historical or fictional features which Latin audiences prefer not only because of language differences but due to the general temperament.

Paramount session, held at the Plaza, stressed number of star pix and put special attention to Cecile B. DeMille's "Northwest Mounted" and Claudette Colbert's "Arise My Love," both of which are being sold on a separate basis.

Newspapers and cartoon shorts will be given more attention by Par. Company also has worked out a set of rules for independent exhibitors to get shorts from here to be edited in the States. Fact that newsreels are all airmailed and that most stuff gets here from New York in five days is claimed to make the scheme practical.

More attention will also be given publicity. "World in Flames," which got special handling and is now coming to Argentina, will be the main convention tour told. In addition to the general bally, more time and effort is to be devoted to concentration on pix deemed worthy of buildup.

In addition to the action angle, Sidney S. Horan, general manager of 20th-Fox for Argentina, Uruguay and Paraguay, also revealed his company will henceforth operate on a cash-on-delivery basis.

PASCAL EN ROUTE WITH 'MAJOR BARBARA' FILM

Gabriel Pascal left London Sunday (29) on his way to the U.S. with a print of "Major Barbara," which he recently completed and which will be distributed in this country by United Artists. Picture is slated to clipper from Lisbon to arrive in New York either Sunday (5) or Tuesday (7).

He had originally intended to do the dubbing and cutting of the American version of the George Bernard Shaw yarn in this country, but completed it while awaiting a reservation — the trans-Atlantic plane. Steve Pallos, New York rep for Alexander Korda, will also handle Pascal's sales.

Reported new twist to proposed Co-operative plan for independent picture producers here is that exhibitor would be cut in for 50% of produced coin, treasury department taking care of remainder. Method of raising the exhib coin would be through a seat levy.

Trade continues to be left completely in the dark on what measures government is mulling for continuation of film production on this

H'wood's '41 Push

Continued from page 1

sharing organization comprising directors Lewis Milestone and Anatole Litvak and stars Charles Boyer, Ronald Colman and Irene Dunne. 20th will also have one Howard Hughes picture, "The Outlaw," for delivery in June.

Warners is also on the hunt and hopes to have a second Frank Capra feature for 1941-42, but Capra is expected to be pinned down to a deal until after he delivers "Meet, John Doe."

Metro Huddles East and West

Metro crowd is skedded to convene immediately after New Year's Day, with Nicholas M. Schenck, the big boss, presiding. Meanwhile, Al Lichtman and Bernie Hyman, of the studio executive council, have gone to New York to consult with those Metro men once here who, because of their previous experience, are believed to make the westward jaunt with Schenck. Lichtman and Hyman are due back here within 10 days when they will submit their report for consideration of those participating in the lot meetings.

Sidney R. Kent, 20th-Fox prexy, who only a week ago returned to New York after a hurried trip here to attend the funeral of his brother, Ernest, is again in again Jan. 10 to sit in on Westwood studio's product-budget discussions, in which Joseph M. Schenck, board chairman; Darryl Zanuck, v.p. in charge of production, and William Goetz, exec. v.p., will have a hand.

Par Biggles Coming West

Barney Balaban, Paramount president; Stanton Griffis, executive committee member; Adolph Zukor, board chairman; Ruth Holden, man, home office production head, and Neil Agnew, v.p. in charge of distribution, are expected in Hollywood around Jan. 20, at which time loose ends left dangling at their November gathering here will be tied, with the studio bigs, including Y. Frank Freeman, Harry Ginsberg and Sam LeBaron, around the big oak table.

Paramount session, held at the Plaza, stressed number of star pix and put special attention to Cecile B. DeMille's "Northwest Mounted" and Claudette Colbert's "Arise My Love," both of which are being sold on a separate basis.

Newspapers and cartoon shorts will be given more attention by Par. Company also has worked out a set of rules for independent exhibitors to get shorts from here to be edited in the States. Fact that newsreels are all airmailed and that most stuff gets here from New York in five days is claimed to make the scheme practical.

More attention will also be given publicity. "World in Flames," which got special handling and is now coming to Argentina, will be the main convention tour told. In addition to the general bally, more time and effort is to be devoted to concentration on pix deemed worthy of buildup.

In addition to the action angle, Sidney S. Horan, general manager of 20th-Fox for Argentina, Uruguay and Paraguay, also revealed his company will henceforth operate on a cash-on-delivery basis.

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1941 COMES IN LIKE FOUR LIONS!

This is a good year to be on the safe side. Momentous changes are ahead for all of us in this industry and there's a comforting sense of calm and security when your theatre is anchored to the wise, kindly, seasoned executive-management represented by the Friendly Company.

1941 truly comes in like four lions. Imagine starting a New Year with a barrage of such big-time entertainments ("Comrade X", "Flight Command", "The Philadelphia Story", "Come Live With Me"). They will be followed by many others of equal importance.

Happy M-G-M New Year to You!

HIGH SIERRA

"HIGH SIERRA" is a
chemically-loaded yarn if ever I knew
one! On film it's a world-beater!
Newspaperdom's acknowledged No. 1 Story Teller
MARK HELLINGER

"HIGH SIERRA" is the
thrilling and unusual picture I have
directed since "What Price Glory?"
Director of a hundred hits, **RAOUL WALSH**

"My story to top 'Little Caesar'
is **HIGH SIERRA!**"
Famed Author, **W. R. BURNETT**

HIGH SIERRA
starring
IDA LUPINO
HUMPHREY BOGART
with
Alan Curtis • Arthur Kennedy • Joan Leslie
Henry Hull • Henry Travers
Directed by **RAOUL WALSH**
Screen Play by John Huston and W. R. Burnett
From the Novel by W. R. Burnett

Soon from Warners!

"NIGHT TRAIN IS A SLEEPER!"

*"The picture
isn't a sleeper.
It's a solid
train-load of
sleepers!"*

*—Lee Mortimer,
N.Y. Daily Mirror*

*Chosen One Of
The Best 10
Pictures Of The
Year By
N.Y. World-Telegram,
Herald-Tribune,
Journal-American!*

*"Must be ranked
among the year's
best pictures!"*

*—Kate Cameron,
N.Y. Daily News*

MARGARET
LOCKWOOD and HARRISON
REX
in
"NIGHT TRAIN"

with
PAUL VON HERNREID

MAURICE OSTRER, In Charge of Production • Produced
by EDWARD BLACK • Directed by GORDON WELLESLEY • Screen
on an original story by GORDON WELLESLEY and FRANK LAUNDER • A 20th
Century Production made at the G. B. Studios, London



NOW BREAKING RECORDS AT THE GLOBE ON B'WAY!

Detroit's New Theatre Spree Ends With New Auto-Park Law; Omaha, Other Sectors Continue to Build

Detroit, Dec. 31.

Despite a fight by the theatre men here, Detroit's new zoning ordinance, which on its parking lot provisions alone practically makes future building prohibitive, finally was approved by the Common Council. There's little likelihood that there will be any future theatres built here without ample provision for parking, one of this motor city's bugaboos.

Under the new zoning law, 200 square feet of parking space must be provided for every 10 seats in the house. The lot also must be located within 500 feet of the building it serves.

To a degree, it was pointed out, the new ordinance will practically freeze downtown theatre siting in Detroit. There is little chance that investors will go for downtown construction when, in addition to having to buy expensive real estate for a new house, they would be compelled, say for a 3,000-seater, to buy an additional 600,000 square feet of property for parking. It also would be quite a problem finding such a chunk of land in a good location downtown.

However, while the theatre men were making their fight and getting some modification to the zoning law, they admitted that basically it was a law that was sound and that fit their own operations. The nabes here, which had adequate parking took the play away from the downtown houses, where the parking situation was brutal, which forced the first-run into devising all kind of bargain ideas for parking.

While bucking the new law, many of the new houses which went up around the town took into consideration the hint it contained and, although not compelled, made big parking areas. Some worked out the idea of including stores in their theatre buildings and found ready renters for them on the idea that the parking lots were swell for the stores daytime, with the theatre-goers taking over the space nighttime.

The zoning ordinance also gave quite a hypo to the unprecedented new theatre building which Detroit saw in 1940. The chains and individuals, contemplating new houses

hurried to beat the law and houses went up in all sections. Most did include parking but did not have to make the extensive provisions required by the law.

More Facilitating

Year end, as regressive of all 1940 in these parts, saw plenty of theatres going up or emerging from extensive remodeling.

Following a favored plan here of including stores, bowlings, alleys, bars, etc., in the same building with picture houses, Max Allen is erecting a new 1,000-seater in suburban Allen Park, which will contain three stores in the structure, which will cost an estimated \$75,000. He gets a double play on his and the town's name by calling it "Theatre City" Allen. He also operates the Lincoln Park in another suburb—Lincoln Park.

Significance, too, lies in installation of stage equipment in two more of the Butterfield Circuit's extensive chain—the Hill, at Hillsdale, Mich., and the Strand, at Flint. The chain has been running in vaudeville and has taken a whirl at drama with "Man Who Came to Dinner" in one-night stands in its bigger town houses. The circuit also announced that it will have its 900-seater, the Michigan, ready for May opening in Battle Creek, near by the rapidly expanding Camp Custer.

Extensive remodeling here has included \$20,000 expended on a new front, rest rooms and lobby by Komer & Goldberg in their Redford; \$10,000 on remodeling on Virginia, taken over by William Schulze from the Portel Circuit, and \$10,000 for rebuilding entirely inside the walls the nabe Oliver, recently acquired by the Moule Co. of North Olmsted. A new 250-seater was opened in the small town of Kalkaska by O. W. Keeler, who runs a theatre in Bay City.

Omaha's Facilitating

Omaha, Dec. 31.

Despite war and a depression hangover, film business is reflecting some kind of comeback in the Omaha territory if remodeled and new houses are any indication of the way things are going. The new Pender theatre in Pender, Neb., is being readied by Herman Meierleks for a middle February open-

ing. It has 400 seats and replaces the old Pender. Oscar Johnston will open the Oil City Theatre at Falls City, Neb., in January. It will replace the old Electric and will seat 700. Reason for the name Oil City is the current oil boom in the Falls City section of Nebraska, down in the southeast corner of the state.

Across the Missouri over in Iowa, Charley Shoecraft opens the new Walnut, Walnut, Ia., a few miles east of Omaha on Xmas day. It has 250 seats and replaces the old Strand, destroyed by fire. Ralph Blank, nephew of A. H. Blank, Tristates tycoon, remodeling extensively at Hawarden, Ia., where he will soon open the 400-seat Our Theatre practically as a new house. At Memphis, Mo., Alice Johnson opens the brand new 300-seat Memphis Xmas day.

Equipment men in Omaha report a healthy demand for picture houses and quite a bit of remodeling jobs in the Omaha territory. Local territory includes western Iowa, central and eastern Nebraska, a strip of southern South Dakota and a little dip into Kansas and Missouri.

Warner's Youngstown, N.Y.

Youngstown, O., Dec. 31.

Warner Bros. will erect a new nabe on the North Side of Youngstown, announced Nat Wolf, of Cleveland, division manager of WB, Ohio zone. Firm has purchased the property on the east side of Elm Street, between Market and Main, which will be occupied by two apartment buildings owned by D. M. Robins, of the Warner theatre. The buildings will be razed and a modern commercial building and cinema erected. One of the buildings was built by Harry M. Warner, whose family lived there for many years.

The new house will have over 1,000 seats of the lounge type, modernistic decorations, latest type equipment, rest rooms, and air-conditioning. Work will begin as soon as plans are completed and approved, Wolf said. The North Side has been in decline for years.

Plans are under way for a theatre to seat 1,200 on property facing Belmont avenue at Francisca, Youngstown. The Rayen Realty Co. has asked the City Planning Commission to approve a new setback line and re-zone the property at this site.

\$6,500,000 U.S. Tax Per Month Seems Average for Amus.

Washington, Dec. 31.

Flow from the amusement industry tax gusher seems to be slowing down. When Congress set off the dynamic charge last July, the revenue from it rose dramatically, sensationally, and subsequently has tapered off to what looks like a steady yield of around \$6,500,000 per month.

The yield is still climbing but the rate of month-to-month gain is progressively less, according to the Treasury Department's report on November collections. Reflecting the gross October take, the slice for the Federal Government was up less than in any other 30-day period since the starting point was lowered to 2c.

The treasury pocketed \$7,124,223 as its cut from October ticket receipts, a rise of \$45,798 over the previous month and \$94,981 ahead of the same month last year. But in contrast, the Government's slice of September business was \$7,765,744 more than in August. And the payments on August ticket sales were \$1,444,558 more than in July.

Though leveling off, the revenues from the 10% bite set a new high in November. For the third successive time since Congress clamped on the levy between 20c and 40c, November was the first time the take has passed the \$7,000,000 mark, and the total was more than \$5,000,000 more than the first month's (July's) yield under the heavier taxes.

Since October got through last summer, the Government has earned more than \$24,000,000 for admissions. The grab for 11 months this year aggregates \$36,829,396, compared with only \$17,971,772 during these stanzas of 1939 and \$18,684,000 in the same portion of record-breaking 1937. And the take since the duty was upped—four months ago—is only \$1,000,000 short of the sum ledgered in the full 12 months of 1934.

SHERMAN'S 'ALIBI'
Hollywood, Dec. 31.

Vincent Sherman draws the director assignment on Warners' "Strange Alibi," a yarn by Leslie White, scripted by Fred Niblo, Jr., and Ken Gamet.

Joan Perry and Arthur Kennedy get the featured spots.

Inside Stuff—Pictures

High cost of restrictions on school-age children is causing a drastic cutback in the employment of moppets in Hollywood studios. Some companies are turning down all stories involving under-age players, owing to the strict regulations and the uncertainty about future legislation in that respect. Kids under 16 who have not graduated from high school must be provided with three hours of schooling and one hour of recreation during the working day, leaving only four hours for acting. In addition, the studios must foot the bills for teachers and classroom facilities. Meanwhile, casting directors are worrying over the new policy which prevents youngsters from getting experience and threatens a future shortage in the moppet market.

Thomas K. Finletter, special counsel employed by RKO to defend itself during the period it was fighting reorganization applications, received \$8,000 out of a total of \$15,000 asked, plus \$147 disbursements from Federal Judge William Bondy in N. Y.

Finletter was employed May 28, 1940, by RKO and devoted the next month to surveys which aided the court in determining the final amount which could be allowed to attorneys for their services without hurting the film company's cash reserve.

Bing Crosby's new deal with Paramount voids all outside pictures except the one he has in prospect under the old contract, which expires next June.

After that, the crooner is under Paramount control with a pact calling for three features a year at \$175,000 apiece, plus a percentage with other studios, such as Universal, which he has been writing annual visits to since last two years. Under the old Par document, Crosby has one picture to make starting about March 1. If he is going to make the outside film under the old agreement he will have to squeeze it in during the winter months or in the interim between the finish of his Paramount picture and the first of June.

Jack H. Levin, director of the Copyright Protection Bureau, in his annual report, points out that the consent decree in no way affects the effort by major distributors to prevent unauthorized extension of bicycling of pictures.

Bicycling of films was found in seven theatres for each theatre investigated by request for unauthorized extension of runs or so-called "holders". General territorial probes, made in selected territories, however, showed that "holders" far exceeded bicycling violations. Violations were found in 26% of theatres as against 28% in the previous year.

Paramount issued an eight-page printed pamphlet, the first statement of its kind ever made by a film company to its employees, detailing the relationship to be expected between the studio and its personnel. Signed by Y. Frank Freeman and sent to 2,750 regular workers, the pamphlet emphasizes the company's recognition of collective bargaining and discusses such matters as individual earnings, safety, working conditions, quality and quantity of output and economical operation.

Document pledges constant consideration for the benefit of the greatest number over the longest period.

Threats of legal action have been served on the agent for a Hollywood playboy, who has been bursting into print with phoney dates involving various screen actresses who have been giving him the brushoff, but find their names linked with his in the gossip columns. Touchoff came when one of the female players, recently wed, was played up in a downtown daily column as the former wife of the playboy, whom she had met only once and then only long enough to hand him the freedom of the street. Attorneys for the females are objecting to their clients being taken for a ride on the blurb machine.

Edward A. Sargoy and Joseph L. Stein, who are counsel for the major distributing companies' Copyright Protection Bureau, conducted a symposium recently at the Columbia University School of Law on the legal problems involved in protection of motion picture rights, copyright of picture films against possibilities of unauthorized reprinting, and radio or television broadcasting. They were invited to the Seminar on Legal Problems by Professors Richard R. Powell and Francis Deak, of the law faculty, who participated in the discussions.

All accredited photographers, newsreel or stillmen, have been informed of a new system for press camera cards for work in U. S. Army camps and elsewhere covered by the military setup. Newsreel lensmen welcome a system of distributing such cardboards, but learned recently that all corps areas are not familiar with details of the new setup.

Newsreel boys in Chicago were informed by the Sixth Corps area officers that no action would be taken until they were informed more fully from GHQ.

How United Artists came to add former Judge Joseph N. Proskauer to its legal staff recently in its battle with Samuel Goldwyn is a study in reverse English.

Upon the death of Goldwyn's attorney, Max D. Steuer, Goldwyn made an effort to retain Proskauer. Lawyer, however, had represented UA in the William S. Hart case and before taking sides against the distributing company informed it of the offer from Goldwyn. Whereupon, rather than see the producer snare its ex-lawyer, UA hired him itself.

Heaviest production of high-budget pictures at Republic is planned by Herbert J. Yates, chairman of the board, with two or three deals on the line for topnotch producers from major studios. Valley lot, a quickie outfit five years ago, has gradually been enlarging its product and increasing its first-run output. Among its recent high-bracket films have been "Hit Parade" and "Dark Command," both in the \$750,000 class, and its Gene Autry westerns, which have been going up steadily in the financial scale.

George Brown, recently installed as publicity-advertising head at Paramount studio, grabbed plenty of newspaper space in the Los Angeles dailies Saturday when he called in scribes and photographers to watch Dorothy Lamour burn her trusty string in a jungle pot borrowed, along with a couple of the local Negro colony's "cannibals," on Faro's "Road to Zanzibar" set. Event was occasioned by fact that Lamour sheds her wrap-around in favor of more civilized femme garb in "Caught in the Draft," in which she is being co-starred with Bob Hope.

Eleanor Harris, who is suing 20th-Fox for alleged failure to give her screen credit for work on the script of "Brigham Young," was ordered last week to pursue the suit with further particulars on her claim.

Edict was passed out by Judge Edward A. Conger in U. S. District Court in Manhattan. Miss Harris claims, among other things, fraud on the public by 20th's making it appear that Louis Bromfield was solely responsible for "Brigham's" script.

Museum of Modern Art, N. Y., has recently published two books on famed screen personalities. First is "Douglas Fairbanks: The Making of a Screen Character" by Alistair Cooke, and the second, "D. W. Griffith: American Film Master," by Iris Barry. Both include many pictures and sell for \$1 each. Cooke is radio commentator on films and associated with the Museum's film library, while Miss Barry is its curator. Latter last season ran series on Douglas Fairbanks and currently has one on George.

Herb Polesie has lined up four more short sport subjects to follow "Swing with Bing," the Universal briefs with Bing Crosby swinging a golf club and Andy Devine narrating. Pictures will be made with screen names in various sorts of sports.

New York Theatres

FANTASIA

In Technicolor and RCA Sound
Takes \$2.98 & \$3.00—All Seats Reserved
BROADWAY
CINEMA

Held Over
2nd Week!
CLARK GABLE
BEVERLY LAMARR
"COMRADE X"

A Metro-Goldwyn-Mayer Picture

State
TIMES
Lunt-Trotter Wed.
"THE ROAD TO
EAST OF BAGHDAD"
J. P. Morgan
Joy C. Filipek
Alice Marble
Stone & Collins

Capitol
Broadway at 51st Street
BEVERLY LAMARR
"COMRADE X"

Held Over
CLARK GABLE
"COMRADE X"

A Metro-Goldwyn-Mayer Picture

Loew's
State
TIMES
Lunt-Trotter Wed.
"THE ROAD TO
EAST OF BAGHDAD"
J. P. Morgan
Joy C. Filipek
Alice Marble
Stone & Collins

RADIO CITY MUSIC HALL
HELD OVER
"PHILADELPHIA STORY"
Spectacular Stage Productions

PARAVANT

HELD OVER
In Person
TONY
DOSEY
and
MARGARET
HESSON

"LOVE THY
NEIGHBOR"

Middle Screen Shows

THIRD WEEK!

ERROL FLYNN

OLIVIA DE HAVILLAND

In a New Warner Bros. Hit

"SANTA FE TRAIL"

with ROBERT MITCHUM

IN PERSON ABE LYMAN

and His Californiaans

STRAND B'way & 47 St.

REOPENING

REOPEN

SOME SIGN BOTH BMI, ASCAP

NO TRUCE HOPES, FIGHT BEGINS

Up to VARIETY press time (Tuesday) no feelers for any kind of a truce had come from either NBC or Columbia and everything pointed to extended and bitter conflict between the networks and the music industry.

represented by the American Society of Composers Authors and Publishers. General impression in the two industries is that Assistant U. S. Attorney General Thurman Arnold has by his indictment threats helped muddy up the situation still more and the chances are that no peace maneuvers will materialize until after the U. S. Supreme Court has handed down decisions in the Nebraska and Florida cases.

Networks have taken the position that even if they wanted to enter in some sort of peace-huddle with ASCAP they must consider it a futile exercise. The Government, they point out, has placed them on notice to the effect that the Department of Justice is of the opinion that ASCAP's present form of licensing

Sign With BMI

Broadcast Music, Inc., now reports it has 660 subscriber stations out of a possible 790 commercial stations. Of this number 540 have signed their names to the line and 90 are pledges, who are expected to get it up shortly after Jan. 1. Since the last listing in VARIETY (Dec. 18) the following stations have signed up for BMI service:

WADC, Akron, Ohio.

WPH, Harrisburg, Pa.

WTW, Indianapolis, Ind.

WLW, Cincinnati, Ohio.

WVIA, Allentown, Pa.

KWIL, Albany, Ore.

KONF, Toledo, Neb.

WTW, Pittsburgh, Pa.

KQV, Philadelphia, Pa.

WJW, Cleveland, Ohio.

KOBX, Springfield, Mo.

WTW, St. Louis, Mo.

WKAQ, San Juan, Puerto Rico.

WRDO, Augusta, Maine.

WTW, Milwaukee, Wis.

WWDL, Chattanooga, Tenn.

WRAL, Raleigh, N. C.

WTW, Atlanta, Ga.

KELD, El Dorado, Ar.

WZEP, El Paso, Tex.

WPAO, Chattanooga, Tenn.

KOAB, Amarillo, Tex.

WTAL, Tallahassee, Fla.

KOCA, Kilgore, Texas.

WTW, Fort Smith, Ark.

WZEP, St. Petersburg, Fla.

WDLB, Panama City, Fla.

WWDL, Birmingham, Ala.

WLW, Grand Rapids, Mich.

WJWL, Johnson City, Tenn.

WTW, Indianapolis, Ind.

WBIR, Knoxville, Tenn.

WLW, Toledo, Ohio.

WIAK, New Castle, Pa.

WCOA, Pensacola, Fla.

WTW, Dallas, Tex.

WEBB, Buffalo, N. Y.

WHEI, Portsmouth, R. I.

WZEP, Gainesville, Fla.

EMO, Tacoma, Wash.

WTW, Salt Lake City, Utah.

KXRO, Aberdeen, Wash.

WTW, Ogdensburg, N. Y.

WOLB, Waco, Tex.

WCIS, Joliet, Ill.

WWDL, Portland, Ore.

WDBO, Cedar Rapids, Iowa.

WAIA, Mobile, Ala.

WTW, Fort Smith, Ark.

WZEP, Santa Ana, Calif.

WTW, Sacramento, Calif.

WGKV, Charleston, W. Va.

WTW, Rand (W. S. Dak.)

WTW, Fort Smith, Ark.

ETHS, Fort Springs, Ark.

WTW, Columbus, Miss.

WMCN, Columbus, Miss.

WCAS, Burlington, Vt.

WTW, Morristown, N. J.

WARM, Atlanta, Ga.

WZEP, Atlanta, Ga.

WMMJ, Grand Island, N. Y.

WTW, Spokane, Wash.

WZEP, Aurora, Colo.

WTW, Hawley Green, Ky.

WZEP, Fort Smith, Ark.

WZEP, Fort Dodge, Iowa.

WZEP, Anderson, Ind.

WZEP, Waukesha, Wis.

WFHU, Altoona, Pa.

WZEP, Marion, Ind.

WZEP, Toledo, Ohio.

WZEP, Chicago, Ill.

WZEP, Milwaukee, Wis.

WZEP, Des Moines, Iowa.

WZEP, Cedar Rapids, Iowa.

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OTHERS BESIDE BMI, CBS, NBC LIKELY TO BE NAMED BY DEPARTMENT OF JUSTICE

Thurman Arnold Says If Neville Miller's Statement Is Correct Others Will Also Be Indicted—Government Frowns Upon Music-Radio Fight

Washington, Dec. 31.

The United States Department of Justice on Thursday (26) acted to throw its weight into the music war between the American Society of Composers, Authors and Publishers and the radio industry. In taking action following months of rumors and following recent conversations with supposed ASCAP spokesman Edward Klauber, Broadcast Music, Inc., and the two major American networks, NBC and CBS, to its list of candidates for indictment. Moreover it is likely that the National Association of Broadcasters, trade body through which BMI was fostered, and various other broadcasters may also be named, including key members of the Mutual web but possibly not Mutual itself.

This prospect of more organizations was further strengthened by the head of the Justice Department, who declined to discuss any other aspects of the matter or give any additional elaboration of his formal statement. Thurman Arnold said Friday (27) when asked to explain the omissions that the preliminary investigation was not complete.

"It was necessary to move fast," the head of the anti-trust division explained. "We had collected information relating to those parties and consequently named them as the persons against whom charges will be presented."

"If the implications in Mr. Miller's statement (Ed. note—remarks of the NAB president that many persons beside the two major chains were responsible for forming BMI) are correct, we will indict all the rest."

Against Backsliding

The criminal proceeding is viewed in many quarters as an alternative means of trying to end the ASCAP-radio war over new license agreements, rather than a vengeful move to penalize any of the parties concerned. Plentiful hints have been thrown out that the Justice Department will not insist on its pound of flesh in event the prospective defendants reach an amicable agreement and both sides agree to voluntary reforms in their methods of operation. Indictments will be sought, however, regardless of other developments, as guaranty against any backsliding.

Danger of triple damage suits on a wholesale scale, with everybody trying to collect from each other, is believed almost certain to result in a sudden end of the gloomier, as well as a trial of the charges which otherwise Arnold insists he is determined to press. There is a wide belief that the Justice Department, if of conviction and enable the D. J. to make a record that would be invaluable to persons wanting to collect for past injuries, the parties will be more than glad to plead "holo contende" (meaning that they admit the facts but deny any intention of violating the law).

It was recalled that most respondents in the Justice Department's civil action against the motion picture industry had changed their tune when the testimony was about to begin, disarming the disgruntled exhibitors who hoped to base future damage efforts on the evidence offered in the injunction proceeding. The broadcasters and Tin Pan Alley, many of whom are far more vulnerable than some of the elements in the picture business, likely will profit by that example, in the view of certain officials who privately predicted there never will be any trial.

While it is too soon to decide:

(Continued on page 28)

KHQ-KGA PRECAUTIONS

No Musical Ad Libbing of Any Kind Is Permitted

Spokane, Dec. 31.

KHQ-KGA precautions against ASCAP infringements:

All music used in local broadcasts must come from the studio's own musical library.

All playing and singing strictly from sheet music, not from memory.

All playing by note, no improvising allowed between selections.

If in Doubt—Cut

Columbia has instructed its production men to cut any program off the air instantly if any music is played that has not previously been cleared by the network's copyright division.

Order was contained in statement to the company's employees issued yesterday (Tuesday) by Douglas Coulter.

LABOR HITS BMI AS 'CO. UNION'

Washington, Dec. 31. Though officially organized labor is standing aloof from the performing rights controversy, sympathies of the card-holders are with the American Society of Composers, Authors and Publishers and strongly anti-radio. In keeping with the traditional union idea that the broadcasting industry should be severely regulated and its workers deserve a bigger slice of the revenues.

Despite the headquarters silence, unmistakable idea of union sentiment was given this week in an article in "Labor," the weekly publication of the 21 standard railway labor organizations. Head: John L. Lewis called to build programs with "era's music," while the year was filled with digs at the chains and stations. Story contained the customary reference to the big radio chains, whose profits run into millions, termed Broadcast Music, Inc., a "company union of composers" and quotes ASCAP arguments liberally.

Consistently, the American Federation of Labor has ducked effects of Tim Pan Alley to line up its labor leaders in support of the port, even though unionized performers have more in common with the lyricists and tunesters than with the station and network managements.

Nashville 100% Non-ASCAP Nashville, Dec. 31. WLAC's ASCAP file was locked on Monday (30) according to S. O. Ward in charge of music. Ward reports he has no complaints about discontinuing ASCAP but many favorable comments on BMI have been received.

WSM and WSIX also have cut down ASCAP percentage to zero.

Chicago—Joe Spalding joins the New York office of Free & Peters, station rep firm.

Spalding has been eastern manager of Holland's Magazine and Farm and Ranch, having been associated with those publications for 1 year.

Montreal, Dec. 31.

As far as can be ascertained Canadian radio stations will continue using ASCAP music regardless of the outcome of the present control battle in the U. S. A. Canadian broadcasters kick in with 8 cents royalty per radio receiving set to the Canadian Performing Rights Society which covers ASCAP.

NBC Thesaurus recordings with ASCAP selections, however, could not be used by the Canadian subscribers to the service (about 20) after Jan. 1 if the use of ASCAP is discontinued. American broad casters. Elimination of ASCAP players tears a huge chunk out of Thesaurus library and would affect considerably number of sponsors depending exclusively on discs here.

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DO A HUMBERT

Another Appeal for FCC to Intercede in Music War

Washington, Dec. 31.

Although similar proposal was sidestepped before when Frank Hummert brought up issue, intervention of the Federal Communications Commission in the performing rights controversy was sought Monday (30) by sponsors of the motion to prohibit broadcasters and educators seeking reappointment between American Society of Composers, Authors, and Publishers and the broadcasting industry. Petition with 5,000 signatures asked the regulators to try and bring about renewed license negotiations because of their obligation to see that radio stations serve public interest, convenience, and necessity.

Donald Moore, Columbia University student, wrote the Commission that the 5,000 signers represent institutions and organizations with several millions of persons who are "vitally interested in American musical culture" and pointed out that assistant attorney general Thurman Arnold had refused to sit by and see ASCAP and the broadcasters engage in a private war at the expense of the public. Commission duties imposed by Congress, the FCC ought to take a similar attitude and has ample authority to bring the warring factions together, he added.

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The Government's Charges

Washington, Dec. 31.

The United States Government's prospective suit in the state of Wisconsin against ASCAP, BMI, NBC and CBS (and possibly others not yet specified) will charge eight "criminal" counts:

1. The illegal pooling of most of the desirable copyright music available for radio broadcasting in order to eliminate competition and to monopolize the sale of musical compositions.
2. Illegal discrimination against users of copyright music.
3. Illegal discrimination against composers who are not members of ASCAP on Broadcast Music, Inc.
4. Withholding music from publication in order to exact fees not permitted by the copyright law.
5. Illegal price fixing.
6. Restraining composers in their right to bargain for the sale of their music.
7. Requiring users of music to pay for tunes on programs in which no music is played.
8. Monopolizing music by ASCAP and by the broadcasting chains (through Broadcast Music, Inc.) in an attempt by each of these organizations to obtain to themselves control over the supply of music by depriving others of control; which boycotts threaten to restrain and obstruct the rendition over the radio of about 80% of the desirable modern copyright music.

Duffy's Bias on Copyright as U.S. Senator Stirs Talk on His Possible Self-Disqualification to Judge Suit

THE FLAMM CASE

Owner Begs WMCA Said—Ingenious Hoax Is Reported

Milwaukee, Dec. 31.

News that Milwaukee had been selected by the Department of Justice as the legal battleground for the music war involving the American Society of Composers, Authors & Publishers, Broadcast Music, Inc., NBC and CBS was of course front page stuff in the local dailies, which have devoted columns to the story, and the public here is fully aroused as to the import of the case, already anticipating the visits of the "Who's Who" of the music world when the case opens next Monday (6), real legal battles likely.

There is considerable speculation as to the status of Federal Judge F. Ryan Duffy, who ordinarily would have jurisdiction over the case and impanel the grand jury to be called shortly after court opens. When he was an United States senator in 1935, Duffy introduced the Duffy copyright bill, which passed the Senate, but died in the house. This bill was an attempt to rewrite the compulsory \$25 damage claim and to limit damages of damages to the discretion of the trial court. Under the Duffy bill, ASCAP would have been unable to collect the minimum damages for each illegal playing of a copyright tune unless the composer could have shown (and this admittedly would have been difficult) that he suffered actual damages.

Judge Duffy has been hearing cases brought in his court by ASCAP without objection from the defense, which has been held in abeyance. Since Nov. 1, he has rendered a decision regarded as a real break for ASCAP when he refused to issue an injunction to prevent the society, on behalf of Leo Feist, Inc. from suing Charles Hynek, Manitowoc Rapids, Wis., ballroom proprietor, for infringement of copyright. Judge Duffy has failed, however, to render a decision in a case argued before him last March against Wiley Young, president of the Tavern Music Protective Association, who runs a suburban nitery and "very noisy" guide to copyright infringement. Lack of decision in this case has held up other actions that are pending.

Judge Duffy is unwilling to comment on what his attitude might be on the question of disqualifying himself as presiding judge in the Department of Justice action. Sometimes judges withdraw from a case because of prior interest and some observers regard it as possible Judge Duffy might do just that.

Both Judge Duffy and B. J. Hustling, the United States district attorney of Wisconsin, are of the opinion Wisconsin was chosen as scene of the legal battle because of the high rating which they said the government gives grand juries in this state.

High Type Juries

Members of the juries here are picked for their high intelligence and their freedom from influence, said Hustling. "In some other localities it has been found that grand juries and witnesses both have been subjected to and influenced by outside pressure."

Announcement of the locale for the music war has had no effect up to now on the three local radio

(Continued on page 32)

LABOR FORCES WEB SPLIT

'Gringo-Haters' Rap NBC

Continued from page 3

hostility by the United States around the nations of Hispano-America is at moment showing its authentic side. The recent and mysterious incident in waters of Tampico; the agreement of the Yankees with England that permits them to establish bases in the Bermudas, Bahamas, Jamaica, Antigua, Santa Lucia and British Guiana, the pressure upon Uruguay, that the sure vision of the free opinion of the Southern Hemisphere terms real menace to the sovereignty of the Hemisphere. The running session of strategic planning in the port of other countries of Central America are signs that point out the imminent danger that is entailed for the lands of Spanish America. . . . Spain is present at this grave moment for the countries of our blood and gives the voice of alarm. The plans of the United States on the Continent are already above board. The whole apparatus—economic, political and political of the Yankees has been set in motion for drowning the yearnings for independence and the growing forces of Hispanic conscience in Spanish America. From the "defense of the Hemisphere" to the "continental solidarity" there glides a series of topics, wielded with the sole object of hiding the eagerness of rapine of the Anglo-Saxon world that is seeing its hegemony being lost in the rest of the globe.

Pan-American Caricatures

The moving-pictures, the radio and the press are doing a lot of boasting by launching Pan-American caricatures of the same propaganda that the plutocracy in war has carried out in order to humbug the people of the United States, during the last elections.

An unbound panic is being spread from the microphones of the National Broadcasting Co. in Spanish. The celluloid rolls, the symphonic concerts and dramatic and literary programs are being broadcast. . . . It is an offensive on all the fronts against the liberty of Spanish America. . . . The first zone of influence, with strategic positions, already in the hands of the Gringo, reaches all the way to Colombia. . . .

A potpourri of all the standard Nazi Hitler creeps into most of the attacks. The American radio and Hollywood are controlled by British propagandists. Jewish mercantilism, Freemasonry, Monarchism, democratic degeneration, disguised imperialism and what have you. Further paragraphs from the same source bear this out:

The American motion pictures, devoid of human content and more spring in the machinery for crushing the yearnings of independence of Spanish-American, are now being devoted almost exclusively to the glorification of the great pre-Revolutionary developments the world over, and they are announcing that from now on they will launch Pan-American subjects.

According to the mouthpieces of Yankee motion pictures these have in store for us a series of films wherein the triumph of sex appeal will be adorned with picturesque and typical raiment of the aboriginal and semi-American element, the octaves of Broadway full of India evocations; the art pollens of Panama in whom there will be mixed a portion of Andalusian gracefulness of a postal card and the indolence of the tropics. The North Americans are decided to demonstrate to the countries of South America their goodwill, and, as an example, they are going to supply us with good neighbor films—films of action that will do and hide the interests of the United States that shroud their nice little phrases of collective defense. Behind the moving picture insults there is beginning the era of condescension. Nothing further from the intention of Mr. Schenck and other producers than to obey the guiding lines of Washington and to win at the same time the most important market that has been left to them by the war.

The sales job has not been replaced with flattery. This immense task that encompasses all the sectors of Yankee activity has "frustration" as its purpose; such as will drown the consciousness of

nationality of the people of Spanish-American.

Royal's Statement

Mr. John F. Royal, the vice-president in charge of international relations of the trust that is called National Broadcasting Co., declared a short time ago that, starting from Jan. 1 next, permission would be given to certain radio broadcasting stations of 20 republics to go on the air to broadcast over to certain countries the program of Latin-American program of the National Broadcasting Co. Mr. Royal added that the programs would be radioed over powerful short-wave broadcasting stations on controlled waves, and that they would consist of the news and declarations made by officials of the American Government and of the Pan-American Union. The operators in charge of the power of the bands are very heterogeneous. They avail themselves of Spanish reds—black writers at so much a line—Jewish magnates, Masonry and any tropical lackey ripe for selling himself.

In the field of publications they have already launched a magazine of up-to-the-minute pictures of current events—caricatured life, constitutionalized, between the wavy and feminine silhouettes; the Readers Digest, saturated with cheap doctrine and philosophical recipes for use of the man in the street, and still others, all of them written up in Spanish and printed in New York.

Toledo's Foreign Trade Branches Contact Latin Countries Via WLWO

Cincinnati, Dec. 31. First outside municipal tie-in by Crosley's international WLWO was a 45-minute program Monday (30) night originating in Toledo, O. Sponsored by the Toledo Chamber of Commerce, the stanza was designed to wrap the world. New Year's greeting from friends in the city which engage in foreign trade.

Occasion was the annual dinner for salesmen of Toledo manufacturing firms. It was held in the Commodore Perry hotel and was attended by 600 persons, including Toledo officials.

Broadcast was directed at South America. Joesph Mavoral, WLWO announced, interviewed some of Toledo's leading industrialists and translated their remarks in Spanish and Portuguese.

Telegrams from foreign salesmen of Toledo companies, who acknowledged reception of the broadcast, were registered with lights on a huge atlas, designating points of reception.

Crosley's WLW carried a separate 15-minute program on the affair. It was mixed by Fred Foster, staff announcer.

Toledo papers devoted gobs of space, including front-page splurges, on WLWO's international coverage of the event.

S. F. WOODELL WITH NBC SHORTWAVE DIV.

S. F. Woodell, who has been advertising manager for Packard's export division since 1931, will on Jan. 1 become a salesman in NBC's international division.

He will be on the staff of L. P. Yandell, manager of commercial international broadcasting.

Kesten's CBS Holdings

Washington, Dec. 31. Large block of Columbia Broadcasting System stock in the name of Paul W. Kesten, well-known changed hand, has switched. Denying he is beneficial owner of the paper, he turned it over to the Securities & Exchange Commission he peddled 1,000 shares of Class A common, cutting the portfolio to 1,500.

Two batches were unloaded, 200 shares one day and 800 the next. Kesten, also is listed as owner of 900 shares of the Class B, which was drawn the consciousness of

23 IN AUSTRALIA NOW JUST LOCALS

Albert-Doyle Commonwealth Network Anticipates Hostile Labor Party Getting Control—Latter Criticized Network Moving Toward Monopoly—Putting National Accounts Always Ahead of Local Ones.

WEB DISSOLVES

Sydney, Dec. 3. Albert-Doyle Commonwealth Broadcasting System, comprising 23 commercial stations, has been dissolved allegedly because of hints from politics of the Labor Party that they didn't favor the advantages

developing over local advertising. Commonwealth is now out of the network field altogether and is confining itself to the operation of its own commercial station 2UW, Sydney.

Local advertisers complained that they had been getting the elbow from the stations in the Commonwealth link and Labor Party politicians suggested that if they returned to power they would make sure that commercial radio was completely "cleaned up." Labor is not currently in power, but there's a possibility of a switch in party power, and Commonwealth doesn't want to take any risks on future political antagonism.

The local advertisers claimed that every time a new station gained that coveted position it lifted the local advertiser off of a choice spot on the schedule, and gave it to the network client. It was also claimed that national advertisers were making a strong bid to dominate the choice periods on broadcasting schedules and that the activity on the part of various factors to cooperate with national advertisers in that direction has resulted in the creation of commission rafekets all along the line.

All Locals Now

Decision of the Albert-Doyle group to quit network radio means that the stations formerly in the Commonwealth link will now confine themselves entirely to local business. Labor politicos have always frowned on anything that might expand into a monopoly, and with commercial radio through the network idea threatening to come under the control of powerful business groups these politicians have intimated that as soon as they come into power again they propose to take drastic steps against commercial broadcasters.

Church of England

Church of England authorities are seeking a license to operate their own commercial station in this sector and they have approached Sir Ben Fuller, former vaudeville theatre and radio station operator, about operating the outlet if they get it.

PIERRE AND FRANCOIS SCRAM CKAC, MONTREAL

Montreal, Dec. 31. Pierre Berger, CKAC publicity director, is on loan to the Ministry of Information at Ottawa for the duration of the war. Paul Gelinus sub for Berger at CKAC.

François LaRoche, formerly news censor at station CKAC, has also left station to become private secretary to the Secretary of the Province of Quebec.

Yvonne Arnaud, actress an talented classical pianist, guesting on Starline.

Radio Romeo, new character handling BBC disc session bows in response to request from troops that can't find a definite character should carry the "true message" to sweethearts and wives. Boys no liked idea of regular announcer voicing intimate speech.

Cuba-Mexico-Canada-U.S.A. Pact Due for Enforcement March 29 As Some Uneasy Chances Arise

CONCENTRATE LINGUALS

WCOP, Boston, puts All Foreign Burbs in One Segment

Boston, Dec. 31.

WCOP's foreign language set-up has been increased. Instead of scattered spots previously used, all such programs will be included in a daily hour and a half block from 10:30 a.m. to 12 noon.

The Sunday group has also been consolidated, opening preferred spots to religious, educational and commercial shows.

Readers Digest Aims Program To So. America

Schenectady, N. Y., Dec. 31.

Readers Digest, which recently started publication of a South American edition in Spanish, will launch Jan. 6 a quarter-hour evening program of excerpts on WGEO, General Electric's short-wave station in Schenectady. Spanish shot, fired once weekly, will consist of straight readings, dialogued material and perhaps occasional dramatization.

Program will be aired by members of GE's stable of Spanish-language mikes.

London Calling

London, Dec. 2.

BBC spotting a series around names to be given the 50 American destroyers shipped this side. Towns from which new appendages are taken have composites in U. S. A recording unit will cover the localities (Richmond, Churchill, Montgomery, etc.) seeking local color and native interest.

John Gielgud, airs the Henrik Ibsen part in Gordon Daviot's stageplay "The Laughing Woman." Drama was written for Gielgud originally, but commitments prevented his appearance in the theatre production.

Bryan Michie's takeover of "Gramophone Omnibus" in easc frame into the weekly class. Series is a disc session with a flavor.

Ice Hockey broadcasts at Toronto and waxed by CBS for airing to Canuck troops this side are building up a native audience of fans. Spud airs here 8:30 p.m. Sundays—sparking a hefty audience.

Ron Purcell replaces Cyril Fletcher on "Howdy Folks!" Musical stanza is set for a further run.

Syd Walker airs as "Old Bill," famous doughboy cartoon-figure of last war.

Ronnie Hill and Peter Dion Tiffadarie have added a new revue for Starline. It will be cast with leading names from stage.

Yvonne Arnaud, actress an talented classical pianist, guesting on Starline.

Radio Romeo, new character handling BBC disc session bows in response to request from troops that can't find a definite character should carry the "true message" to sweethearts and wives. Boys no liked idea of regular announcer voicing intimate speech.

Ken Niles is announcing the line on Ben Bernie show over NBC blue, since the shift to Hollywood. Dan Scymput had assignment in New York.

Washington, Dec. 31.

Insistence upon technicalities by some of the signatories, combined with another undercover attempt to scrap the clear-channel theory, threatens to upset plans for radio's March 29 moving day to put into effect the reclassifications of the Havana Treaty. It looks increasingly probable that some postponement will be inevitable. A row in the senate, which might conceivably stand up in repudiation of the American Broadcast Agreement, also is feared, although the Roosevelt administration, including a majority of the Federal Communications Commission, is trying to avert any such development.

The confused situation grows out of the matter of official notification of other parties that the signatories are ready to go forward with the reclassification of channels and redesignation of transmission. Delays in the language of the ratifications and announcements have caused some uneasiness, with Cuba particularly a stickler for compliance with all formalities. The Cubans, who set the pace in disposing of preliminary, now want to re-negotiate, answering the later subscriptions.

Delicacy

Delicate diplomatic question arises. Most authorities feel the pact must go into effect March 29, the fixed date even if it is not yet ratified. But if somebody decides to take more time, the dilemma is whether the senate would have to go through the ratification ceremony a second time (opening the door for a new assault on the clear-channel policy and possibly upsetting the entire apple-cart) and the others would be forced to repeat their rubber-stamping act.

If the clear-channel issue is brought up again, results may be disastrous. Other signatories all want such exclusive ribbons, regardless of how certain U. S. elements feel, as was testified by Mexico's demand for considerably more than she received. As long as the Cubans, Canadians and Mexicans feel that way, it will be difficult to get along. But negotiating the pact in general a majority of the senate voted against tagging particular frequencies for the sole use of hand-picked transmitters after dark, and all the other benefits, notably prospective execution of the Mexican border stations and the erasing of interference between this country and Cuba, would be lost.

The official attitude is that the document has to become operative on the specified dates. This answer was given recently to network people who felt confusions would be minimized by deferring the frequency shifts until the daylight saving hour, killing two birds simultaneously. If the Cubans, however, act balky, the protocol experts will be forced to open the whole mess and the whole issue likely would become academic. That is why the State Department is turning the screws as unobtrusively as possible.

RIO PARANA LAUNCHED WITH DX TURNED ON

Philadelphia, Dec. 31.

Believed to be another "radio first" was the broadcasting last week of the launching of the Moore-McCormack South American liner "Rio Parana" to Latin-American countries. WCAU's short-wave station, WCAW.

The ceremonies, including the blessing of the vessel by Cardinal Dougherty, were described by WCAW's Spanish singer, Adrian Rubio; in one long commercial for Moore-McCormack.

KMOX, St. Louis, Drops Baseball For Web Biz

St. Louis, Dec. 31.

KMOX is the third CBS station to ditch major league baseball broadcasting for the 1941 season. For the past seven years, KMOX with France Lautz in the role of chief speler has been airing all home games of the Cards and Browns from Sportsman's Park. Kellogg, Socony Vacuum and General Mills have been the bankrollers; the latter two during the past two seasons. Merle Jones explains that with baseball out five strips for General Mills and another for Procter & Gamble, Wrigley will remain on CBS during the entire year.

Formerly it was necessary for the accounts to go off the air during the 20 weeks of baseball, shift to other time or go to other markets. Under the new setup, Ken Church, sales manager, for KMOX will have but two 15-minute strips, between 3 and 5 p.m., to sell.

Only two other local stations are certain to broadcast baseball next season. KWK has been in the field for many years and just recently KXOW joined with Charles Gabby Street, former Cardinal manager, winning lots of followers with his between innings analysis for the Hyde Park Breweries.

Christmas Day Auto Accidents Fatal To Bill Dye, Stanley Kaye

Cleveland, Dec. 31.

Christmas day auto crash here claimed life of William Dye, former radio executive for Interstate Advertising Agency and collaborator of Bill Ackerman on current Duquesne Beer sportsmen's program via WTAM, Cleveland. Dye was 27.

Dye joined Interstate eleven years ago and was a regular radio show host and broke ground for men to step up with Ackerman three years ago when latter was doing sportsmen's show for Canfield Oil. Dye at time was writing commercials for programs and recently left Interstate to join Ackerman in radio work and Hunting and Fishing Guide publication.

Christmas day auto accident proved fatal also for Stanley Kaye, local advertising man who headed agency bearing his name.

Kaye handled L. J. Fox account which currently has two daily shows with Helen Wyant, organist, and Dick O'Hearn, singer, aired via WHK and WCLE.

Kaye, native of New York, came here six years ago. He was 35.

HUMBLE OIL ALSO SPONSORS BOWL GAME

San Antonio, Dec. 31.

The Cotton Bowl game, to be played at Dallas on New Year's Day between the Fordham team and the one from Texas A. & M. College will be given "double coverage" in the state. Humble Oil & Refining Co. will sponsor a broadcast of the game to the Texas Quality network. Game is to also be sponsored over the Mutual network by Knox Gelatin Co.

Reports had been that this was to be an exclusive broadcast for the gelatinine.

Still the Oldest

Crescent Hour of Music (Crescent Macaroni), oldest continuous commercial broadcast on any radio station, will celebrate its 1,000th consecutive airing over WHO on Dec. 28.

The program started April 17, 1925.

Hayes Adds a Title

Arthur Hull Hayes has been appointed general manager of WABC, New York, key outlet of CBS. He became sales manager of the station in 1937, after three years as eastern sales manager.

He continues as sales manager as well as general manager.

Paley-Yankelevich Contract WHEREBY BELGRANO, BUENOS AIRES JOINS CBS

Buenos Aires, Dec. 15.

INTRODUCTION

Between the Columbia Broadcasting System, herein-after called Columbia, party of the first part, and Mr. Jaime Yankelevich, herein-after called Radio Belgrano, party of the second part, the following agreement is reached:

DEFINITIONS

1. Columbia dedicates itself in the United States of America to the exploitation of a radio transmissions network, and is constructing two international stations which will broadcast with a power of 50,000 watts each, capable of transmitting programs to Radio Belgrano, who will re-transmit them. All programs so transmitted by Columbia are called "international programs." The international programs for which Columbia receives payment from its customers shall be called "paid programs" and those which are not paid shall be called "sustained" or "Columbia programs." Both parties shall be entitled to receive payment.

2. Columbia dedicates Radio Belgrano to the Argentine, and the latter accepts this designation, as its territory of listeners will increase, and willingness, cooperation and cooperation will be greater, if in Columbia's programs are included special numbers for the Latin American republics, always provided that in each country an exclusive re-transmission is made by the local stations. Such international programs will include news of national and international events, musical presentations, dramatic works and other entertainment coming from the United States, as also informative, educational, cultural and general interest programs, and all others of public acceptance and interest.

By virtue of the above, Columbia designates Radio Belgrano, and the latter accepts this designation, as its agents, when the other party has advised that it cannot comply with the request.

REBATE RESPONSIBILITY

10. Neither Columbia nor Radio Belgrano shall be responsible for defects in the transmission or re-transmission due to causes beyond their control. In cases of faults or defects in the transmission neither party shall be obliged to make reciprocal payments and the advertisers shall be relieved of the expense of their broadcast. Neither party shall be guilty before the court for claims made by third parties, whether they originate on account of lack of broadcasting facilities, failure of equipment, actions or protests of customers, strikes, or any other cause or reason beyond the control of the party.

ECONOMICAL TALENT

11. Columbia for making up the programs destined for Argentina will make exclusive use of the artistic services that Radio Belgrano can supply, and its present or future agencies, the artists for such programs to be supplied under the most economical conditions possible. Likewise Columbia will supply to Radio Belgrano, free and exclusively the artists that it may eventually need, in a spirit of reciprocity, also under the most favorable terms, both parties however, are at liberty to deal directly with the artist or their agents, when the other party has advised that it cannot comply with the request.

BELGRANO GUARANTEE

12. Radio Belgrano guarantees at all times the best possible technical re-transmission through proper equipment.

SUBJECT TO FCC

13. All contractual obligations established herein shall be subject to the present and future laws, rules, regulations and decrees applicable to the Federal Communications Commission of the United States, and the Direction General of Posts & Telegraphs in the Argentine, respectively.

COURTS

14. To all effects of these presents the parties are subject to the dispositions of the Courts of the United States with regard to questions that may arise with Columbia, and to the Argentine Courts when the questions originated with Radio Belgrano.

FOR FIVE YEARS

16. This contract, with regard to the re-transmissions, will come into effect not before the first of September, 1941, at which date the international stations mentioned should have the license to operate with 50,000-watt power, and the rulings of the Federal Communications Commission will permit the operation specified herein, the contract to end on the first of September, 1946.

With regard to the artistic part in general, the contract shall be in force as from the date it is signed.

Both parties in full agreement with all causes of these presents, they obligate themselves to faithful compliance with same, in proof of which two copies of the same tenor and to one effect are signed in the city of Buenos Aires on the fifth day of the month of December, 1940.

Additional Agreement

There will be in both directions sustained and sponsored programs. Radio Belgrano shall have the right to sell sustained programs of Columbia upon receiving approval from Columbia in each case. In these cases Radio Belgrano will pay 50% of the total net amount it receives from the sponsors to Columbia. In each case Columbia will negotiate with Radio Belgrano for programs originating in Argentina for commercial stations in the United States. Columbia guarantees that all programs originating in Argentina will be broadcast through the technical facilities of Radio Belgrano. If a sponsor in the United States requires re-transmission by Radio Belgrano, with or without the Argentine chain, Columbia will pay to Radio Belgrano for such programs 50% of the net local rates of Radio Belgrano and its chain. Radio Belgrano agrees to notify Columbia at least 30 days in advance of the effective date of any change of rates. In view of actual circumstances, whereby Columbia has powerful short wave transmitters under their own exploitation, whereas local laws and decrees in Argentina prevent Radio Belgrano from using such facilities, Radio Belgrano will have to use other facilities as transmitters. Therefore Columbia will pay all the technical expenses of such transmissions. It is agreed that Don Jaime Yankelevich also has the right to transmit sustained programs on either Radio Belgrano or Radio Argentina. The word "chain" refers to the present known chain in the Argentine Republic (list of stations follows). No changes can be made in this chain, unless by a redistribution of stations or increase in power always with the same coverage can be guaranteed.

17. All contracts with sponsors between Columbia and Radio Belgrano will have a minimum duration of one year, and as to the financial effect of cancellation, a contract is signed the official rate of exchange in dollars and pesos at that moment will be taken as a basis for negotiations. If Columbia sees within two years that financial reasons do not justify the continuation of this contract, Columbia will have the right to cancel, always with six months prior indication, and in this event Columbia is obliged not to make any other similar arrangement with any broadcaster in the Argentine Republic for a period of six months after the definite expiration of the contract.

CBS STANDARDS

18. Columbia has the right to reject any advertisement recommended by Radio Belgrano when it understands that the product to be advertised, or the character of the advertising are not suitable for the Columbia programs.

CBS MUST BE CREDITED

19. In all Columbia programs sold by Radio Belgrano, the announcements must mention the Columbia Broadcasting System as well as the station or stations of Radio Belgrano.

COMMERCIAL LIMITS

20. Upon selling Columbia programs, Radio Belgrano may not dedicate more than three minutes to commercial announcements in each half hour program, nor more than one and one-half in each program of fifteen minutes' duration. All commercial announcements must be made at the beginning of a half hour and of the programs, and the latter may not be interrupted at any time for the broadcasting of commercial announcements.

FINANCING

21. It is especially agreed that the tariffs of prices, conditions, etc., covering the financial part, shall be covered in an additional agreement. Payment shall be made to Radio Belgrano by Columbia in United States currency by means of checks against a bank in New York, within 20 days following Columbia's fiscal period, of four or five weeks according to circumstances, during which period Columbia will have received from Radio Belgrano vouchers for the paid international

Station Has Its

Own Version Of One-Cent Sale

Longview, Texas, Dec. 31.

Station KFPO has completed plans for its Third Annual One-Cent Sale in connection with the observance of the station's anniversary (the sixth) in January. The sale is available to national advertisers who purchase time during the month of January to run for more than 13 weeks.

Advertisers who purchase one unit of broadcast service can get an additional unit for one cent.

Red, Blue Split Publicity; Briggs Into N.Y. Post As Chotzinoff Resigns

Separate press sheets (the perforated ones) will be issued hereafter for the NBC blue and red networks. This is one further step to emphasize the segregation of the two arms of NBC.

Meanwhile, some personnel changes have occurred in the NBC press department at Radio City, New York. Bill Neal goes to Washington and Bill Norris supplants him on the night desk. Charles Pekor temporarily is handling trade press relations until Bill Kostka sets a successor.

John Briggs leaves NBC for the New York Post to handle the music editorship after a break-in period. His satirical pieces on how a police reporter would review opera made a hit with that daily. Samuel Chotzinoff is retiring from the Post music editorship entirely because of his new duties as manager of the NBC music division. Heretofore, he has been merely "musical advisor" to the web.

JOE REAM MUST REPLY TO TWO QUESTIONS

Joseph H. Ream, secretary of Columbia Broadcasting System, Inc., was ordered to appear for examination before trial in the N. Y. supreme court Jan. 6, 1941, by Justice Ferdinand Pecora, in connection with a suit by Epoch Producing Corp. against CBS. Examination will be limited to two questions, the rights of plaintiff to "The Birth of a Nation," and the attempts of CBS to secure a sponsor for its proposed series with same title.

Plaintiff is the owner of the film rights and claims on Sept. 2, 1940, over WABC, CBS broadcast a program using the title "Birth of a Nation." This constituted a violation of plaintiff's rights, and an injunction, accounting of profits, and damages are sought. Defense is that only one broadcast was given of the series, and CBS stopped as soon as notified by Epoch.

AFFRONT TO PRESS

Crediting Radio Is Called Tactics on Football Games

San Francisco, Dec. 31.

Heavy play radio is getting in connection with the Shrine East West charity game Wednesday (1) drew a burn from Prescott Sullivan, Examiner sports columnist. In his "The Low Down" for Monday (23), Sullivan cried:

"What game officials ought to be told is that no newspaper man present at the Shrine football luncheon the other day failed to notice the fact that the press was given almost no credit whatever for building the Shrine contest into the sellout attraction it is today. Since 1925, San Francisco newspapers have plugged away... yet the Shrine luncheon a group of oil company executives and radio underlings got all the bows."

Referring to Associated Oil, which sponsors majority of Coast games but bowed out this year to Gillette, and KFPO staffers who will make the play.

Gordon Gray, publisher, Winston-Salem (N. C.) Journal and Sentinel, plans 50,000 watts, 14,100 k.c. stations on Clingman's Peak, near here.

Inside Stuff—Radio

Eric Boden of KYA, San Francisco, holds the unique record of being the first man ever to ad lib over Radio Athlone in Ireland. Boden, prior to winning American Bar Association trip to America as champion orator of Ireland, produced a show called "Radio Diary," sort of a March of Time. After it had been on the air two years, they decided it would be interesting to find out if anyone were listening. So Boden scared heck out of the entire government radio department by digressing from his script one night and asking for fan mail. Floods of letters which resulted saved his job.

Announcer-producer since has commuted the Atlanta seven times and formerly was EBC correspondent for various U. S. dailies. His present chores include KYA and Radio WGN shows. Recently brought over Nan McCann, Irish composer-singer-soprano, who conducted a symphony in the old country and is looking for a similar orch to bathe in. Sings sans accompaniment for two reasons (a) it's an old Irish custom, (b) saves accompanist fee.

Fred Weber, Mutual general manager, in a memorandum to affiliates suggested that they study the regulations as proposed by Muta to the Federal Communications Commission and reprinted in the N. A. B. Bulletin of Dec. 6, page 4841.

Weber's memo points out that the Mutual proposal "advocates regulations only in locations where there are an inadequate number of radio stations of comparable competitive facilities, and restriction against controlled contract affiliation of two stations in the same area by one network company." Also, "such regulation would encourage greater free competition and greater varied service to the public listeners."

Frank Kelly, city clerk of Miami, informs VARIETY that the city was never formally approached to pay legal line charges for either the Jack Benny or Fred Allen shows. Miami never refused to foot legitimate public service taxes. Love Thy Neighbor film premiere and broadcast was called off by Paramount for its own reasons.

Rev. Dick Evans, head of the Florida Congress of Democracy, got financial aid from Miami to bring down the NBC Town Hall forum by simply appearing before the city commission and stating his case. Only one dissenting vote was registered. Miami is keen for nearly any kind of a special attraction with publicity angles.

Quiet resignation of George B. Porter, long-time member of the Federal Communications Commission legal force, from his recent assignment of special counsel to the chain monopoly committee is puzzling industry observers in Washington. Retained around Thanksgiving to be prepared to testify on several fundamental questions of fact, Porter went off the payroll a few days after the oral argument early in December. Significance is seen in the fact he did not open his mouth during the forensics. He's back in private practice.

NBC blurb is wondering how Facts Consolidated, program checking outfit on the west coast, recently came to add Fresno and Tacoma to its survey list without including San Diego, or Sacramento. CBS, it was pointed out, has no station in San Diego. As Facts Consolidated's checking coverage now stands, CBS is represented by local outlets in eight cities, the red, in seven cities, and the blue, in six cities. The blue is of the opinion that this restriction tends to give a distorted picture in that the blue's ratings suffer from the omissions.

P.M. New York daily, which is one of the few papers in the country that rarely takes cognizance of the fact that its readers may also listen to radio news reports, took a new and bolder step in that direction Monday (30).

Following the President's national defense talk the night before, PM's top head, covering half of page one, was: "Even If You Heard FDR's Speech You Should Read It." Under that was the title, "Hiller Probably Read These Excerpts a Dozen Times." Snatches of the speech followed.

Mutual has installed an AP teletype machine at WOR, New York, for last-minute news flashes over the network. Will merely supplement the regular twice-daily news summary and the other scheduled news programs.

Idea of the AP machine is that WOR, which uses UP and Transradio news commercially, can't supply it to the network. Flashes from the teletype machine will be put on the network from New York, instead of the news having to wait for the regular five-minute summary from Chicago.

Satellite's Jan. 11 issue will carry a story by Lucien Cary on the annual shoot of the National Muzzle Rifle Association, held at Friendship, Ind., 35 miles from Cincy, two months ago. Event is a WLW promotion, directed by Boss Johnson, dean of the station's staff of rural reporters. It draws scores of men and women shooters from all parts of the country.

Cary's story will be illustrated with 10 color and seven black-and-white photos by Ivan Dmitri.

Milton Diamond, who was the thick of things for the American Society of Composers Authors and Publishers as the negotiations with the U. S. Department of Justice about a consent decree were concerned, is member of the firm of Diamond, Rabin, Botkin & Mackay. The last named, David Mackay, is counsel for RCA Victor, a sister subsidiary of NBC in the RCA combine. Since then the consent decree proceedings have col-lapsed.

H. V. Kallenborn, after reporting an estimate by NBC that 75% of the 50,000,000 sets in the U. S. would be tuned to President Roosevelt's Sunday night fireside chat, and that "perhaps" there would be 80,000,000 listeners, declared "This means that radio has made it possible to re-create the free assembly of all people at the same time, a thing impossible since the time of Athens in the days of the Greek republic."

F. T. Tucker, director of advertising for the B. F. Goodrich Co., declared that he's looking forward to 1941 as the company's biggest year, in manufacture of tires. Hence his expressed surprise to the report in advertising circles that Goodrich is considering a change in policy which will reduce its tiremaking operations and turn over most of its facilities to the production of other rubber goods.

J. Stirling Getchell, 41, founder and head of the advertising agency which bears his name, who died of a streptococcus infection Dec. 17, in New York, was among the nation's 10 biggest agencies, but it had little to do with radio. Among the larger Getchell accounts are Socony-Vacuum Oil, Devos & Raynolds Paint and the Plymouth, DeSoto and Airtemp divisions of Chrysler Corp.

Ward Wheeless is understood looking for two men to head the agency's radio departments in Philadelphia and New York. C. M. Rohrbaugh, present radio head, is believed slated to be assigned to active charge of the Palomino account, which the agency recently obtained.

Dixy of Colgate-Palmolive-Peet advertising is said to be \$2,500,000 to the new Ted Bates agent, \$2,000,000 to Sherman & Marquette of Chicago and \$1,700,000 to Ward Wheeless.

Bates is to have the public relations part of all Colgate biz, however.

W. L. White is again broadcasting from London on CBS transatlantic. White, whose vivid descriptions of fighting in the Russian-Finnish war moved Robert Sherwood to write "There Shall Be No Night," has aired from England, Germany, Finland and other European countries.

SOCIAL WORKERS RESENT ANTHONY'S 'TRADING UPON HUMAN DIFFICULTY'

WIFE AS SUB

Seek Sponsor Okay as Oldfield Becomes Army Man

Lincoln, Neb., Dec. 31. KFOR's program department is busy this week with the schooling of Mrs. Oldfield, wife of the station's former Hollywood grabbed who is now a captain in the army. She'll probably be given the program after the middle of January. It has been carried on under Oldfield's tag since Nov. 27, by Bill Messner, who labels himself as a "man Friday."

Mrs. Oldfield goes to 500 or more films annually. Program is sponsored by the J. H. Cooper-Partheatre.

Crosley Men Join Army

Cincinnati, Dec. 31. Endign Herbert Ervin, in the Crosley engineering staff since 1936, has joined the Naval Reserve to become a Naval radio operator. Robert Booth, WLW-WSAI engineer since 1933, departs Jan. 5 for Philadelphia to become an instructor of airplane radio engineering.

Jay Fix, WSAI announcer since last June, enters the Army via the selective service route Jan. 20.

CIO Union Organizes In Philly for Drive On Radio Engineers

Philadelphia, Dec. 31.

The American Communications Association (CIO) has set up headquarters here for a national organization drive of radio stations. At a meeting held of reps of locals from Philly, New York, Buffalo, Washington, Baltimore, and other cities, it was voted to establish a National Broadcast Division of the CIO to bring the personnel of the nation's studios into the fold. The executive board of ACA, which has 14,000 members, pledged its financial support to the campaign.

L. E. Littlejohn, WFIL engineer and president of the Philly local of the broadcast division, was named secretary-treasurer of the national drive. Saul C. Waldbaum, local CIO attorney, was appointed national counsel.

Result was a half-hour show called "Down at the Crossroads," using WCCO's comedians, Clellan Card and Eddie Gallagher, the program was based on the "doings of the folks in Red Eye Township." Hayseed gabbling and the 12-piece WCCO orchestra, vocal octet, Harmonica Twins, Harry Habata and his accordion, and a new vocalist and Vivian Florin, 17-year-old St. Paul soprano.

"It is the hour of personal advice.

"The hour which a popular supply of fresh talent is using the dramatic device of 'trading upon the troubles of confused people through convincing them that a three-minute pep-talk over a national hookup by an 'expert' in human relations' will graft roses into the thorns of personal or social agony.'

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"It is the hour of personal advice,

Trade Commish Orders Radio Copy Of Phillips, Thomas, Crazy Crystal To Discontinue Certain Claims

Washington, Dec. 31.—War on the dissemination of false and misleading advertising broadcasts appears to have been declared by the Federal Trade Commission in a string of cease and desist orders and show cause orders against nationally-known drug companies.

Charles H. Phillips, Chemical Co., N. Y., makers of the w.k. Phillips Milk of Magnesia, was handed a cease and desist order yesterday, stating that he had made out the curative powers of two skin creams it has been ballyhooing by radio, newspaper and magazine ads. Commish also slapped a cease and desist order on Crazy Water Co., Mineral Wells, Tex., for misleading knob-twiddlers and mag readers, and issued a complaint against Thomas Management Corp., Chicago, for the familiar ads promising the bald men of the nation a new crop of hair. The Milk of Magnesia cream, "Hy-Phen Cream," W. Va., was scolded for exaggerating the curative powers of its alleged pain-killer, "Hy-Phen."

Spirited manner in which the FTC is going after some of the larger and more powerful companies aroused speculation about a renewed attack on advertising programs which tend to lead the more gullible of the radio public astray. Although most of the ads in the products against which the Commish recently has cracked down are household words in many American families, the Government appears to be preparing for a general disillusionizing of the average pill-taker.

No Acid Skin

Phillips Milk of Magnesia crew was accused of inventing a disease called "acid skin" in order to convince radio listeners and ad-readers that it can readily be cured by using "Milk of Magnesia Cleaning Cream" or "Milk of Magnesia cream." No such thing as a "disease or abnormal pathological condition properly described as 'acid skin,'" Commish declared, and furthermore the Phillips skin creams will not even accomplish the results claimed in treating skin blemishes, blackheads and other ordinary skin afflictions. In other words, while the Phillips Milk of Magnesia crew does neutralize external acid in the stomach, external application of the M. of M. creams does not neutralize acid skin exudations.

Sad news for the nation's bald-pates was seen in the charge that the well-publicized Thomas preparations will not stop falling hair, cure dandruff or cause curly mops to grow on polished bald spots. Commish said that Thomas' hair tonic with the practice used in more than 25 cities throughout the country, where shops known as "The Thomas' lure customers to their doors to sell them various hair-growers and give treatments. Also objected to sale of "Home Treatment Kits" for use by hairless purchasers.

Respondent's products "do not constitute a cure or remedy . . . or affect treatment for baldness and other hair troubles," Commish complained, and will not promote normal hair-growth.

hair growth. Two preparations, "Trichovite" and "Trichotone," which are to be taken internally to stimulate hair growth, also were declared ineffective.

Curative qualities of "Crazy Mineral Water," "Crazy Water Crystals" and "Crazy Fiz" were denied in a cease and desist order slapped on the company and four of its executives, and "Hy-Phen" pain-killers also were criticized as a "cure" that did not exist. The former products will not cure diseases of the alimentary tract, kidneys and other internal organs, while the latter simply deadens pain and does not remove the cause.

Press Own Announcer

Mineral Wells, Tex., Dec. 31.—Crazy Water airs over the Texas Quality Network a quarter-hour program Monday through Friday. Hal H. Collins, president of the company, does the commercial plugs on the air broadcasts.

Programs originate here from the lobby of the Crazy Water Hotel.

WRITERS' PACT WITH CBS, NBC IS DUE

Contract covering staff dramatic and continuity scripters at NBC and CBS will probably be signed by the Radio Writers Guild within the next two weeks. Networks and the author organization have agreed on all original points and the pact is now being drafted into final phraseology by their legal staffs.

Terms are being withheld pending final signing, but the agreement is understood to call for minimum pay, extra coin for commercial assignments and audition scripts, and clarification of the matter of subsidiary rights.

JOHNNIE OLSON ON SIX-STATION WEB

Green Bay, Wis., Dec. 31.

Johnnie Olson of WTAW has been signed to write and direct a new regional series for Penn Tobacco beginning Jan. 4. Show will originate at WTMJ, Milwaukee, and be fed to six stations in Illinois, Wisconsin, Iowa, Minnesota and Michigan.

Announcer worked for same account once before through Ruthrauff & Young agency. He will do a multi-voiced narration on show with a rhythm group for background.

If You Don't Believe That

WFBBL Leads in SYRACUSE TRADING AREA

We'll Prove It to You!

CHOOSE What Type of Survey You Want

CHOOSE Whom You Want to Make It

CHOOSE When You Want It Made

AND WE'LL PAY THE BILL

Yes, if you don't believe that WFBBL is "FIRST" in the Syracuse Trading area, we will gladly make you a survey—no, we won't pay for our own expense. Absolute payment obligation. For details, write or wire WFBBL, Syracuse, N.Y. Free & Peters, Inc., National Representatives.

ONONDAGA RADIO BROADCASTING CORP.
SYRACUSE, NEW YORK

Member Basic Network Columbia Broadcasting System

National Representatives, FREE & PETERS, Inc.

UP JACK BERTELL

He's Third V.P. on Columbia Artists, Inc., Staff

Columbia Artists, Inc., has a new v.p. in Jack Bertell, whom executive v.p. Herbert Rosenthal brought into the organization a couple of years ago. Bertell was given the title as of Jan. 1.

He's en route now to Hollywood on CBS business; also coincidental with the Hartmans, a Columbia Artists, Inc. owner, starting their RKO film chore in "Sunny." Another Columbia Artists v.p. incidentally is I. S. Becker, business manager.

LYN MURRAY INSISTS, GETS BILLING

Lyn Murray, composer-arranger and orchestra conductor of the "Campbell Playhouse" series Friday nights over CBS, is now receiving air billing. He had been refused the mention, but finally won it after handing in his resignation effective last week.

Although air-mention is customary for batoners and has been generally practiced on most Campbell soup shows, Murray had several tussles on the matter with different sponsors during the last few seasons. He was billed an arranger-conductor on "Elmer Queen" when it was a sustainer, and that was discontinued when Gulf took over the series.

In the case of the "Campbell Playhouse," Murray insisted that either plug was actually worth more to him than the pay from the show itself, so he was ready to quit until it was forthcoming. Murray also has the chores and does theorchestral arrangements on the Lucky Strike "Hit Parade" (without billing) and has the "Four Clubmen" vocal sustainer over CBS.

**Stuhler-Stauffer Now
Partners in Lyons
Agency; Wolff Also In**

Bill Stuhler and Don Stauffer have become partner-stockholders in the Arthur E. Lyon, Inc., talent agency. The Lyon brothers, who had the same time expanded their partnership setup to include Nat Wolff, Hollywood talent rep, who as the operator of his own business specialized in radio bookings. Wolff will continue to operate on the Coast as a Lyons partner, but he will dissolve over firm.

Stuhler and Stauffer are Young & Associates, Inc., Stuhler having Lyons three years ago and Stauffer followed him in a year later. Though the pair will concentrate on radio, their activities in the Lyons New York office will include selling performer and writer talent to legit and film producers. Also personal appearance bookings.

Among the film names that Wolff has been representing for radio are Helen Angel, Mary Astor, Marlene Dietrich, Miriam Hopkins, Carole Lombard, Ida Lupino, Rosemary, Edna Best, Gail Patrick, Ginger Rogers, Martha Scott, Margaret Sullivan, Helen Wood, Freddie Bartholomew, Ronald Colman, Herbert Marshall, Laurence Olivier and Eddie Albert.

**Charles Gilchrest To
Earle Ferris Staff**

Boston, Dec. 31.—Charles J. Gilchrest, one-time Chicago Daily News radio editor, has resigned as managing editor and events director of WBZ-WBZA to join staff of Earle Ferris, private press agent in New York City.

Colon Morris, announcer for past two years, succeeds.

Hard Life Department

Minneapolis, Dec. 31.—Dr. George W. Young, owner of WDGY, and his wife are motoring to their Florida home in Miami to spend their annual winter vacation.

Young's cruiser, "The WDGY," has been readied for fishing and pleasure cruises to Key West, Palm Beach and other points.

From the Production Centres

IN NEW YORK CITY

Carol Irwin, supervisor of daytime radio for Young & Rubicam, ill for the last week with flu. . . Cedric Foster, news analyst over Mutual from WTHF, Hartford, now also heard daily over WOR. . . Alfred Wallenstein subbing for Toscanini as conductor of the NBC symphony during January. . . Philip James stand-in for Wallenstein's "Symphony Strings" series over WOR-Mutual. . . George Kroll, host on the Helen Hayes program, "Theater of the Month," . . . Ralph H. Halpern, former operatic boy soprano and Metro commentator, added to "A Nachtel" for Transamerica. . . Charles Stark, subbing for vacationing Art Miller, announcer on "Famous Jury Trials" . . . also recently completed recorded series for Lydia Pinkham and Barbabiol. . . Don Kearney, m.c. of the stage show at the Strand theatre, White Plains, N. Y., aired over WFAS, White Plains, last week, pulled a switch on the quiz session by giving the answers and asking the audience for the proper questions.

Bea Wain renewed for another 13 weeks on "Lucky Strike's" "Hit Parade" . . . she also opens a string of stage dates at the Brandt houses in New York tomorrow (Thursday). . . "Confidentially Yours" renewed for another stretch over a 25-station Mutual hookup as of last night (Tuesday). . . Sherman K. Ellis is the agency. . . Yvette Baruch, sister of announcer Andre Baruch and in the copyright department of CBS, has her own program, "I Just Came Here to Sing," over WINS Saturday afternoons. . . Ralph Edwards, last year's "Truth or Consequences" host, has a vaudeville tour due in February. . . Jill Esmond and Ralph Forbes, co-stars of "The Citadel," current Wheatsheaf Playhouse drama, will guest on "Your Happy Birthday" for Twenty Grand cigarettes Friday night (3). . . Compton agency, increasingly active in radio by about one-third during the last year, has added to its personnel by about one-third during the last year.

Dorothy Michel, secretary to B. F. McClancy, NBC manager of traffic, and F. W. Willard Butler, a salesman in the NBC spot and local sales department, have announced their engagement. . . Wally Butterworth missed a "Vox Pop" broadcast from Fort Slocum, influenza bedding him.

IN HOLLYWOOD

George Burns and Gracie Allen will broadcast from the east during most of February. They'll stop over in Chicago for at least one broadcast. . . Jack Runyon back from New York lookaround. . . David Broekman east for greener fields after first of the year. . . Melvyn Douglas donated the check he received for guesting on Bill Stern's sports program to migrant workers' families for a bit of holiday cheer. . . Huntley Gordon, silent film star now booking the talent for Gulf Cinema Guild show . . . Know Nothing's soap sponsor gave him a renewal as newscaster on KXNN. . . Hilda Hooper bidding by governor of Kentucky to preside as hostess at running of the Derby. . . Truman Bradley calling the sponsor's shots on Tony Martin's new Woodbury series. . . KXN signing in at 6 a.m. on Sundays, hour earlier than other days, to take three programs from New York. . . You can't keep that KXN gang off or out of the air. Five of them last week pooled their coin to make a down payment on a cabin home. Soon along, hopefully, will be Russ Johnston, Bob Gaetz, Wm. Nelson, Bruce Piggott, Bill Gossard, Gran McNamee, signs nothing, naturally, at the majestic Sierra Madre mountains behind the Pasadena Rose Bowl, the dear, beloved hills he made famous when he broadcast the first four football games from the saucer. He still has that first script and will repeat some of the gayly-decked verbiage he spouted between plays back in 1927. . . George Lucas, Lucas scripter, pitched in and directed last week's soaper when Sandy Barnett was set upon and laid low by an army of flu bugs.

Martha Tilton of "Tilton" program on NBC red from Hollywood, it being announced she was recuperating from flu. Charles Dan's orchestra carried on alone. . . Bob Hope did not appear on NBC's Christmas afternoon salute to Britain from Hollywood, New York and elsewhere, it was stated attack of fu confined comedian to his home. Gracie Fields, who had sung "Ave Maria" on her regular spot, substituted for Hope with a music hall number.

IN CHICAGO

Set Strotz, NBC program chief, in last week for office meeting and to set new coordination set-up for personnel. . . Sharon Lee Smith added to cast of "Your Dream Has Come True"; Lillian White, Willard Waterman, Brett Morrison to "Bachelor's Children"; Mary Patton to "Right to Happiness" . . . Jean Davis to New York to special audition for new comedy character she has created for the ether. . . Henry Cooke, NBC sportscaster, is going to marry non-pro Mary Fickes some time this spring. . . Bill Bouche, Dorothy Francis have new roles in "Arnold Grimm's Daughter"; Helen Van Tuyl added to "Story of Bud Barton" . . . Alec Templeton progressing on his new composition called "Symphony of Life".

IN SAN FRANCISCO

Mayor Rossi pinned a gold football on Frankie Albert in front of a KYA this week. . . Hal Burdick repeated a historic night editor story on KPO this week, . . . entitled "The Other Manger," it was first broadcast five years ago and featured character named "Dr. Kate" . . . character drew so much mail that Burdick lifted her out of his one-time yard and turned her into a daily strip show . . . with his wife, Cornelia Burdick in the title role. . . it's still going—with a sponsor. . . Talullah Bankhead and Dr. Marjorie Blauwberg participated in an East-West football rally broadcast by NBC from Omaha-Khyberan. . . pair were at a nearby table and were persuaded to stay over for a few words, with Tommy Haas, guest of honor. . . Clyde Coombs, for the past three years CBS sales rep in Frisco, hope to Fresno today to start the new year as vice-president and manager of KARM.





WCAU

Appreciation Award 1940

(AND EVERY OTHER YEAR TOO)

.presented to

VARIETY

THE BIBLE OF SHOW BUSINESS

For its complete and colorful coverage of all that's news in
the world of entertainment . . .

For its heady champagne language that sparkles and gives
life to words . . .

For its headline hungry staff—the best collection of news-
hounds in the world . . .

For these and many other good things too numerous to mention
...kudos for 1940 and a sincere "Best Wishes for 1941" from

WCAU

PHILADELPHIA

WAPI, Birmingham, Deal Still Waits Upon Final Appeal From FCC

Washington, Dec. 31. Precedent-setting request for a special three-judge Federal court to review a Federal Communications Commission ruling has been made by Columbia Broadcasting System and State of Alabama in support of U. S. Supreme Court's finding that license transfer cases cannot be carried to the District of Columbia Court of Appeals. Novel action was docketed Monday (30) in the case involving proposed lease of WAPI, Birmingham.

Injunction barring enforcement of the May 1839 FCC order denying consent to the assignment of license to Voice of Alabama, Inc., was requested in a complaint alleging the regulators were "arbitrary and capricious." Argumentative and caustic, the issue on grounds never stated for discussion at the hearing. Bill signed by Attorney General Thomas S. Lawson of Alabama and Duke M. Patrick, special CBS counsel, said no fair opportunity was offered to submit evidence dealing with the "recapture clause" in the lease agreement.

Whole dispute turns on the validity of a provision requiring Voice of Alabama (corporation in which Columbia had a 45% interest) to do whatever it can to get the license turned back to Alabama Polytechnic Institute, University of Alabama, and Alabama College upon termination of the 15-year contract. The regulators, following policy laid down in the case of KSFQ, San Francisco, held that any such arrangement is contrary to public interest, inasmuch as it enables station owners to avoid responsibility for several years and then bob up again as operators who cannot be held accountable for what may have happened in the preceding period.

In his request that the FCC decision be set aside, Patrick emphasized that the recapture clause never received consideration until the Commission denied the application for the WAPI lease. Also the regulators failed and refused to make specific and proper findings on the numerous issues listed for examination at the hearing. Result is a denial of the lease, the claim being alleged, with the Federal officials trading in "private business affairs" of the parties and going out of their way to exercise supervision over matters that "do not touch upon or in any manner affect the ability of Voice of Alabama, Inc., to operate Radio Station WAPI in the public interest."

No More WQXR Siesta.

New Saturday broadcasting schedule will start this week (4) by WQXR, New York, adding three hours of transmission for that day. It eliminates the previous lapse from noon to 3 p.m., and makes that day's schedule the station's longest of the week. Outlet will henceforth go on the air at 7 a.m. and sign off at midnight Saturdays.

Programs to fill the three-hour span will include news, recorded piano concerts, recorded salon music and 30-minute recorded symphonic suites.

HOLLYWOOD-LIKE Practical Joke Brings Live Cow Into NBC's 8-H

Hollywood-like practical joking bothered last week when members of the chorus and orchestra on the Tuesday night Philip Morris program went to elaborate extremes to present a Christmas gift to Ray Bloch, orchestra conductor on the show.

Batoneer recently purchased a farm, so after obtaining permission from various New York City officials and Radio City executives, the cast had a live cow brought to NBC studio 8-H, where the program was to be recorded. According to Bloch just before broadcast time, Ceremonies caused hysterical mirth from participants and the studio audience.

CHEATING TIPS ON HORSES VIA DX

Washington, Dec. 31.

Profitable cheating tipster service operating from the Charles Town, W. Va., racetrack for the benefit of hoodlums was uncovered by the Federal Communication Commission after a month of search for unlicensed radio equipment. Two men have been arrested and the illegal apparatus seized.

Georgia State Police and the U. S. District Attorney at Martinsburg made the pinch, after evidence had been presented by members of the FCC's field operations section personnel—Charles Ellert, supervisor of the Central Atlantic monitoring area; Assistant Monitoring Officer Earl M. Johnson and Radio Operator Kenneth B. Meneer.

Two portable transmitters were used in the作弊 tipster scheme, with one of them being hidden in a transmitter under his coat while watching the races from the grandstand and an accomplice receiving the surreptitious broadcasts from a rented tourist cabin near the track. Latter flashed the expected result to conspirators listening in at outside receiving stations—using the second set for this purpose.

Among the strange goings-on which attracted unusual attention were repeated whistlings of the same tune; sudden cutting-in of a voice repeating a number and strange break-ins of other kinds. Light signals flashing between the grandstand tip-off man and his accomplice in the cabin also were observed and a trunk with a secret compartment was used to house one of the transmitters.

HELEN CARROLL QUILTS MACS

Merry Macs, singing quartet, is temporarily breaking up in Hollywood.

Helen Carroll, the girl, east to join hubby.

PAYROLL TRAFFIC

Boston.—The heavy influx of music from Broadcast Music, Inc., has necessitated the addition of a new office in Boston, formerly known as WEEI's general service division, to the station library as assistant to Mrs. Dorothy Mitchell.

Harlow George, of WEEI's production department, has been transferred to the general service division, and Miss Ruth Peever added to fill vacancy.

George R. Dunham, sales promotion manager of WEEI, leaves to join CBS promotion department in New York City. No successor has been named.

Spartanburg, S. C.—Hal Moore, WSPA organist for several years, has been named musical director of stations WSPA and WORD.

Cincinnati—Bill Karn of Dallas, Tex., formerly with KPDN, KOMA and KOMO, joined the announcing staff of WLW, Cincinnati.

Gordon Grey, announcer on WCPY, Cincy, for the past 16 months, transfers Dec. 23 to WCKY in that city.

Salt Lake City—After some three years at KSL, Roy Drushall left for matrimony and Chicago.

New York—Walling Minster, formerly a partner in Minster & Co., an engineering firm, has joined the Compton agency in an executive capacity.

Yorkton, Sask.—CJGX, Yorkton, which has broadcast studio programs from Winnipeg in the past, now has its own studio. Bob Ellett is local manager and Art Goss is chief engineer, and Bill Horbach as assistant.

Bruce Ogilvy is program director, Johnnie Hayden and Bob Faulls do the announcing and Mrs. Irene Park is in charge of commercial traffic. Latter group all arrived from Winnipeg recently.

White Plains, N. Y.—Don Kearny, former spotter for Bill Stern, NBC sports commentator, and a free-lance announcer and scripter, has joined the staff of WFAS, White Plains, to handle publicity and do announcing.

New York—Ilya Laskoff has joined the public relations department of WABC to handle musical subjects. He succeeds Ben Hyams, who moved into the music continuity spot vacated by Bill Firestone. Latter is now music department head.

Hartford—Elliot Miller has been added to announcing staff of WDRC. Formerly associated with WORL, Boston, and WLAW, Lawrence, Mass., he will do announcing on station FM station, W1XPK. Replaces Bob Provan, who will still program director for the FMR. Provan returns to WORL duties at WORL, which he forsakes to gab over W1XPK.

Batavia, N. Y.—William Winn from WRAK, Williamsport, Pa., named chief spiker of the new WBTA program after Jan. 1.

Niagara Falls, N. Y.—Elliot Scharf has left WEBR, Buffalo, to join WHED announcing staff.

Buffalo—Bill Mayhew rejoining WBEN from WIS, Columbus, S. C., has been added to WBEN's sports staff.

Akron—Ray Spencer is leaving WADC, Akron, after three years to join the announcing staff of WCAE, Pittsburgh. WADC has added three young announcers to its staff, two of them Akron university students. They are Walt Henricks, Ned Niedermier and Bill Beck.

Spokane—Helen Sullivan doubling into continuity at KHG-KGA. Ruth Harris has moved from reception desk, to the music department, in charge of checking copyright restrictions.

Cleveland—Bill George, formerly of radio division of Cleveland Police Department joins staff of WGAR as engineer.

San Antonio—WOA has Lucille Garza in the Continuity Department.

St. Louis—Jack Henderson has returned to KWK's sales force. Was connected with the station from 1933 to 1939 when he left for KSTP, St. Paul.

Radio's Bad Xmas Psychology?

Detroit, Dec. 31. Detroit, Dec. 31. Christmas time, feeling it isn't good psychology to talk about people's ailments at a season for celebration, are on the right track. Letter boxes in the newspapers here have been getting such expressions as this typical one:

"To the Editor: Can't something be done to spare us the radio woes of Winnie during the holiday season. No one wants to listen to radio disasters at this time of the year. Can't the sponsors of soap and shortening give us some good music instead?"

Serve Donald Cook's Convenience

Actor Written Out of One Serial Except Two Days A Week to Obviate Conflicts

Leighton-Nelson Hands

Staff Usual 10% Bonus

Donald Cook, co-star with Florence Lake in "Charlie and Jessie," for Campbell's soup, will henceforth be written out of all but the Tuesday and Thursday programs of the immediately-following "Martha Webster" series for the same sponsor, so the two shows will not conflict. The two shows are heard over WGY, and "Martha" is discontinued as "director" of "Charlie."

"Charlie" airs Mondays, Wednesdays and Fridays and, when Cook was directing and appearing in "Martha" in the ensuing spot, it involved too many headaches for everyone involved. Shows are heard over CBS.

MUTUAL CALLS IN PROGRAM DIRECTORS

Program directors of Mutual stations originating shows for the network will henceforth meet for semi-annual conferences on common problems. First such session will be held next Tuesday-Wednesday (7-8), at the Ambassador hotel, N. Y. Subsequent ones will be at Chicago and other cities where Mutual programming originating stations are located.

Adolph Ophinger, of WOR, New York, will preside at the initial conference with program heads of the following stations: WOR, WXYZ, WKRC, Cincinnati; WHK, Cleveland; KHH, Hollywood; WAAB, Boston, and WOL, Washington.

KSTP SURVEY SUGGESTS TOSCANINI ALSO RAN

Minneapolis, Dec. 31. Northwest listeners apparently go in for the lowbrow stuff and prefer "Mickey" entertainment to Toscanini and his symphony orchestra music. A Ross Society survey just completed for KSTP showed 46.5% listeners tuned in on KSTP's "Sunset Valley Barn Dance," listening to yodeling, at the 9:45 p.m. Saturday broadcast when Toscanini also is on the air, he says.

The balance of the "audience" was divided among four other stations as 18.2, 19.3, 3.7 and 8.6%.

ACETATE
Recordings
Processed and Pressed
In Canada
Vertical or Lateral
Also line
Recording of
the highest
Quality
Many
Satisfied
U.S. Clients
Compo Company Limited,
Lachine, Montreal, Canada.
Transcription headquarters
For Canada.

Lively Showmanship Wins Larger Audiences in the INTERMOUNTAIN MARKET FOR KDYL

The POPULAR Station
Salt Lake City

Representative
JOHN BLAIR
& COMPANY

NBC
RED
NETWORK

Surveys State for Showmanship

Radio Editor Leo Miller Looks Over the Connecticut Situation—WTIC Has Runaway

Hartford, Dec. 31. Leo Miller, radio editor of the Bridgeport "Herald," has just published a provocative 1940 summary of radio in Connecticut. Of its kind Miller's summary is rare in the United States. He is personally interested enough and professionally permitted to focus a sharp, critical eye on his radio surroundings. His remarks are very much apropos recent discussions in *VANITY* and the *Public Opinion Quarterly* of Princeton University on the theme of "radio critics."

Miller begins his own personal "showmanship survey" of Connecticut broadcasting by saying:

"With exceptions which we will soon list there just ain't no local talent on Connecticut's radio pay-rolls."

That word "payrolls" is, of course,

the why, wherefore, what, which and who of the trouble.

"When the stations could get them to work for nothing—also called art's sake—it was easy to stud the schedules with singers and musicians of the neighborhood.

The American Federation of Musicians started pitching to the broadcasters. Every man banded. Studio groups and players had to be hired according to stations' capacity to pay. When the Federation's militant new president, James C. Petrillo, took over in 1940, the rules were made tight, and today no non-union musician may accompany on any program.

"Our local instrumental and vocal talents . . ."

"With exceptions as we said. These run 1, 2 and 3. The No. 1 exception is big enough to make us glad Connecticut can have such a broadcaster. That would, of course, be WTIC. Although not in the class of the Traveler station, WTIC doesn't have to be ashamed of its name. The third exception is WICC, most of whose heart belongs to New Haven when it comes to giving the locals a crack at the microphone."

Maybe the most telling observation on the state's radio situation is that among all the nine broadcasters there is only one studio singer who makes his living at the Harry House of WTIC.

The man about town, Larry Hards, more or less dispenses of the popular singers' and "classical singers' classifications. Musical novelty groups in the state are primarily a number of migratory hillbilly ensembles like Hank Lawson's Knights of the Road at WTIC, Hartford. State's (and WTIC's) "major talent" establishment last year was an engagement of Gene and Gilda Miller, adding "there hasn't been a comparable click in years." Moshe Paranov group at WTIC sends orchestral music to the NBC red, and Miller also speaks well of WDRC's Joe Blume string aggregation.

Among other breakdowns radio editor Miller includes these comments:

Dramatics . . .

"Here WTIC rules again, but there is a respectable runabout. WICC, thanks in large to Jackson T. Hayes' good work in New Haven. At WTIC the Cecil B. DeMille, of New England, Guy Hedlund, continues to train stars, the 1940 headliner of course being Gertrude Warner. From WICC's Yale annex have come the now famous 'First Offender,' 'Festival of Saints' and 'Down the Years.' And Arthur Delmonte's Secret Heart is until recently the top attraction of the Bridgeport studio. More WTIC's Community Workshop, W NBC's Playhouse, WBRW's Theatre.

Actors: Hedlund, Eddie Begley and Mara Sterling at WTIC. Arthur Hoyt, James Poli, Sherman Reilly, Lois McLean, Gerard Lewis, Ruth Cohen at WICC. Charles Richards and Eileen Stevens at WDRC. Betty Croft at WNBC. Walter Howard and Elmer Cuhane at WBRW. Stephen Hagarty and Dorothy Howell at WNLC.

Authors: Kurt Umlauf and Ralph Klein of WTIC; Klein doubling to WNBC; James Weldon of WICC; Ray Barrett and Phil Cashill of WDRC; Carey Cronin of WEI. De Witt Copp of WBRW.

Educational Programs

"All stations try to make a good showing here... WDRC, with Sterling V. Couch in charge, makes about the best in its tie with CBS' American School of the Air and its Radio Voice of Religion. WICC has had the American Legion Family Forum and the Medical Society talks. WICC the Ready-Made Family and American Legion Auxiliary, WTIC the American Discussion League, WNBC William A. Sheehan's program, WEI's New Haven at Work, WBRW Let's Talk It Over, WATR Topics of Today, WNLC Highway Safety Quiz and Norwich State Hospital hour."

RENEWS BOB BECKER

Chicago, Dec. 31. Bob Becker, famous dog expert of Chicago Tribune, has been renewed with his "Chats About Dogs" program by the John Morrell dog-food company.

New series runs for an additional 13 weeks over WGN on Sundays from 1:45-2 p.m. Set through the Henri Hurst & McDonald agency.

Oxford's Six Quickies

Hollywood, Dec. 31. New quickie company, Oxford Pictures, headed by Dr. A. Benson, goes into production at International Studios Jan. 15, on the first of six films with British backgrounds.

Harry Levin is directing the pictures, aimed at state rights.

FCC PROBING WCAM, CAMDEN

Philadelphia, Dec. 31.

The Federal Communications Commission is scheduled to hear in Washington on Jan. 29 to 30 of the charges against WCAM, 500-watter owned by the municipality of Camden. The outlet has been run at a loss for the past few years and last year was placed on the block by Camden's Mayor George Brunner. But thus far there have been no takers. The FCC will also hear the controversies between WCAM and WTNJ, Trenton, N.J., and WCAB, Astoria Park, with whom the Camden station shares time on the air.

Official notification of the FCC calls the coming hearing "an investigation of operating practices."

IF THE SUN HIDES, ITS ON THE HOUSE

St. Petersburg, Fla., Dec. 31.

WTSP is following a standing offer of the local Evening Independent not to bill an advertiser on spot announcements for any day that the sun fails to shine in this town. WTSP will use the Independent's condition, now in effect for 20 years, for the writeoff.

If the sun comes out after the Independent goes to press the announcements scheduled on the station for that day will be cut off. Offer goes even though the sun does come out in territory covered by WTSP outside of St. Petersburg.

Tidewater's Radio Advertising Is Uncertain, Cancelling Everything

WEMP'S SLY DIG

Advertiser in *Sentinel* (WISN) When Journal (WTMJ) Bars Copy

Milwaukee, Dec. 31.

After the Milwaukee journal operators of WTMJ, the NBC red outlet, had refused to sell display advertising space to WEMP, independent to plug its recently consummated affiliation with the NBC Blue network, effective tomorrow, WEMP went to the Milwaukee Sentinel, operator of WISN, the local CBS outlet, and there bought the space it wanted. The Hearst paper apparently having no compunctions about publicizing its smaller competitor as long as it might work to the potential detriment of its larger one.

Copy in the ad was a sly dig at the Journal and WTMJ, reading: "WEMP brings the NBC Blue network programs to Milwaukee Jan. 1, '41. In this type on a hill, by itself, and due next month on the following, carrying the implication to the casual reader that NBC, as such, was new to the town, although WTMJ has aired the Red web shows for years. The Blue network program, however, is being brought here by WEMP, beginning tomorrow, for the first time, and of course the station has plugged it pried over the air through its own medium."

The Journal had refused to sell space to WEMP on the ground that it was a competitor, and the only way the station can break into its advertising columns is for its clients to buy and pay for the space.

Trip to Hollywood Is Advertisers' Bait

Wichita, Kas., Dec. 31.

Radio station KFH has new program "Winson Program Show," sponsored by Fleming's Flavor-Rich Coffee. Program includes game for which two prizes of all-expense tours to Hollywood will be awarded each week for 13 weeks.

Also 200 additional prizes will be awarded.

Spot broadcasting plans of the Texaco Oil Co. for 1941 are uncertain. In the meantime the company's new administration has instructed the agency on the account, Lennen & Mitchell, to issue cancellations on all Tidewater radio business. Move will end the firm's sponsorship of Stan Lomax on WOR, Newark, the middle of January and the series it has on the Yankee Network at a later date.

Other areas hit by the cancellations are Syracuse, Rochester and Schenectady. WOR is now trying to replace the spot it lost through the Ruthrauff & Ryan agency, on the basis of using Lomax six times a week. Beer account currently has the sportscaster tied up for Saturday nights only.

KWK STAFF 8-TO-6; AFRA IS EMPOWERED

St. Louis, Dec. 31.

Some 14 gabbler singers and actors employed at KWK voted 8 to 6 last week to have AFRA as their representative in collective bargaining. AFRA's victory over the station's staff did not vote. The election was asked by the station and was conducted under the supervision of Field Examiner King Deer of the local NLRB. The St. Louis Chapter has been negotiating for a new contract with the station for several months and recently the station asked for the election.

Nellie Booth, executive secretary of the local AFRA chapter, has represented KWK since 1939 and in the past year has obtained new wage contracts with KSD and KXOK. James Porter, Detroit, midwestern national representative of AFRA will come here about Jan. 1 to powwow with KWK on the new wage scale.

Guy Hedlund, producer-director of WTIC, Hartford, Playhouse, will stage his 1,000th air drama early in January. New England vet, who also acts in his plays, is in his 10th year at WTIC.



HUGH B. TERRY

• The KLZ Broadcasting Company announces the appointment of Hugh B. Terry as Station Manager, effective January 1, succeeding F. W. Meyer, resigned. Mr. Terry's experience and training, as Commercial Manager of KLZ, Manager of KVOR, and as a member of the staff of WKY, assures sponsors and listeners alike an aggressive, efficient and productive management.



To F. W. Meyer, radio pioneer and manager of KLZ for many years, the KLZ Broadcasting Company extends best wishes for success in the operation of his own station, KMVR.

THE KLZ BROADCASTING CO.
Denver, Colo.

TODAY (1941)

**Will Be An Energetic
and Determined Pupil
of YESTERDAY at**



WMMN

Chicago, Dec. 31. Bob Becker, famous dog expert of Chicago Tribune, has been renewed with his "Chats About Dogs" program by the John Morrell dog-food company.

New series runs for an additional 13 weeks over WGN on Sundays from 1:45-2 p.m. Set through the Henri Hurst & McDonald agency.

Stack-Goble (For Lewis-Howe) Says That BMI Fails to Publish Amateur Song Contest Winners

Failure of Broadcast Music, Inc., to publish a single one of the winning songs in the amateur song-writing contest program, "Fame and Fortune," which is sponsored by the Lewis-Howe Co. (Tums), the NBC-blue, may result in a suit for specific performance of contract, it was disclosed by Stack-Goble.

The agency declared that it has made frequent demands on BMI to go through with its commitments to this "Tonight" Dorsey series but that all that it has received have been assurances that four numbers have already been published and that the others would be taken care of soon.

Spotlight on Baltimore in 1941



SOON--FULL TIME
AND 50,000 WATTS
IN 1941--MORE
THAN EVER BEFORE

WBAL
means business
in Baltimore



WBX
YOUR BEST NATIONAL SPOT BUY
A NEW APPROACH TO THE NEW YORK MARKET

WBX
**Now! 5000
WATTS
DAY AND NIGHT**

CHARLOTTE NEWS DROPS RADIO BIAS

Charlotte, N. C., Dec. 31.

Bitter feud which existed for a long time between the Charlotte News, largest afternoon newspaper in the Carolinas, and local radio stations has ended. Paper last week showed that congenial it proposed to drop its opposition to radio stations in the city, scheduling of the stations and in separate full-page ads announcing the new radio feature and describing it as a valuable service. Responsible for smoothing the way for peace between the two local media is A. E. Joscelyn, who several months ago was assigned as general manager of WBT by Columbia.

Before Joscelyn sold W.C. Dowd, the News' publisher, on the idea of forgetting the past, the newspaper had argued that BMI's tactics were illegal or at least undesirable socially as ASCAP's and believe there is no doubt he intends to be equally aggressive against both sides. More general feeling, however, is that Arnold does not want to assume responsibility—especially in view of the deep political ramifications—for deciding which side is in the wrong.

Unimpressed

The Justice Department obviously is not impressed by righteous indignations expressed from radio stations. Even though the trustbusters have damned ASCAP and appear to be supporting attempts to uphold state anti-monopoly laws (such as Florida and Nebraska), they will insist that creation of BMI and cold-shouldering of ASCAP were justified in self-defense. Official slant is that the published statements and undisguised actions of the radio faction are ample to back up charges that success for BMI would mean nothing more than substitution of one monopoly for another.

Detailed of the blow-up of recent ASCAP consent decree negotiations and the obscure legal ruling which caused some of the trouble, is them out of their contract and has agreed to put them back on the show whenever they feel ready to resume radio work. They left the Eddie Cantor series a couple of months ago to go to the Kate Smith stanza.

Pair have a previously booked date Sunday (5) on "Show of the Week" over WOR-Mutual and do a stage stint at the Paramount, N. Y., beginning Jan. 15. Between times they'll take a rest at Lakewood, N. J.

Fred Bate, injured when NBC's London offices were bombed several weeks ago, is back at the mike.

Quotes Advertising Agencies

N.A.B. Publicity Release Speaks of '10 Years Without Repeating a Single Number'

Direct quotes, implying close collaboration with BMI by the advertising agencies, were issued Monday (30) by the New York office of the National Association of Broadcasters. The statement began by stating withdrawal of ASCAP from the music industry, program directors still having more than 600,000 musical arrangements from which their selections must be made...advertising agencies said today their program directors were "going ahead as usual" in the preparation of forthcoming programs."

Ed Fitzgerald of Erwin, Wasey was quoted:

"As far as the stations do not have ASCAP licenses, we are prepared to go along without the use of this music already. We have a monthly supply of programs prepared which do not carry any ASCAP music, and hope for a favorable public reaction."

John W. Ayer said it was following its usual practice of laying out programs as much as six or eight weeks in advance, and called attention to the non-ASCAP "Telephone Hour" which will be heard next Monday night with James Mellon, Francis White and Donald Voorhees' 57-piece orchestra.

For Martin and Mitchell, Inc., Wexler said they also signed with ASCAP music as long as necessary. Here it was pointed out that the withdrawal of ASCAP tunes had not prevented the agency from recently signing a new musical program with Tony Martin for a weekly Wednesday night performance, sponsored by Woodbury.

Similar attitudes also were expressed at several other national agencies.

More Music Indictments

Continued from page 20

strategy, neither ASCAP nor the radio industry groups are considered sufficiently confident to want to take the gamble. Statements that the Federal probe is "welcomed by each group" disclosed the view of past experience that whenever any individual is named in a trust-busting drive he always wants to bring about an identical attack on his rivals and foes.

The Department announcement brought mixed reactions. In broadcasting circles, there were many who doubted that Arnold is determined to go after the networks and BMI. Other persons who have talked over the situation with the Justice officials feel sure, however, that the prosecution is sincere in accusing the radio elements of using practices as illegal or at least undesirable socially as ASCAP's and believe there is no doubt he intends to be equally aggressive against both sides. More general feeling, however, is that Arnold does not want to assume responsibility—especially in view of the deep political ramifications—for deciding which side is in the wrong.

By moving against everybody, the trustbusters obviously feel they can bring about the same results, possibly with less uncertainty, since the radio industry would be in exactly the same boat with ASCAP.

Dictatorial Position

Arguments that the copyright laws must be revised and modernized in order to assure ample competition in the radio field did not have effect on the Justice Department. If ASCAP's dictatorial position is abolished, there will be plenty of opportunity under the present statute for competition without endangering the rights of any creators, in the government's view. Besides, supplementary state laws—even if the U. S. Supreme Court holds the present Nebraska and Florida acts to be unconstitutional—will certainly afford a fair advantage in the taking of the copyright protection. Federal authorities indicate they believe the decision Tuesday (24) upholding the Washington statute is more likely to represent the sentiment of the Supreme Court than the verdicts in the Florida and Nebraska cases.

Conviction that the public is trapped between two fires was expressed by Arnold, who added that ASCAP represented him in his demand that Tin Pan Alley be held liable. He said that Tin Pan Alley has been violating the law does not mean that broadcasters are entitled to do the same thing, and the Justice Department cannot stand idle while a private feud injures everybody, he remarked.

THE MARTINS

HUGH-PHYLLIS-JO-JEAN-RALPH

Featured on
"TEXACO STAR THEATRE"

CBS—WEDNESDAYS

8 to 9 P.M. EST

Vocal Arrangements and Direction

By HUGH MARTIN

Personal Management: FRED STEELE

9 Rockefeller Plaza, New York City

Suite 604 Columbus 6-2112

PROGRAM DIRECTOR Desires Connection With Advertising Agency or Radio Station.

Box 26, VARIETY, 154 West

46th St., New York

DON'T MISS PALMOLIVE'S

STARRING

BESS JOHNSON.

By Adelaide Marston

Dedicated to the women of America. The story of a woman who must choose between love and the career of raising other women's children.

WABC-CBS—4:30-4:45 P.M., EST
78 Stations Coast-to-Coast

Direction BENTON & BOWLES, Inc.
Management ED WOLF, RKO BUILDING, New York

'DEADLINE DRAMAS'

With Irene Wicker, Roberton White, William Fadiman, Gilbert Martin, Milton Retenberg
30 Mins.
Sustaining.

Sunday, 10:30 p.m.
WEA-NBC, New York

This new novelty ad-lib dramatic show has possibilities as a sponsored series, but it needs considerable sharpening and polishing. With such veteran ether emotes as Irene Wicker and Roberton White, and Gilbert Martin, William Fadiman, and Milton Retenberg, Metro's eastern story editor, doing an m.c.-critic stint in much the same style his brother Clifton Fadiman offers on "Information Please," the program has a good premise. But the humor is a contest angle and an element of the unexpected. And, from a commercial standpoint, it involves a comparatively negligible budget.

The formula of "Deadline Dramas" is a variation on the "scripted" press programs. Among them are: Author, the defunct Mutual series on which name fiction writer guests ad-libbed stories from given situations, and "Ellery Queen," on which guests tried to supply the endings of uncompleted short-dunit yarns.

In this case, from a situation contained in a listener sentence of not more than 25 words, Miss Wicker and White have two minutes to compose a drama, which they then act out on the air. In the first two debuts Sunday night (29), the two sentences were "Jane caught the bridal bouquet, then turned away and burst into tears" and "Mother, how do you expect Orlon to prove if Jane is sitting in here doing her homework all evening?"

In the first instance, the resultant "drama" turned on an emotional complication of two couples and had two parts: one for pliers, the other for shears. It was a nicely humorous mixup about a clumsy guy's involved romantic affairs, with three parts for Miss Wicker and two for White. Each piece had a vague surprise ending.

One trouble with the show is that it is apparently much more amusing to the sponsors than to the listeners, as the latter cannot fully appreciate the hectic quality of the ad-libbed narrative and the doubling of the various parts. Principal fault of the initial program, however, was the lack of the Wicker-White touch. Why are better actors than dramaticists. While their quickie creations were ingeniously conceived, both ran way overboard because the co-authors obviously didn't have time for essential editing. Some quick pieces were repetitive and failed to proceed directly to the point. Possible solution might be to set a specific time limit—say five or six minutes—on the dramas. That might keep the authors from getting in a bee-line to their conclusion.

Fadiman, besides having an intonation and manner of speaking similar to his brother Clifton, has much the same mike personality. He seems quick-witted on the air and, although he can play pretty well, critics pinches on the sharper sounds. If he could land some harder hits, if he wanted to. Milton Retenberg's piano-soloing supplies the musical opening close, bridging and interludes. Gilbert Martin is announcer. *Hobe.*

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Louisville.—Grady Clay has been named radio editor, Louisville Courier-Journal. Radio column has been added as daily feature.

'THE CITADEL'

With Ralph Forbes, Jill Esmond, Neil O'Malley, Charme Allen, Burford Hampden, Nelson Case, Bill Meader.

Transmission:

11 Mins.—Local

Daily, 12 noon

WEAF, New York.

(Compton)

Fourth in the series of recorded drama adaptations of novels on the radio, "The Citadel" is best known from A. E. Green's best seller, "The Citadel," which was also done as a film with Robert Donat and Carole Lombard. Like the others of the series, it's adapted by Herbert Little, Jr., and directed by George Cukor. It's produced by Wolf Associates, directed by Carlo DeMaggio. And like such previous plays as "Wuthering Heights" on the same series, it is a production dignified and moving drama. It's miles above the average serial level.

Opening chapter (Monday, 30) presents the principal character and the setting, a small English town, faced with a courage-quaking assignment to an aged physician, a grubby English mining town. First-person narrative introduction is in short scenes. Ralph Forbes' film career plays the realistic medico with convincing reverence and the supporting character bits are well etched. Robert Donat appears to be a fiery young schoolmaster, played by Jill Esmond, picture and legit actress who starred on Whetstone's previous "Wuthering Heights." However, she was merely mentioned, but didn't appear in the play.

Nell O'Malley, Charme Allen, and Burford Hampden are among the supporting cast, with Nelson Case, Burford, and Bill Meader supplying the other unnamed players.

Commercials consist of a brief sponsor-identification at the opening and reasonably terse plug at the close.

'SECOND NIGHTERS'

With Paul Shinkman, Joseph Shippy, Thya Samter Winslow, L. L. Stevenson, Julius Colby, Tom Hudson.

30 Mins.—Local

Sustaining.

Monday, 10:30 p.m.

WEAF, New York.

On the apparent theory that what the theatre needs is complimentary criticism, this weekly series was launched recently by the Second Nighters, a kind of a road company. New York's Central Park Circle. Participating on the openers were Paul Shinkman, of Central Press, a sort of m.c. or spokesman; Joseph Shippy, of the New Leader, here to review the second novel of Thya Samter Winslow of Evansville, woman, and L. L. Stevenson, of the Detroit News Service. Julius Colby, WMCA drama appraiser, introduced them and Tom Hudson was announced.

Aside from the dubious question of whether unallowable puns are likely to stimulate the theatre more than moderately, this particular program of doubtful merit may be entertainment, or even as enlightenment.

It offers a self-conscious round-table discussion of various plays, followed by a vote on whether each should be recommended. Confab was to be followed, naturally, by an income statement, the views commonplace.

Hobe.

LA Unit Gains Fractional; Dept. Store Buys 1/4 Hr. News on KHJ

Los Angeles, Dec. 31. Noticeable increases in sales and helped local trade, but the dollar draw, by the stores, still had the blocks of the run. Differential were to slender in many spots that the aggregate showed only fractional pickups.

KXN took heart in new biz, and the outlook at other sites is also promising. Don Lee's KHJ showed the best gains in new time sales.

KNX: Forest Lawn Memorial Park, 62 quarter-hour periods, through Dan Miner; Central Chevrolet, 78 participations in newscast, through Stodel Adv.; Mounds Candy, 265 five-minute newscasts, through Brischer, Davis; Federal Outfitting, 39 quarter-hours, through Heintz, Pickering, Rem, 23 weather reports, through Joseph Katz.

KHJ: Broadway Department Store, 624 quarter-hour newscasts, through Lee Ringer; Crowell-Collier Publishing Co., 52 quarter-hour programs, through KFWB; KFWB, 52 full-hour programs, through R. H. Alter; Mar-O-Oil Shamrock, quarter-hour broadcasts of George Fisher's "Hollywood Whispers," through Hays MacFarland; Foster-Millburn (Dosh's Pills), 104 announcements, through Spot Broadcasting Co.; Haas-Baruch, 780 announcements, through Robert Smith.

KPI: Maurice Ball (furs), 26 announcements, through Nelle Walsh agency; Hires Root, 26 announcements, through O'Dea, Sheldon & Kennedy; Vapex, 39 one-minute transcriptions, through Small & Seifer.

KCA: Foreman & Clark, three quarter-hour broadcasts of "Rose Bowl Roundup," through Martin Allen; Associated Druggists, four quarter-hour broadcasts of "Treasure Hunt," through Smith & Bull; Innes Shoes, 26 announcements, through Ruth Hamilton Associates.

Dec. 28 Compared to Dec. 21.

Network	Local	National	Total
Units	Units	Spot Units	Units
12,491	8,894	1,659	23,444
12,920	9,054	1,705	23,680
-0.2%	-1.8%	-2.8%	-1%
(Included: KECA, KPI, KFWB, KXN)			

Dec. 28 Compared to Dec. 21.

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12,920	9,054	1,705	23,680
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(Included: KECA, KPI, KFWB, KXN)			

**CHI WEB UP
10% OVER '39**

Chicago, Dec. 31. Current year finishes strictly on the upbeat from the previous year, even though 1939 was an excellent year in itself. Particularly joyed by the 1940 increases were the NBC stations, WMAQ, WGN, and WMAZ, central division chief, stating that network business sold out of this division hopped approximately 10% over 1939. The gross income on WENE was boosted 48.6% over 1939, while an increase of 8% was registered by WMCA. Later outlet had only early morning and late evening time open, having been booked solidly, since 1939, with 7 a.m. to 10 p.m. commercial and non-cancellable public service contracts.

Other stations have not stated their increases statistically yet, but there is no question of the jumps throughout the field. Especially on the upbeat were the two Ralph Atlass stations, WJJ and WIND, with the latter station blanketed with commercials and WJJ needing a time-spreader due to its sunset closing.

WGN: Heileman Brewing announcement, five times weekly, through the Ramsey agency; Pepsi-Cola Co., announcement four times weekly through Campbell agency; Mar-O-Oil Shamrock, Mutual commercial, 15 minutes twice weekly, through Hays MacFarland; Cicero Club, three station-break announcements six days weekly, through Schwimmer & Scott.

Dec. 28 Compared to Dec. 21.

Network	Local	National	Total
Units	Units	Spot Units	Units
8,855	6,100	11,134	27,089
8,855	6,346	11,177	27,738
-3.9%	-0.4%	-1.1%	
(Included: WGN, WENE, WIN, WIND, WJBZ, WMAZ, WMCA)			

SEATTLE LISTLESS

No. Gains Registered—Local Holds Up Best

Seattle, Dec. 31. No gains were noted over the previous week here, but local stopped short on its downward ride to stay on the right side of the fence.

Outlook for coming months is reported good, with local expected to get the lion's share of his increases.

Dec. 28 Compared to Dec. 21.

Network	Local	National	Total
Units	Units	Spot Units	Units
5,710	10,378	760	16,848
5,735	10,363	778	16,876
-0.4%	+0.1%	-2.3%	-0.2%
(Included: KIRO, KOL, KRC)			

BALTO STATIONS 1940 THEME— EXPANSION

Baltimore, Dec. 31. In all classifications, with local count taking the deepest dip because of expiring contracts and new deals in the making, this town is nevertheless winding up one of its most profitable years. Considerable expansion and new building was completed, from accounts just beginning to warm up to the air as an item.

With WBAL busily engaged in developing its setup to accommodate its new fulltime 50,000-watt license, and WCAO also planning an increase in power, town's other two stations—WBFR and WCBM—have completed their elaborate new studio quarters and ambitious merchandising tie-ins.

New station, WITH, set to open in February on 250 watts by Tom Tinsley, planning concentrated drive on strictly local doings with a low rate repeat of the national clincher.

Giving a spurt to the local end in the week interrupted by a holiday was the last-minute store appeals which have blazed right past the holiday into pluffing the post-Christmas bass sales which come along plentifully.

WBKB signed up for renewal of Altes Beer on a year's contract for 38 spots per week scattered through 11 foreign-language broadcasts.

Dec. 28 Compared to Dec. 21.

Network	Local	National	Total
Units	Units	Spot Units	Units
8,927	4,364	1,621	14,912
9,055	4,937	1,678	15,670
-1.4%	-11.6%	-3.4%	-4.6%
(Included: WBAL, WCAO, WBFR, WCBM)			

Stella Unger on WLAC

Nashville, Dec. 31. Hollywood Headlines featuring Stella Unger has been sold to Meadows, Inc., show corporation by WLAC, Nashville. This is a five minute e.t.o. to be aired Mondays, Wednesdays, and Fridays at 10 a.m. starting Jan. 1.

Spreckels Sugar Sponsoring News On Don Lee Outlets; Frisco Lags

San Francisco, Dec. 31.

KSFO, CBS outlet, broke out with a full-page ad in the Examiner listing 100 features headlined "This theatre in your living room." Body of copy stresses "Thanks to you, KSFO is enthused with pathway through the world of news." While KSFO is going with that trust? It has KSFO's own air into a field of sport, a carnival of song, of laughter." Urges fans to save the program listing and adds: "During the coming year, as in 1940, KSFO will continue to broadcast the programs you want to hear. It's our way of saying Thanks."

Al Nelson made an unusual gesture to the press here in behalf of the Call-Bulletin's annual children's Christmas party in Civic Auditorium. With Rudy Vallee, Fannie Brice and Hanley Stafford arriving by train in the a.m., Nelson sent equipment to the depot, washed and complete 15-mile round trip to Kresge's Kezar and Valley, and then played a track no less than six times during the day on KGO and KPO. In addition to a Baby Shooks skit, the disc included swearing-in of the celebs by George Mardikian as members of the Side-

SALT LAKE LOCAL OK

Category Keeps in Black-Am. Fur Renews KSL 9th Year

Post-Christmas slump noticeable in the department, but not of such magnitude as the slight holiday build-up in history. Sag in local business is helped considerably by renewal of KSL contract with the American Fur Company for 312 quarter hours, probably news roundups, to be heard at 10:30 p.m., Monday through Fridays. This is the ninth consecutive year for American Fur on KSL and it is generally conceded here that this account is Sag, KSL's shining example of reliability, from radio optimist Frank McLatchie, is account executive.

KDYL: Hilton & Kramer Florists, 25-word announcements; Dr. E. Keller, 20 one-minute announcements; Makoff, 52 25-word announcements; Rialto Theatre, one 15-minute program; Intermountain Theatres, four five-minute programs; Salt Lake Glass & Paint, one half-hour program; Prudential, Federal Savings, 52 hundred-word announcements; Lester Taylor Motor, one 15-minute program; Kahlstrom Queen City Press, one 15-minute program; Mullett, Kelly Co. (Clothing), 52 100-word announcements; Strong Motor Co., 26 100-word announcements; Fred A. Carlson Motors, one 15-minute program; Sweet Candy Co., 25-word announcements; Paramount Theatres, 16 50-word announcements; I. & M. Rug, 52 100-word announcements.

Dec. 28 Compared to Dec. 21.

Network	Local	National	Total
Units	Units	Spot Units	Units
6,655	8,189	6,403	21,247
6,655	10,658	6,762	24,075
*	-23.2%	-5.3%	-11.7%
(Included: KDYL, KSL, KUTA)			

* No change.

(Included: WCFQ, WKRC, WLW, WSAD)

Longine's Time Signals Via WOR

FM Station; Post-Xmas Hits N.Y.

CINCY UNITS DIVE

Post-Christmas Stamp Hits Figures—Total Off 11.7%

Cincinnati, Dec. 31.

Local and spot accounts took their customary after-Xmas dive last week, while network biz held even with the week before.

Rule here is for time sales to regain slowly during January and put on again as Easter nears.

Dec. 28 Compared to Dec. 21.

Network	Local	National	Total
Units	Units	Spot Units	Units
6,655	10,658	6,762	24,075
6,655	*	-23.2%	-11.7%
*	-23.2%	-5.3%	-11.7%
(Included: WCFQ, WKRC, WLW, WSAD)			

* No change.

(Included: WCFQ, WKRC, WLW, WSAD)

SAN ANTONIO DULL

DESPITE GRID PLAYOFFS

San Antonio, Dec. 31.

With the Christmas season past history, units in this city have taken a slight drop. Football still continues to aid several stations. Several special events broadcasts the past week also ate into the totals.

Lena Bender, editor of the WOAI Women's Page of the Air, took a trip to Fort Worth and Dallas to gather material for her broadcasts.

KABC: East-West football game through Mutual network sponsored by Safety Razor Co. through Maxon, Inc.; Cotton Bowl game from Dallas through Mutual for Knox Gelatin Co.; renewal of twice weekly "Gloria Hart" program, for the National Broadcast Association; Mutual; renewal of full-hour "Old-Fashioned Revival Hour" on Mutual network sponsored by the Gospel Broadcasting Association; Central Typewriter Co., quarter-hour Sunday studio program; renewal on an announcement for Southern Wine Co., direct.

WOAI: Humble Oil and Refining Co., through Franke-Wilkens-Schmitz, sponsorship of Cotton Bowl game from Dallas on Texas Quality Network, Leon Caruthers, 13 100-word announcements; direct, Tom Disney, His Showboys, one hour, Monday through Friday, for Chattaocoga Music Co. (program also feed to KPRC, Houston); Ed Agee Packing Co., through Coulter-Muller-Grinstead, 26 100-word announcements; Ex-Lax, Inc., through Joseph Katz, five spot announcements per week; Aurora Apartment Hotel, through Marion Johnson, two daily, rotating announcements with one additional each Monday.

KMAC: The Chicken Roast, new night spot, three spot announcements per day; direct; Medical Specialties, Inc., for Vitalex, two announcements per day.

Dec. 28 Compared to Dec. 21.

Network	Local	National	Total
Units	Units	Spot Units	Units
9,491	12,260	4,694	26,445
9,635	12,052	4,645	26,332
-1.5%	+1.7%	+1.1%	+0.4%
(Included: CIXW, WJMK, WJR, WMBC, WWW, WXYZ)			

* No change.

(Included: CIXW, KSO, WJR, WXYZ, WQXR)

All Gotham units, with the exception of the one mentioned in the previous figure, felt the effect of the post-Christmas slump this week, local units dropped 11.3%, national spot 6.8%, with a total loss of 9.3%.

WIN: Moon Manet, Inc., through Lester Harrison Associates, station-break announcements, 13-week contract; Troy theatre, through Keyton-Spiro, spot announcements; Friday Magazine, through H. C. Morris & Co., comments by Dan Gillmor, editor of Friday, three 15-minute programs weekly, 52-week contract.

WMC: Lewis Howe Co. (Tums), through Stack-Goble, half-hour program weekly, 52-week contract; Diamond Crystal Kosher Salt, through Bentz & Bowles, spot announcements for 13 weeks.

WNEW: Beech-Nut Packing Co., through New York City Police Parade, one hour and a half, six evenings weekly; 52-week contract; Roy theatre and/or 20th Century Fox Film Corp., through Kasten-Spiro Co., 11 announcements, one week.

WOR: Atlantic Macaroni Co., through Prudential Advertising Agency, nighttime station break announcements; twice weekly, 26-week contract; Longine Withnauer Co., Inc., through Arthur Rosenberg Co., for Frequency Modulation time station, 52-week contract.

Dec. 28 Compared to Dec. 21.

Network	Local	National	Total
Units	Units	Spot Units	Units
195	10,213	7,930	18,338
195	11,512	8,408	20,217
*	-11.3%	-8.8%	-9.3%
(Included: WJHN, WMCA, WNEW, WQXR)			

* No change.

(Included: WJHN, WMCA, WNEW, WQXR)

LOOKS GOOD IN SALT LAKE

Salt Lake City, Dec. 31.

The threshold of 1941 finds Salt Lake radio very lively with KSL readying for Frequency Modulation. KDKA has begun building their planned studio building plant, and KUTA expanding from 250 to 1,000 watts, including change of frequency from 1,500 to 570 kilocycles.

Radio men here predict on the basis of business already booked that 1941 will top this year's volume which was the highest in history. Intermountain Network, formed from KDKA, KUTA, KLO, KEUB and KOVO came into being during 1940 and brought Mutual into the territory. Other than that, it made little noticeable difference to the radio picture in Salt Lake but after a period of uncertainty and switching of personnel, the regional network seems ready to get down to business, or else.

DES MOINES SLACK

Nat'l Spot Inches Up—Other Brackets Slides

Des Moines, Dec. 31.

Units here took the expected post-holiday slide—local biz being the heaviest loser. National spot was the only bracket showing a gain, and that a puny one.

Dec. 28 Compared to Dec. 21.

Network	Local	National	Total
Units	Units	Spot Units	Units
8,010	2,813	3,206	14,029
8,176	3,156	3,381	14,513
-2%	-10.9%	+0.6%	-3.3%
(Included: KNTL, KSO, WHO)			

* No change.

(Included: KNTL, KSO, WHO)

Incidentally, American Chicle now is sponsoring three Morning News paper of the "Air" periods on KSTP for 15 minutes each at 7:30 a.m. and adds three 15-minute "Highlights in Headlines" at 5:30 p.m. Tuesdays, Thursdays and Saturdays.

Incidentally, American Chicle retains its "Highlight" in "Headline" spot Monday, Wednesday and Friday for another 13-week frame.

Hanson's Corn Salve
On WDAF, Kansas City

Schenectady, N. Y. Dec. 31. Hanson's Corn Salve is being plugged via a series of one-minute transcriptions on WDAF, Kansas City, and WFRC, San Francisco, in a test campaign. More stations are to be added later. W. T. Hanson Co., maker of several medicinal preparations, is the sponsor.

Lightfoot & Nelson, Schenectady, is the agency.

MARKS ONLY ASCAP BOW-OUT

Why Far-Off Television Rights Came Up Between Metro and ASCAP

Loew-Metro people who went into the music publishing business, by acquiring firms for outright operation, did so with two exceptions in mind: one, film and picture theatres, and two, with an ultimate eye to television.

That's why the rights were such a hurdle in Metro-Robbins' renewal with ASCAP and it's understood that the major concession made to the Feist, Miller and Robbins Music firms was the Society's agreement not to restrict television rights unto itself, but grant them to Loew's, Inc. (Metro).

ENGEL SEWS UP COAST COMPOSERS FOR BMI

Hollywood, Dec. 31.

Exclusive performing rights to the compositions of two songwriters were clinched last week for Broadcast Music, Inc., by Harry Engel, Coast head of the new tuny factory. Deals were sealed with Alberto Colombo for special band arrangements of his marches, and for all future numbers by Humberto Herreño, Brazilian composer. Latin is the note to his credit, mostly of the Latin tempo. Colombo was one-time music director at Republic studios.

An NBC safeguard against picking up restricted music in the "Tournament of Roses" parade in Pasadena New Year's day, Engel tied up 10 bands for the exclusive tooling of non-ASCAP music.

SUES TED FIO RITO

Operator of Casino Can't Collect \$1,600 From Leader

Cincinnati, Dec. 31.

Jimmy Brink, proprietor of the Lookout House, casino-nite, filed suit Friday (27) for \$1,600 cash against Ted Fio Rito, whose band is current in Beverly Hills, opposite spot. Both places are in Kentucky, across the Ohio river from Cincinnati.

Brink charges that Fio Rito agreed to pay him \$1,600 at the rate of \$100 per week, starting July 27, last, and that the band leader wrote checks to cover the amount.

None of the money was paid, according to the suit, which claims that the Franklin-Washington Trust Company, Newark, N. J., on which the checks were drawn, refused to make payment on the ground that the checks were improperly drawn.

Beverly Hills was named garnishee defendant by Brink, who sought to attach any assets of Fio Rito in the possession of that spot. The suit also asked that Beverly Hills be enjoined from paying Fio Rito anything until authorized by the court.

No explanation was offered as to what the money was owed for.

Shaw for N. Y. Strand

Artie Shaw's new band will begin a stretch at the New York Strand theatre sometime in February. It will be Shaw's first appearance in N. Y. since pulling his widely publicized walkout on his old band more than a year ago. Leader's current group comprises 22 musicians besides himself and vocalist Anita Boyer.

Reported price for the date is set at \$10,000 the first week, plus straight. Artie Shaw's agent is N. Y. Local 802. Shaw is at the moment filling a six-week stay at the Palladium Ballroom, Hollywood.

Ray Heatherton's orchestra opened an engagement at Barry's Inn, on Albany-Schenectady Road, after closing one at New Karpoff Hotel in Albany. This is believed to be the first time a name band has gone into another Albany spot after finishing at the Kenmore.

DRUMMER NOW BONIFACE

Gil Rutzen as Cafe Boss Still Does Trick on Skins

Milwaukee, Dec. 31.

Gil Rutzen, singing drummer, who was with Bill Carlisen's band until it broke up following a summer at Elitch's Gardens in Denver and returned to Milwaukee for reorganization, has opened a night spot of his own. It has clicked from the start, becoming the rendezvous of visiting musicians as well as the local crowd. Jack Chapman's orchestra is an attraction, but to keep from growing stale, the tavern proprietor frequently jumps in and does a number with the boys.

ASCAPites on Coast Vexed at Oscar Straus' Posy in 'Variety' to BMI

Hollywood, Dec. 31.

Lest he be forgotten, Oscar Straus is being gently reminded by a group of Coast songwriters that it was their coin, or a major part of it, that bought his way out of Vienna and landed him safely across the border in Switzerland when the Nazis were about to move on him. What perturbed the Hollywood ASCAPers was a statement by Straus published in "Variety" that same day, also another film affiliate, 20th Century-Fox's Movietone Music Corp., also renewed. This firm is also partially owned by Sam Fox, but controlled dominantly by 20th Fox.

Edward B. Marks Music Corp., of course, is the sole disfavored, he having effected a five-year deal with Broadcast Music, Inc., at \$250,000 a year, guaranteed by NBC and CBS and certain large stations.

'Policing' the Air

ASCAP's "policing" of the kilocycles will not become serious until today (1), when contracts expire. Several songsmiths with tunes in Marks' catalog cannot technically object to unauthorized use of their tunes in the Marks distribution until the first day of 1941, because the Marks license permitted performance through Dec. 31.

ASCAP also has been intensively checking for alleged copyright infringements by BMI publications of ASCAP tunes.

Songwriters would rather believe that Straus is forgetful.

SAM FOX, METRO, MOVIETONE SIGN

Last Holdouts Among 140 Publisher Members of Society Now Committed for Next 10-Year Period

BEGIN SLEUTHING

Sam Fox tried all day Thursday (26) to get to see Gene Buck to personally deliver his contract renewing the Sam Fox Music Corp., with ASCAP, but that was the day when a session nearly midnight by the board kept the ASCAPites formulating a statement in reply to the U. S. Government threat of indictments under anti-trust charges. However, on Friday, Fox formally signed up for the 10-year period, he being the last holdout of the 140 publisher-members.

On Thursday, the same day that the anti-trust and monopoly charges received so much national publicity, out of Washington, the Metro group, through Jack Robbins, signed for ASCAP. The group has had no rights which Robbins' claim under an exclusivity both with U. S. and composer Jurmann originally brought over by the Metro-Robbins interests some years ago, from Berlin, when Bromislav Kaper, who is still on the M-G lot, was also signed.

The same time Edward B. Marks Music Corp. bolted ASCAP ranks. Fox was to get almost \$100,000 a year for five years from Broadcast Music, Inc., which is an even better deal than Marks' \$250,000 annual guarantee from BMI, considering the relative standing of both firms.

Fox averages only \$30,000 annually from the Society, as against \$85,000 from Broadcast, and BMI would have trebled Fox's income. Fox, however, wanted a 10-year term. BMIs deals with all principals are for five years and wouldn't go beyond that. Julian T. Abeles, attorney who negotiated the Marks deal, also was handling the Sam Fox negotiations. On the other hand, Abeles, as attorney for the Metro-Robbins group, was instructed by David Bernstein, Loew's, Inc., v.p. and treasurer, and head of the M-G music subsidy, to draw up renewal contracts with ASCAP for Robbins, Feist and Miller.

Fox's BMI Offer

Sam Fox had an attractive five-year contract all set to join BMI, at

Metro May Make Music Plugging Shorts In Event ASCAP Fight Extends Well Into Next Year

Goodman at F.D.R. Ball

Benny Goodman's new band gets the call this year to play for President Roosevelt's Birthday Ball at Washington, D. C. Kay Kyser played last year. Date, as usual, is Jan. 31.

Pay for the hop is flat AFM scale and the prestige.

Robbins Asserts Rights To Publish Durbin Tunes Through Jurmann Ties

Robbins Music has secured notice on Universal Pictures Corp. in connection with the publication rights to the Deanna Durbin film, "Nice Girl," with song writers Bernie Grossman and Walter Jurmann.

Robbins' claim has no rights which Robbins' claim under an exclusivity both with U. S. and composer Jurmann originally brought over by the Metro-Robbins interests some years ago, from Berlin, when Bromislav Kaper, who is still on the M-G lot, was also signed.

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SENTIMENTAL SIDE

At an Xmas eve party last week, hosted by the Teller Sons, of Robbins to some 150 Feist, Miller and Robbins Music employees, the publisher paid tribute to 72-year-old Will Teller, Sr., of the Teller Sons & Doerner music printing firm as "being the man who is responsible for me staying in business." Robbins referred to the unlimited credit extended by the music printer to a man when Robbins Music Corp. was still struggling (this was before the M-G merger).

Hoffman, the engraver, and Kupperman & Del Grecio, printer which does the combine's vocal and dance arrangements, likewise were salvoed for their patience with Robbins in the struggling period of his career as a music publisher.

Directly after David Bernstein, Loew's v.p. and treasurer, formally signed the ASCAP contracts renewing Robbins, Feist and Miller Music firms with the Society, Jack Robbins wired the Loew-Metro official a congratulatory telegram that "You'll only know in the future how much we have contributed to American musical welfare by renewing our three companies with ASCAP."

Robbins, as directing head of all three Metro-Robbins firms, had been openly pro-ASCAP even though the Loew people, who own over 51% of the businesses, were among the last-minute holdouts, because they wanted certain guarantees for the future (among them a proviso on television rights).

Robbins and his wife left last night (New Year's eve) for a month in Miami Beach, but the music publisher and Bernstein worked out a tentative screen-exploitation plan which may come into being if the present ASCAP strike gets together. It would call for three five-minute musical shorts, to be made east, with quasi-name radio singers like Joan Edwards, Barry Wood, Del Casino, Joan Merrill and the like, showing each "introducing" a new pop song, with the author or composer worked into it as part of the presentation.

The "pop" club will thus be relied on extensively, from the screen, song, song, the usual extension of exploitation channels in vaudeville, ers, etc., etc.

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RUSS MORGAN STAYS EXTRA WEEK IN FRISCO

San Francisco, Dec. 31.

After breaking a five-year Christmas night engagement at the Palace, Russ Morgan's band was asked to stay over an extra (7th) week until Saturday (11). Rose Room then will close for the redecorating until Jan. 16, at which time Leo Reisman moves in for a six-week sojourn.

Carmen Miranda has been booked to open a fortnight's engagement same night (18).

Basic Dates Via Morris; Barnet Clear for MCA

Count Basie's orchestra will be submitted for dates by the Wm. Morris agency, though it has not been signed to a management contract. Basie bought his band from a Music Corp. of America on Oct. 1 last week for \$10,000. Though the band is tentatively under Morris booking efforts, it is still on the road, completing dates MCA had booked.

Charlie Barnet finally completed his switch from Consolidated Radio-Artists to MCA last week. After weeks of being booked by the agency, Barnet signed a booking contract tieing him to MCA for three years with options.

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15 Best Sheet Music Sellers

(Week ending Dec. 28, 1940)

Nightingale Sang in Berkeley St.....	S-B
We Three.....	M-M
Down Argentina Way (Down Argentine Way).....	Miller
Ferryboat Serenade.....	Robbins
Trade Winds.....	Harms
Frenesi.....	Southern
There I Go.....	BMI
Only Forever (Rhythm on the River).....	Santy
Last Time I Saw Paris.....	Chappell
*Along the Santa Fe Trail (Santa Fe Trail).....	Harms
Five O'Clock Whistle.....	Advance
I Give You My Word.....	BMI
God Bless America.....	Bertie
Blueberry Hill.....	Chappell
Beat Me Daddy Eight to the Bar.....	Leeds

• Filmusical.

On the Upbeat

Dolores Brown, vocalist, with the Erskine Hawkins band, married Marcellus Green, trumpeter, from the same band, last week. She'll drop her lyrics.

Johnny Long switched his theme from "Just Like That" to Duke U. frat song titled "White Star or Sigma Nu." He's a Duke graduate.

Count Basie let out tenor saxist Lester Young and trombonist Viv Dickerson.

Humberto's Brazilian musicians and Phil Ohman's orchestra open the new Mocambo restaurant in Hollywood, Dec. 27.

Eugene Darrow's Playboys are now playing in Palm Lounge of Hotel Ten Eyck, Albany.

Heirs of Gustav Koehler, Toledo band leader and musician, have donated collection of music to the Toledo Public Library, consisting of 6,400 volumes.

Rubinoff with Solis, pianist-accompanist, will appear in two performances in Lyric, Mass., Jan. 3, to help the "Aid to Britain" campaign. Proceeds to send a rolling kitchen to King's Lynn, England.

'Bye' Woodbury Orchestra house band at KDXE, Salt Lake, did one night at Battle Mountain, Nevada, New Year's Eve.

Troadero, Wichita, Kan., has Jack Mills' orchestra for holidays. Also opened new Grill, Friday night, with Don Fortney's orchestra.

Harry James and **Tommy Tucker** bands booked for Police Ball, Rochester, N. Y., Feb. 14, city's biggest dance event. Bands will play on two levels in Civic Exhibits Building.

Jack Fisher, orchestra leader for seven years of Steubens Vienna Room, Boston, is now manager of subterranean adjunct known as the Cave, also night club.

Lou Mizel replaced Al Stuart on third trumpet with Bob Chester's orchestra, while Bob Peck is on first trumpet, with Alec Eila going to Benny Goodman.

Everett Hoagland opens Cleveland hotel, Cleveland, O., Jan. 23 for three months.

Bernie Bennett, in charge of the relief band at Club Mayfair, Boston, nightly, conducts horse racing information service daytime.

Marilyn Duke, at one time with Shep Fields and Eddie Coleman, joined (S) Vaughn Monroe's orchestra at Hotel Statler, Boston.

Tommy Reilly's band opened at the 41 Club in Hollywood.

Jack Teagarden, Jan. 1, Totem Pole Ballroom, Auburndale, Miss., four days.

John Kirby band and Maxine Sullivan hopping off on a 60-day tour through New England and southward Jan. 25.

Benny Goodman continues his classical exhibitions at Symphony Hall, Boston, Feb. 1. He's down to work this time with pianist and composer **Bela Bartok** and violinist

Judge Duffy

(Continued from page 2)

stations—WTMJ, WISN, and WBEM, all signed with BMI.

WTMJ has been using BMI material exclusively on local shows since Dec. 23; also WISN, which on a two-hour early morning request disc show announces every number as BMI and asks listeners to make up their own lists from these numbers for making future requests. WBEM has been using both BMI and ASCAP material and appears reluctant to relinquish ASCAP; it is key station for the WBS state loop, all of whose stations are signed with BMI. New contracts with ASCAP have been signed in a number of cities through the state, including Marinette, Superior, Wausau, Manitowoc and Poyntelle.

Militer's Statement on Arnold

When the thunderbolt hit last week, Neville Miller, president of the National Association of Broadcasters, immediately issued a statement which, in part, declared:

"The Department of Justice is on the right track in bringing criminal charges against ASCAP.... It is most unfortunate that the Department of Justice has confused the illegal practices of ASCAP with the perfectly legitimate effort of broadcasters to create an alternative competitive supply of music.... Broadcast Music Inc. is not the creature of NBC and CBS. It was formed by mandate of the National Association of Broadcasters in open convention, and more than 600 stations are the owners of its stock and the users of its music.... It was at the urging of myself that these stations and of myself that the networks cooperated in the formation of BMI, of which they together own only 17.1% of the stock. Broadcasters throughout the country set up BMI after they had found it impossible to deal with ASCAP on any basis other than paying a tax on all programs whether they used music or not.... In forming BMI, we had competent legal advice and are confident that it is in no sense violative of the law."

The statement issued by the Department of Justice shows that the Department does not understand the set-up of Broadcast Music Inc. This is not surprising in view of the fact that the Department of Justice has made no attempt to discuss this situation with broadcasters, nor has it pointed out to us any ways in which it believed we were violating the law.

Certainly if we believe that broadcasters are attempting a boycott, it is completely misinformed. For while the Department of Justice discusses a consent decree with ASCAP and what it failed to get one, it suddenly accuses practically the whole broadcasting industry, represented in BMI, of criminal practices without giving us any opportunity at all for a similar discussion. The reason for this unusual behavior is not at all clear to me, and I hope that before the Department carries out its announced plan, it will be willing to give us the benefit of consideration to the broadcasters as it has given to a society which has itself branded as a law violator over an extended period of years."

Enni Newman finished his scoring job on *Tall, Dark and Handsome* at 20th-Fox.

Adolph Deutsch recording his original score for *High Sierra* at Warner Bros.

Anthony Collins clefing the score for *Herbert Wilcox's Sunny at RKO*.

Ormond B. Ruthven and **Albert Manheimer** sold their song, *Viva La Vida*, to Metro for use in *Billy the Kid*.

Bob Webb doing score for *A Girl, a Guy and a Gob* at RKO.

Carl Hoff, band leader on the Al Pearce air program, clefing *I Pledge Allegiance to the Flag* and sent it to his Chicago publishers.

Heinz Roehm is composing the score and background music for *The Wagons Roll at Night* at Warners.

Jack Robbins and the Mrs. of Al Pearce air program, clefing *I Pledge Allegiance to the Flag* and sent it to his Chicago publishers.

Heinz Roehm is composing the score and background music for *The Wagons Roll at Night* at Warners.

Don Eave and **Hughie Prince** are doing the musical score for *Buck Privates* at Universal.

Bob Musei, of the N. Y. World Telegram, and **Lionel Rand** have written six songs for the new Royal

10 Best Sellers on Com-Machines

(Records below are grabbing most nickels this week in jukeboxes throughout the country, as reported by operators to VARIETY. Names of stores where on-basis records are listed after the title indicates, in order of popularity, where recordings are being played. Figures and names in parenthesis indicate the number of week each song has been in the listings and respective publishers.)

1. Down Argentine Way (5) (Miller).....	Decca
2. We Three (5) (Mercer).....	Victor
3. Maybe (5) (Robbins).....	Gene Krupa
4. Only Forever (5) (Santy).....	Dick Jurgens
5. There I Go (3) (BMI).....	Inkspots
6. Frenesi (1) (Southern).....	Tommy Dorsey
7. I Give My Word (4) (BMI).....	Victor
8. Nightingale Sang (3) (S-B).....	Bing Crosby
9. Two Dreams Met (4) (Miller).....	Tommy Tucker
10. Dream Valley (4) (Feist).....	Will Bradley

DISKS GAINING FAVOR

(These recordings are directly below the first 10 in popularity, but growing in demand on the coin machines.)

Last Time I Saw Paris (Chappell).....	Okeh
Yes, My Darling Daughter (Feist).....	Glenn Miller
Now I Lay Me Down to Dream (Reinick).....	Sammy Kaye
One I Love (Forster).....	Jack Leonard
Santa Fe Trail (Harms).....	Tommy Dorsey
Let's Be Buddies (Chappell).....	Victor

Band Grosses on One-Nighters

Jimmy Dorsey band, on short tour before coming back to New York to begin its radio commercial 10-20 Grand gigies, rolled up the best gross and attendance figures in two dates this past week.

Blue Barron (Armory, Cambridge, Mass., Dec. 25). Barron drew a mildly disappointing gross of \$1,325 with an attendance of 530 at prices ranging up to \$5.

Reggie Children (Rainbow Gdns, Valdamer Park, Erie, Pa., Dec. 21). Barron grossed a satisfactory \$1,002 at \$1 a head. Children did better two days later at Rutgers U. (New Brunswick, N. J., Dec. 27) in gross, at least, getting \$1,500 with 500 attendees at \$2.50 per person.

Jimmy Dorsey (Lyric theatre, Bridgeport, Conn., Dec. 29). High flying Dorsey crew set best box mark of the season here with approximately 7,500 stub holders at five shows. Tap 5c to 83c ran up gross of \$3,560. Xmas night at Philadelphia (Penn A. C.) band drew 2,612, just short of limit for building set by Fire Dept. grossed \$5,224 at \$4 a couple.

Gray Gordon (IMA Aud, Flint, Mich., Dec. 28). Gordon's reaction wasn't up to expectations. At 90c scale he drew 720 admissions.

Don Hughes (Fitz B, Bridgeport, Conn., Dec. 25). This is old Sonny Burke band under new name and leader. Grossed low \$510 with 783 hoppers at 65c.

Enoch Light (Urbankindas G. C., New Hartford, N. Y., Dec. 27). Resuming work after almost fatal auto crash last summer, Light did nice \$600 gross at \$4 couple or \$2.50 single here.

Jimmie Lunceford (Grand View Aud, Jersey City, Dec. 26). Lunceford packed in about \$2,000 at \$1 a head.

Bill McCune (Ritz B, Pottsville, Pa., Dec. 25). McCune clipped an average of \$640 off local bankroll with approximately 850 attendance at 75c.

McFarland Twins (Rainbow Gdns, Valdamer Park, Erie, Pa., Dec. 25). Look-alike leaders rounded up 750 dancers at \$2.50 per for \$1,875. They did well, too, at Ritz B, Bridgeport, Conn. (Dec. 29)—corraling 1,482 admissions at 75c.

Vaughn Monroe (Mechanics Hall, Worcester, Mass., Dec. 25). Gave promoter hot \$1,035 gross with 1,592 at 65c. At the Arcadia B, Providence (Dec. 26), outfit got about \$900 gross, with 1,800 at 50c. A copy.

Orron Tucker-Bonnie Baker (Wisconsin Root, Milwaukee, Dec. 29). Tucker and gal with wee voice coppered \$2,300 gross with 3,700; some of whom forked up 50c advance and rest 75c at door.

Marie Frye, soprano, will join the Tommy Dorsey band when it goes into Meadowbrook, Cedar Grove, N. J., Jan. 21. She's an outright addition bringing Dorsey's complement up to 23 people, including himself. Some of 'em are singers. Counting Bobby Buntrock, manager; Jack Egan, piano and director, the troupe reaches 26.

Ralph Burton's Jam Ses Ralph Burton, m.c. of the recorded "Metropolitan Reviewer" swing program over WNYC, tossed a "Jam Session and Hot Jazz Party" at the Village Vanguard, Greenwich Village, N. Y. nite, Sunday afternoon, and night (29).

Number of musicians well known in the jive world attended and performed.

Escrow No Ban on Graft?

New York local 802 of the American Federation of Musicians may abolish the Escrow Department it set up more than a year ago to control chiselling of scale rates for its musicians working club dates. Local instituted the idea after numerous single-night club bookings were found guilty of underscoring and placed on the AFM unfair list. Escrow's purpose was to act as middle man in paying salaries, collecting cash from bookers and in turn paying off the men involved.

However, the local discovered the value of the idea was not commensurate with the kicks stemming from the method of paying off because chiselling was going on anyway via kickbacks after salaries were collected. Complaints are based on the fact that each musician was or is required to wait a day or two before being able to collect through the local and then were paid by check which most found difficult to cash immediately.

Detroit Sees Band Booking Made Harder by NBC's N.Y.-Chi Rule

Detroit, Dec. 31.

The recent ruling by NBC that all its network band programs will originate in New York and Chicago is going to knock the profit right out from under the bands according to those in the business. Cities like Detroit no longer will be able to offer one of their biggest inducements to ambitious maestros, they can't raise the ante above what they have been paying and there is considerable doubt whether the big bands, which frequently had written into their out-of-town contracts clauses on air time, will be willing to leave the two production centers.

The network recently made the ruling to supervise the music played to prevent any headaches on the use of ASCAP tunes in the band airings. However, here it is felt that the ruling is going to be brutal on the band situation, knocking many out of air spots since only a few will be able to get onto the air in the two production centers. Bands keep on adding and removing orchestras from building personal followings out in the sticks.

Difficulties in booking name bands into Detroit have been felt already. Several outfits have shunned contracts here which they formerly grabbed willingly, indicating that they didn't want to pull out from New York and Chicago even if the scramble for time among the orchestras is titanic in the centers.

One of the factors on the credit side of the books for hotel and other spots in Detroit was that they were able to offer bands they brought in six shots a week on the air, sometimes for a half hour and usually with three of the six programs going out over the nationwide sets. All this is out now.

To Case

Typical example here is the Terrace Room in the Hotel Statler where Enric Madriguera is rounding out a long stay. He got six shots a week at air time over WWJ some for a half hour and three of the weekly broadcasts going over the NBC chain. Those network shots and the regularity of broadcasts (nighly 11 p.m.) were so good he felt to be extremely valuable to bands. Not only in building them locally, keeping them on the wide set-ups but in boosting recordings, etc.

The band pulls down approximately \$2,500 a week. There's no profit in it for the Terrace Room. However, the hotel is willing to tag along with the band with a bid for one room, figuring it has advertising value. However, hotels and other spots don't feel able to boost their offers above the present figures and take a loss.

Thank Petriollo For Breaking Breakfast Club

Philadelphia, Dec. 31.

Local 77, American Federation of Musicians, on Friday (27) passed a resolution thanking James C. Petriollo, national presx, for his action in breaking up the 'Breakfast Club' broadcast on NBC.

Washup of the program brought about the setting up of a similar broadcast on the Quaker Network from WFIL, bankrolled by General Baking Co. which sponsored the Breakfast Club break-in plugs here. The show, which was a top-rated band, which gave nearly 100 unemployed musicians jobs. The show had its initial shot over the 15-state hookup yesterday (Mon.).

David Buttolph started scoring 'Western Union' at 20th-Fox.

Saturday Night Prices For Lucky's Camp Dates

Lucky Strike is committed for 13 Saturday night cantonment shows and Music Corp. of America has meanwhile discovered that the cost of these units will be far above what it had quoted the account. All the units approached are asking the usual top price. One unit pointing out that the date is a Saturday when a dance orchestra goes around 40% of their weekly income. In addition to entertaining at the camp the band will be cut into the circ's regular Hit Parade program over CBS.

Series starts Jan. 11 with Eddie Duchin at Fort Myers, Va. Rest of the cantonment bookings made so far are Jan. 11, Tommy Dorsey, Orange Base at Quantico, Va.; Jan. 25, Ozzie Barnes, Camp Dix, N.J.; Feb. 1, Tommy Tucker, submarine base at Newport, R. I.; Feb. 8, Jack Teagarden, Camp Devins, N.Y., and Sammy Kaye, Annapolis, Naval training school.

BEECHNUT'S PART OF WNEW DISC SHOW

Beechnut Packing Co. has bought an hour and a half daily, six days a week on WNEW, New York's "Disc Parade." Starting last night, (Tuesday), sponsor is underwriting the 10:30-midnight period Monday through Saturday using recorded music and news bulletins. Contract is for a solid year.

Instead of using only 15-minute segments of popular band waxings as most sponsored record shows do, Beechnut is airing 30-minutes of one outfit or three groups each night.

Don Brissette plays the Greek-British Relief Ball, Mechanics Bldg., Boston, Jan. 3.

Inside Stuff—Music

Despite his brother Bing being an ASCAP member, Bob Crosby's newest number, "You're a Double Lovely," written in collaboration with Roc Hillman, has been published by BMI. Bandleader also had several others published by the same firm. Brother Bing previously stated he'll never sing a BMI number on the air.

Same situation also applies to a femme BMI songwriter, Joan Whitney, whose real name is Zoe Parentea. One-time vocalist with Enric Madriguera's orchestra, Zoel Parentea, is her father, a member of ASCAP. With her collaborators, Hy Zaret, and Alex Kramer, she has one of BMI's current top sellers to her credit. So You're the One! She's also elected "High on a Windy Hill" and a number of others.

Peculiar coincidence came to light recently with the return of the Tommy Dorsey band from the Coast. Jimmy Blake, Dorsey trumpeter who was hospitalized in the east when the band went west last September, later drove across the country to rejoin the outfit at the Palladium Ballroom, Hollywood. He left New York Saturday, Oct. 8, at 1 p.m., and at the same hour three days later crashed into another car outside Jefferson City, Mo.

It turned out the other car was being driven by Mrs. Guy, wife of one of the trumpet players in Kay Kyser's band who was driving east. She had left Los Angeles the same day that Blake had left New York.

While John Kirby and his orchestra played Brunswick hotel, Boston, and he denied local air time because radio station that usually carries spot's bands has strict rule that bands must have 10 or more men to broadcast. Station manager had never heard of Kirby or his CBS broadcasts that have won praise from VARIETY and other music critics. At conclusion of Kirby's engagement, hotel's press agent mailed literature band with clipping to station manager.

How seriously at least three of ASCAP's directors regard the break with the networks indicated by the circumstance that Louis Bernstein, Sam Bernstein and Irving Caesar have gone on their regular winter vacations. Two of them, Bernstein and Caesar, are in Florida, while Bernstein went on a cruise. But Bernstein is due back Monday (6).

PAUL WHITEMAN SUES EX-MEMBER OF BAND

Paul Whiteman has filed suit in the N. Y. supreme court against Abraham A. Dreilinger, former manager of his employ, and Jacob Rosenberg, president of the American Federation of Musicians, both seeking the recovery of \$750. Whiteman has secured permission of the union to sue, and has deposited the amount sued for with Local 802.

On March 21, 1938, Whiteman employed Dreilinger on a three-year contract starting March 20, 1938 and running out the same date in 1941. On July 24, 1938, the contract was cancelled by mutual agreement. Subsequently Dreilinger filed a claim for \$750 with the AFM, which granted him \$750.

Whiteman believes that the settlement of the contract in July, 1938, eliminated any possible claim for money, and since the AFM threatened him with expulsion if he did not pay, requested permission to take the matter to court. This was granted if he deposited the \$750 in advance. The conductor seeks a court hearing that he does not owe the musicians anything, and that Local 802 ought to turn back the money to him.

Band Bookings

Sammy Kaye, Jan. 24-26, Metropolitan theatre, Providence, R. I. Jan. 31, U. of Maryland, Baltimore; Feb. 7, week, Earle theatre, Philadelphia.

Gene Krupa, Feb. 25, four weeks, Meadowbrook, Cedar Grove, N. J.

Raymond Scott, Jan. 10, week, Lyric theatre, Indianapolis, Ind.

Tommy Dorsey, Feb. 21, Moshenberg Coliseum, Allentown, Pa.; Feb. 28, Penn State C. State College, Pa.

George Goodman, Jan. 9-11, Capital theatre, Harrisburg, Pa.; Feb. 12, Madonna hop, Rochester, Pa.

Raymond Scott, Jan. 8, Kenosha theatre, Kenosha, Wis.; 19, Lyric theatre, Indianapolis; 17, U. of Illinois, Champaign; 18, 19, theatre, Green Bay, Wisconsin; 22, theatre, Mainetowoc, Wis.; 24-25, theatre, Ann Arbor, Michigan; 26-28, Jackson theatre, Jackson, Mich.; 29-Feb. 1, theatre, Kalamazoo, Mich.; 6-8, theatre, Grand Rapids, Mich.; 6-9, theatre, Saginaw, Mich.; 9-10, theatre, Battle Creek, Michigan.

Jamie Lenfestorff, Feb. 1, U. of North Carolina, Chapel Hill; 3, Benevolent Temple, Greenville, S. C.; 4, Aud. 2, Lexington, Ky.; 6, Vanity Fair, Huntington, W. Va.; 7, Warden's Rink, Beckley, W. Va.; 8, Armory, Charleston, W. Va.; 9, Crystal Caverns, Strausberg, Va.; 10, Aud. Bluefield, W. Va.; 11, Capitol theatre, Wheeling, W. Va.; 12, Duquesne Gardens, Pittsburgh; 13, Aud. Toledo, Ohio; 14, Dayton; 15, U. of Kentucky, Lexington.

Plays Same Tunes in Same Ballrooms For Weekly Profit of \$800 or Better

DOROTHY CLAIRE'S WALK

Signed. New. II with Byrne—Now. Quitta for Glenn Miller

Dorothy Claire, vocalis, with the Bobby Byrne orchestra, has served notice on Byrne that she will leave his band Jan. 5 to take over Marion Hutton's vacated spot with Glenn Miller. In making the move Miss Claire is disregarding a three-year contract she signed with Byrne's band just Nov. 11. In order to get away, Miller reportedly made a salary offer just about double what Byrne was paying for her services.

Miller had been dickered with Miss Claire and had spoken to Dee Keeling, vocalist, with the Al Dora band, about taking Miss Hutton's place. Byrne's price did not exceed \$5,000 of Miller's. Miss Claire's group was ready to ask a similar price, though no representative from the Miller side contacted Donahue directly. Negotiations between Miss Keating and Miller were carried out by phone without Donahue's knowledge.

Byrne's band includes Frank Dwyer, mandolin; Cedric Gruber, N. J., where the contract between the band and the spot calls for Miss Claire. Miller is at the Pennsylvania hotel, N. Y.

BMI WILL PUBLISH 'CRAZY WITH THE HEAT'

Broadcast Music will publish the entire score of "Crazy With the Heat," a legitimate musical now in Boston, and slated to open in New York Jan. 14. Irving Graham is the firm name.

BMI also has songs in "All in Fun" and "Helzapoppin." "Fun" closed in three days on Broadway.

New Firm's New Title

Albany, Dec. 31.

Pan-American Music Corp., recently chartered by the Secretary of State, has changed its name to Latin-American Music Corp.

Gilbert & Gilbert, of New York, are the filing attorneys.

Francis Gilbert explained that his new tag was picked after it was discovered that Southern Music Co. had a sub with the words "Pan-American Music." The firm name, Gilbert still refused to disclose who the principals are in his own incorporation.

Problems of long sleepless jumps, expensive transportation arrangements and the like, add to the hundred and one details that arise to plague the life of the average bandleader and his attempt to build a bankroll from the band business.

Don Mack, local Boston leader, cuts himself a weekly slice of between \$800-\$1,000 in percentages from six nights a week of work without the bother of any of the above mentioned difficulties.

Mack follows a week-in-and-week-out itinerary which covers four ballrooms in and around Boston, using no arrangements, music stands, etc. All he does is show up at the designated dances each evening with a crew of 11 pieces beside himself. But the band has such a following that it plays to an average weekly total of 800-900 persons, mostly young people, 60-70 years old. outfit plays a flock of old-established tunes mixed with new ones all of which are memorized first at rehearsal and thereafter never varied in interpretation on tempo. Every third number is a waltz.

Mack is about 50 years old, and has been playing his circuit for eight years. On Monday evenings, Thursday he's at the Roseland-State Ballroom, Boston; Tuesday, Roseland Ballroom, Taunton; Friday, Commodore Ballroom at Lowell; Saturday, Convention Hall, Boston. Prices are set in all spots and never vary from 30¢ for ladies, 40¢ for men. His outfit is composed of three sax, xylophone, two accordions, one trombone, banjo, bass drums, piano, and the leader on fiddle.

Attitude of various bandleaders who have visited him is exemplified by the crack of one well-known jive maestro. After standing around watching the dancing he walked over to Mack and exclaimed, "Hello, Joe. I came for a laugh, but I see 1,000 people. You're working and I'm not, so I guess the laugh's on me."

Pepitone Tops New Orleans

New Orleans, Dec. 31.

Giacomo Pepitone was re-elected president of the Musicians' Protective Union, Local No. 174, affiliated with AFL, Thursday (26). Other officers elected were Charles Hartmann, vice-president; Robert Aguilar, recording secretary; Ralph L. Chabao, financial secretary; Sal Castiglione, sergeant-at-arms.

Anthony Alberico, E. G. Gerbrecht, Ed Fontaine, Leo Brookhaven and Jean Paquay, are members of the board of directors.

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Disc Reviews

No ASCAP Truce

Continued from page 10

Benny Goodman 'Man I Love'—*'Benny Rides Again'* (Columbia 55001)

First of a monthly series of 12-inch platters, 'Man I Love' and its accompanying original, reveals a new Goodman group every bit as capable as the old. Outstanding points of the work on the standard, over and above the band's excellent precision work in ensemble and the taste and class of the arrangement, is Helen Forrest's vocal and a trumpet solo. Latter is a shining example of tone and style. Goodman's clarinet is subordinated in the cleverly written arrangement. However, the side should get response because it's different. Clarinet and trumpet stand out. 'Whistle' is a bit late in release. It ranks with any of the preceding versions instrumentally, the arrangement and playing imparting a lift and snap that freshens the tune. Herman's sad solo is neat. Dillagene vocals.

agreement is unlawful, so that if they buy music, the bands did accept such a contract, might not be in violation of the law. ASCAP takes this line of approach to the issue as 'just another form of network self-rationalization'. It was also pointed out that if it is illegal to sign an ASCAP contract then it is certainly to go on with a BMI contract; since Arnold has likelihood termed BMI to be in violation of the law.

About Supreme Court

At a meeting of the ASCAP board of directors it was voted that 'no action be taken on the consent decree offered it by Arnold until the U. S. supreme court had passed on the Florida and Nebraska cases. The board adjourned after discussion of the legal phases of the matter, the trial, the status of the case, and how they were to be met. The board was informed that Arnold would get his indictments in Wisconsin by the second week of January, but that there was much doubt whether the Government would move with any dispatch in trying the case, all of which could be expected to help hamper any negotiations with the networks for a settlement.

Musical industry itself appeared yesterday (Tuesday) to have thoroughly reconciled itself to the indictments. In fact, some of the important figures among writers and publishers expressed themselves as welcoming the court actions, since it would remove the sword that has been hanging over their heads as far as ASCAP is concerned for years and at the same time allow them to go to bat on the actual issue involved. The industry also expresses itself as reconciled to a deal already having been tentatively worked out between the Government department and the networks whereby the latter and Broadcast Music, Inc., will enter into a consent decree which will sufficiently clear the latter's skirts as to toss the burden of guilt-disproving into the laps of ASCAP.

Johnny Long 'Yes, My Darling Daughter'—*'Johnny Peddler'* (Decca 3560)

Bands and singers are hopping on this tune. So far Long's is the best orchestral try, though the most able recording of it is still one cut by vocalist Dinah Shore on Bluebird (10290). Long's version is more likable than Glenn Miller's (Bluebird 10970), being better arranged and at a good beat whereas Miller's is in too fast a tempo. Vocal by Helen Young on Long's record is given more chance by the slower speed. Playing is full. Reverse 'Peddler' isn't as strong. It's vocalized by Miss Young and Paul Harmon. He's a bit weak. Arrangement is average.

Duke Ellington 'Never Felt This Way'—*'All Too Soon'* (Victor 27247)

Ellington packs a slow paced wallop on both sides. Played in extremely slow tempo the first time is brimful of appeal by virtue of the solid tone color in ensemble and the strong sax and trombone breaks. Ellington and Al Dubin, an unusual combination, collaborated on the standard melody. Herb Jeffries vocals. Reverse is equally effective, along the same lines in tempo and playing. Solos are same except trombone is muted. Both are fine examples of Ellington.

Claude Thornhill 'Legend of Old California'—*'Love of My Life'* (Okeh 5901)

It's hard to figure what Thornhill's new band is striving for here. Either the leader is trying to limit the band in its embryo stage or he's trying to build a new singer. First side is all vocal by Dick Harding; second is half vocal. When it finally gets a chance the band shows none too smartly. Blending of instruments by the arrangements is not at all attractive and the playing could have been much cleaner. Harding's vocals are not strong enough to carry three quarters of both sides alone. He's often guilty of poor diction.

Dinah Shore 'My Man—Somebody Loves Me' (Bluebird 10707)

Miss Shore's version of 'Man' is in the style and tempo called for by the sentiment of the lyrics. She interprets the lyric in the manner it originally was done and does it in real tear pulling style. Tune is a push-over for her ability. A side with sock possibilities it's equal to anything she has done in the past. Coupling is nice contrast via the lifting tempo in which it's done.

Ben Bernie 'Pierre de Saskatchewan'—*'That's Your Umbrella'* (Okeh 5889)

Bernie's band sounds okay on both sides, but neither tune is particularly strong material. Bailey Sisters do the long vocal on the 'Pierre' side. 'Umbrella' is at a brisk tempo, strong enough to have garnered okay reaction without vocal help of the Baileys.

Teddy Powell 'Can't Rub You Out My Eyes'—*'Sad, But True'* (Bluebird 10974)

Powell's new band waxes okay. This is his first Bluebird recording on a new contract. First time is by the leader himself, a ballad with excellent possibilities though it's not presented here as well as it might have been. Tune is arranged as a vocal almost all the way using Ruth Gaylord and the Teddy Bears. Girl is a bit weak in spots. Sax solo keeps the outfit in the background after she's through. Reverse is the band's inning. It shows up as a well balanced and capable group. Jimmy Blair's vocal and a trumpet solo interrupt the ensemble.

Avinne Rey 'Row Your Boat'—*'St. Louis Blues'* (Bluebird 10948)

Alvino Rey's new band impresses very favorably on its first two sides. It comes off with a round, well rehearsed group. outfit tackles the first of these two in electric fashion. Walking out in a smooth tempo, it rolls through 'Row' solidly. It's a good job. Intention of the coupling seems to be to kid ponderous arrangements of the standard. Starting in legit fashion it widens to a corn angle via electric guitar break. Latter instrument is sock on both sides.

Frankie Masters 'In Toyland Village'—*'He's My Uncle'* (Okeh 5846)

Down in Toyland Village' sounds like it was recorded directly from a cartoon sound track. It's about the nicest thing Masters has done to date. It has a crisp and lifting quality in its playing. Whole idea is helped considerably by Masters and the Masters Voices treatment of the vocal. 'Uncle' is an average spinner, not much in the way of tune or treatment.

Woody Herman 'Golden Wedding'—*'Five O'Clock Whistle'* (Decca 3430)

Opera is the basis for 'Wedding'. It's an unusual piece combining some very good points with unattractive ones. When it moves it rides at a sock level, but the drum breaks provide too many lulls. Drum solos, no matter how good, and these are fine, depend more on visual appreciation. Coming off a record they lose too much appeal. However, the side should get response because it's different. Clarinet and trumpet stand out. 'Whistle' is a bit late in release. It ranks with any of the preceding versions instrumentally, the arrangement and playing imparting a lift and snap that freshens the tune. Herman's sad solo is neat. Dillagene vocals.

Bands at the Boxoffice

(Presented herewith, as a weekly tabulation, the estimated charge business being done by name bands in various New York hotels, dinner houses (7:10 P.M.) not rated. Figures after name of hotel give room capacity and cover charge. Larger amounts designate weekend and holiday prices.)

Band	Hotel	Capacity	Total
Will Bradley	Biltmore	3000 \$1-\$1.50.....	7 1200 6250
Eddy Duchin	Waldorf	375 \$1-\$1.50.....	16 1725 16425
Sammy Kaye	Commodore	650 \$1-\$1.50.....	1 1950 15735
Gene Krupa	Regatta	1000 \$1-\$1.50.....	22 1275 14225
Guy Lombardo	Roosevelt	600 \$1-\$1.50.....	12 1275 14250
Woody Herman	New York (400; 750-\$1.50)	1 2025 1000	
Glen Miller	Pennsylvania (500; 750-\$1.50)	12 3150 25320	
Tony Pastor	Lincoln (225; 75c-\$1.50)	13 425 5225	

*Asiaticks indicate a supporting floor show, although the band is the major draw.

being that this further confuses the public mind as to the music copyright pool and trust.' Thurman Arnold, the D. J. trust-buster, and U. S. Attorney General Robert L. Jackson, however, are said to be interested solely in clarifying the entire music-radio muddle, and can only see an action filed against everybody as a means for solution.

Meantime, within inner ASCAP circles, it's reported that Lieut. Governor Charles Poletti thought he could obtain for the Society under a consent included one 'murderous' proviso anent the rights to record tunes for the usual 2-c per disk royalty (actually it comes down to 1 1/4 a side), but with it was also covariance, a right to publicly perform for profit. How that supposedly was slipped in is one of the ASCAP mysteries. It's said that the proposed consent, merely the top officials and attorneys, and that this was one of the aspects which caused attorneys Schwartz & Froshlich for the Society to koy the consent idea.

Thurman Arnold, assistant attorney-general in charge of trust-busting activities, was openly piqued with the Society after extensive hearings to effect 'the best possible deal' for ASCAP under a consent decree.

Charles Poletti, Lieut. Governor of the State of New York, who had been called in by ASCAP to handle the negotiations, was suddenly told to forget about the whole thing after Charles C. Schwartz and Louis D. Froshlich, regular ASCAP attorneys, engaged in a very heated argument with Gene Buck and John G. Paine, general manager of ASCAP respectively. Schwartz and Froshlich could not see the wisdom of a consent decree and many of the rank-and-file publishers and writer-members of the Society felt the same way, on the elementary premise that this was tantamount to confession of guilt in pooling of copyrights, price-fixing, monopoly and all the other usual and serious charges which ASCAP has so vehemently denied in the past.

Suits are expected to be filed in Milwaukee, Wisconsin is now a favorite Governmental home-plate for trust-busting proceedings, even since the oil decision which likewise ruled on pooling of assets and price-fixing. Wisconsin, officially, is mentioned because the U. S. is supposed to have gathered considerable evidence there which has never been fully adjudicated.

As the nation knows, we are engaged in a controversy with the broadcasting industry which, through its power and influence, has instigated and motivated our legal difficulties in the nation's capital at Washington and throughout the separate states of the union.

"We have offered and are still willing to meet with the broadcasters any time, any place, anywhere to negotiate and to settle our differences—but all of the efforts of those who have tried for over eight months, including ourselves, have been unsuccessful. The broadcasters have evidently decided to go through with their plans to boycott our music and if one it seems, including the Government, can induce them to change their set course."

We believe our position and decision to refuse to yield to a consent decree in the light of these facts is sound.

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Washington, Dec. 31.—Congressmen today called a session in New York and Chicago, along with the material collected several years ago during an investigation in Wisconsin, prompted the Justice Department to pick Milwaukee as the jurisdiction for the prospective grand jury probe of the music copyright situation.

While other places might be more logical choices, trustbusters feel they can operate more effectively and economically in Wisconsin. Only a short time ago, the Justice Department, through its files, will cut travel expense and time to a minimum, a matter of grave concern to the overworked staff. In addition, effort will be reduced because the files contain still usable data collected over a considerable period in anticipation of the old New York equity proceeding against ASCAP.

Olivier-Leigh

Continued from page 10

grumbling in London about actors who 'gallantly defend their country from behind American footlights' seems to have recently died down.

Olivier's and Miss Leigh's statements as they left from Jersey City on the S. S. Excambion for Lisbon add little in the way of explanation. Miss Leigh said: 'I know London is not the safest place' the world right now, but it is still my home and that's where I want to be. I will return when the war is over.'

Olivier said that he will return to his service to British officials 'as soon as they think I can'. Miss Leigh also said she will take up war work. David Niven, Richard Green and John Farrow are others who have left Hollywood to help defend their homeland. First two are in England and Farrow is in the Canadian naval information service.

The U. S. takes the position that between two 'music copyright pools', i.e. ASCAP and BMI, the public interest is involved, and that both are monopolistic. Anyway, the purpose of the suit is to clarify matters.

It's for this purpose that Gene Buck, ASCAP pres., in a formal statement, has asked the Justice Department to file a complaint with U. S. proceedings to indict Society board and its officers, stating that this is the first time, to my knowledge, that the Attorney General's office has addressed itself publicly to doing something about the monopoly, the power and the activities of our opponents.'

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Conn. Labor Commissioner Against Femmes Curfew, But Must Uphold Law

Hartford, Dec. 31.

Personal opposition to the 10 p.m. curfew law, as it affects female entertainers, was voiced last week by Labor Commissioner Cornelius J. Danaher at a meeting of restaurant owners and night spot operators.

Here, but the commissioner warned the group that as long as the law is on the books he would enforce it.

Said the commissioner: "Logically, I see no reason why female entertainers should not be allowed in restaurants after 10 p.m." The meeting was called by the restaurateurs in an endeavor to get a waiver of the law for tonight (New Year's Eve). The commissioner refused to grant same, but strong indications were given that those who were in favor of it would be allowed to keep eye within.

As a result, all spots

in the state went ahead with plans for utilizing floorshows, embracing female entertainers.

It was pointed out to the commissioner that several thousands of dollars are going out of the state into New York, Massachusetts and Rhode Island because of the inability of Connecticut spots to put on floor shows. As the state is now in an extra heavy era of prosperity (due to Government defense spending), all operators are working double time scheming to get some cash and cashless efforts are expected to be made in the 1941 legislature to get an amendment on the law making exemptions for female entertainers. Several members of the legislature are known to be in accord with the proposed change. Others are already being pressured.

The commissioner told the group that only through proper organization would they be able to get such an exemption passed. Pointed out that the hotel group was able to get exemption for their employees through concerted action and lobbying. Female spots in the state in which female entertainers are allowed legally to work after the prescribed hours are in hotels.

Lido Venice, Det., Can't Get Liquor Permit

Detroit, Dec. 31.

Elaborate plans for the New Year's Eve reopening of the luxurious Club Lido Venice had to be scrapped because of the State Liquor Control Commission's refusal to reinstate the club's license. The charge against the club, originating in some newspaper advertising, was that the place was not operated for private members, but was soliciting public.

Commissioner Alva W. Cummings charged that the Lido Venice newspaper advertising from October, 1939, to May, 1940, designed to attract more than just members. The club surrendered its license when it closed in June. Following the surrender, State police raided the place and reported seizing liquor and gambling equipment. However, on this occasion, the club cleared its name pointing out it was not in local possession at the time. It recently went through expensive renovations for the opening.

All Set Now

Creditors and Court On Minnesota's Lease In Mpls.

Minneapolis, Dec. 31.

Creditors and the U. S. referee in bankruptcy approved the lease of the 4,000-seat Minnesota theatre to Midway States Corp. of Milwaukee, operators of the Riverside theatre there. Lease calls for five month rent free; \$1,000 a month thereafter for the first year, plus that amount minimum against 15% of net gross for the next four years, with the lessor privileged to cancel any time two weeks' notice.

House opened last night (Monday) with vaudeville play at 28-39c. Ken Murray is initial headliner. Lou Holtz, Wendy Barrie, Lola Lane and Arline Judge are on the second bill. A. B. Marcus show the third week. First show runs 10 days because of the pre-New Year opening.

Student Hi-Jinks

San Antonio, Dec. 31.

Twice in successive nights, students of a local high school caused a disturbance here at the Olmos Dining Club. First disturbance took place Wednesday evening (Dec. 23), when students of a local fraternity tried to stop a dance being given by another group. Club officials called in police to stop the free-for-all, which resulted in broken furniture.

Second disturbance came the following night, with 150 students in a melee. Six patrol cars were ordered to the club, the kids rounded up and led away by the police officials and sent home. Herman Waldman's orchestra was playing the spot.

PROBE ASCAP'S PHILA. LICENSES

Philadelphia, Dec. 31.

Six investigations for the U. S. Department of Justice were under way over the weekend to investigate possible violations of the anti-monopoly laws by the American Society of Composers, Authors and Publishers. Chief target for the probe by Thurman Arnold's boys is the licensing of nocturnes and taprooms by ASCAP to permit the playing of copyrighted music. Among the cases to be checked are those involving the former Boyce and Busby at the Evergreen Casino, Delmonico's (now closed) and the Anchorage.

The agents will also delve into the records of the hundreds of cases filed in Federal court here against small night clubs and taprooms by ASCAP to force their owners to pay licensing to the organization. Most outstanding case was that of the Anchorage, then owned by Arthur P. Peck, which ASCAP sued for \$750 for alleged infringement of copyright. The Anchorage countered with a claim that ASCAP was "a monopoly in the restraint of trade" and filed a counter suit for \$50,000.

Federal Judge George A. Welsh threw out the Anchorage's suit in November, 1938, when ASCAP's attorney argued it was unsupported by evidence. Later, the Anchorage paid the \$750 and dropped the suit.

The agents said they would confer with special assistant U. S. attorney general R. McDonald Gray, here making an investigation into price-fixing.

Paul Gordon's band is at the Broadway Beach hotel, Biloxi, Miss., through January.

Theodore's Show

Theodore's restaurant, N. Y., above which is Le Ruban Bleu, intimate nite, is also going in for entertainment and opens this week w/it Andrew Rovani Summers; vocalist and dulcimerist, who has been getting a WEAU buildup.

Betty Byrne, pianists, just out of Vassar, will be co-feature with Summerville, who has also waxed for Columbia Masterworks records. John R. Andrews set the bookings.

Yankee Jess Jacobson

One of Britain's Heroes,

A Casualty of Dunkirk

London, Dec. 15.

Jess Jacobson, one of the topnotch American performers, here since 1912, is one of the war's heroic casualties. It has just been learned, however, that he was given a British Expeditionary force to France and Belgium as an ambulance driver and, from reports, was badly wounded in the great Dunkirk evacuation.

Jacobson came to London in 1912 in an act with the Hedges Brothers. They opened at the Palace here, were received very quietly, but with the advice of other American performers, given different routines, the act became a sensation all over England within three months. This started the invasion of American theatrical acts.

The Hedges were Alvin and Freddie. Alvin was a long-distance piano player, able to keep going for hours without repeating a tune or looking at music. Freddie was a dancer, as was Jess Jacobson, and the latter became his vocal partner and made many a stowaway in the heart of the old Cosmopolitan Club. An act that followed them and also clicked was The Three Rascals (Charlie O'Donnell, Walter Kaufman and Monte Wolf). All these boys worked through the First World War, but after it was over only O'Donnell and Jacobson remained on this side.

Jacobson and O'Donnell immediately joined up with the ambulance corps when this latest fracas broke out. According to best possible sources, O'Donnell is okay.

PITT STANLEY RESUMES STAGE SHOWS JAN. 10

Pittsburgh, Dec. 31.

After six weeks of straight pix in its end-of-year vaude value, Stanley, WB deluxer, will return to shows Jan. 10. First booked for resumption of policy will be Ted Weems' band, an annual visitor here. Picture set for accompaniment is Sonja Sues Two.

Whether presentations will be regular or not Harry Kalmine, zone manager for Warners here, couldn't say. One thing was certain though, he insisted, and that was stage would be unshuttered only when name shows were available and that vaude just for vaude's sake would be out.

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AGVA Boards Fail to Reach Verdict On Proposed Merger with Equity; Variety Acts' Autonomy Loss a Snag

Doubling From 'Heat'

Boston, Dec. 31.

Betty Kean, dancer, and Vivienne Allen, singer, both in the cast of "Crazy With the Heat," revue playing the Shubert here, are doubling in variety shows, starting Monday (30). Miss Kean is at the Versailles and Miss Allen at the Mayfair.

NW VAUDE ON UPBEAT

Seattle, Dec. 31.

More time on the Levee circuit in the northwest and Canada was announced following visit this week of Bert Lewellen, who came up from Hollywood to confer with Len Mantell, Seattle manager.

Orpheum ("Evergreen"), Portland, opens with five-a-day bill, full week, starting Jan. 3. The new Vogue theatre, Vancouver, B. C., is set to open March 1 as a full week stand, using name bands and units. This house, costing \$250,000, is nearing completion, being built by Riefel Bros., brewers who recently sold out and have some coin to put into ac-

tion. Indicative of a new Evergreen polity, in addition to vaude for Portland, is prospect of weekend vaude at Music Box, Tacoma, and Orpheum, Spokane, starting soon.

Injunction Ties Up St. L. Booze Curfew

St. Louis, Dec. 31.

Through the medium of an injunction suit brought by the State Retail Liquor Dealers Assn. to restrain cops and the excise commission from enforcing the 1:30 a.m. closing hour, New Year's eve celebrants patronizing nighties, hotels and taverns drank after the legal hour. The temporary restraining order, issued by Circuit Judge Edward F. Paborg, who leaves the bench Jan. 6, will not be heard until Jan. 4.

The liquor dealers want a judicial interpretation of the law, which requires only that liquor sales shall cease at 1:30 a.m. weekdays and midnight Saturday, but fixes no time for the actual shutting off of liquor dispensing places.

A joint meeting of the new executive board of the American Guild of Variety Artists and the governing board Monday (30) discussed for nearly four hours the proposed merger of AGVA with Equity, which would put the vaude-nitry and legitimate groups all under one jurisdiction, without arriving at any definite conclusions. Another meeting is scheduled for late this week, early next.

Suggestion that Equity take over the jurisdiction of AGVA was made early last week on the Coast by the Screen Actors Guild, the idea being that vaude-nitry performers be in the same position as is Chorus Equity now. Latter has no voice in the government and administration of Equity.

It's known that several connected with AGVA are strongly against the merger, with Equity which would control the AGVA members their autonomy. On the other hand, it's doubtful that Equity would take them in on any other basis, for the vaude-nitry field, if fully organized, would eventually take over legiti performers a wide majority over legiti performers in Equity.

The SAG proposal stems directly from AGVA's desperate financial condition, which both SAG and Equity have been feeding for a total amount over \$60,000. It is believed that AGVA's coin stress would be eliminated if it moves in with Equity, and probably soon be put on a paying basis.

On the other hand, it's pointed out that its newly signed deal with the New York vaudeville houses should considerably swell AGVA's paid up membership. The union's real problem right now is how to cut down high office expenses, incurred when the Associated Actors and Artists of America kept assuring AGVA not to worry about money—implying that the Four A's would replenish AGVA's treasury when necessary.

Weisfeldt Hires a P. A. For Vaude Who Only Knows From Prunes

Milwaukee, Dec. 31.

When Ed J. Weisfeldt, manager of the Riverside theatre here, took over the Minnesota in Minneapolis, re-opening tonight (Tues.), he let the word out that he wanted a good publicity man to handle the work of both houses. Earl Tetting applied for the job and, when interviewed, admitted he had never been in show business, knew nothing about vaude or stage productions; in fact, had never paid much attention to the theatre.

"Well, what have you been doing?" queried Weisfeldt. "What makes you think you're qualified for this job?"

"I've been selling prunes," replied Tetting.

"You're hired," said Eddie, who thinks that prunes are harder to sell than vaudeville.

Livingstone Lanning, former manager of the Fox Wisconsin theatre here, has been made manager of the Minnesota, and the bill opening the house is topped by Ken Murray and Duke Ellington. Shows will be moved intact from the Minneapolis house to the Riverside here.

HENIE FACES UNION TROUBLE IN DETROIT

Detroit, Dec. 31.

Sonja Henie ice show, scheduled to play here following current Chicago engagement, may run into such union difficulties that possibly will prevent its production in a local date.

Understand that here in several theatrical unions have already informed Arthur Wirtz of their demands, including warnings that the show will not be permitted to play unless these demands are met. It is indicated that Wirtz, now here, is of no mind at present to sign any agreement along the terms sought by the unions.

Night Club Reviews

Continued from page 35

Victor Hugo, Beverly Hills

and doing a "little for free" fun making.

The Bardo band is new here at the Victor Hugo, and is refreshing collection of youthful melody makers and fits perfectly for the terpsichorean requirements. Their rumbas and congas are especially suited to the place.

Bernie carries five charters, two female, and three youths. Gals, the Bailey Sisters, are "comely, due with melodic vocal style, blend beauty and song to render some musical pict in offset, it's likely the gals may get set in a film or so around here." Same goes for Billy Carey, who goes for the little boy type of singing. Other charters are an Irish tenor; John Timothy Ryan, with a sweet melodious voice, and baritone Don Sexton.

With good balanced acts, draw is strong, and the show on Bernie has vast acquaintance and following here and who will undoubtedly bolster trade in the establishment.

Jug.

CHEZ PAREE, CHI

Chicago, Dec. 26.

Four French Jesters, Jane Froman, Joe E. Lewis, Fred Evans, Babs (16), Lou Bress, Orla, Don Orlando Orch.

The Chez maintains its generally high entertainment, excellent service and splendid atmosphere on the current show, with Joe E. Lewis holding over, and further demonstrating that he has become a truly great comedian.

Lewis' standard material has become classic already in show business, and he is constantly brushing up with his own original material. Portrayal is the distinctly standout comedy style of delivery that he has polished to a high brilliance. He is strictly the best mugs comic around, and is one to be one of those of the upper strata who like their humor lowdown.

Also shining is Jane Froman, who seemingly gets better each appearance. A lovely girl with a commanding audience with her inimitable vocal style. Even powders 'em with strictly baritone tunes as "Ain't Necessarily So." Impresses as one who can sing, and she does it with strictly ballad and torch stuff, but she insists on doing a general line of vocals, and at present Miss Froman can do no wrong.

The Jesters have grown rapidly in the past couple of years and are now getting a bit too mature for saxophone playing and kid clowning. At least the blonde girl has the benefit of an adult physique, but her comedy is the brunet figures for some neat solo dancing in adult style, while the two fellows can drop the saxes for some straight honking. The Jesters are an outstandingly good acrobatic band and couple. Their head-to-head stuff is strictly original.

Lou Bress orchestra is back at the old stand and is a real comedown. Always a good attraction, it proves itself with nifty playing of this show and for the dancing.

Fred Evans goes the nod for putting on a stirring dance number. "Birth of the Colored Dance" is the last word in rhythm, choreography, style and expression. With the costume changes of dances Pauline and the French orchestra, particularly the number blossoms as something to see and talk about.

Gold.

BLUE ROOM, N. O. (HOTEL ROOSEVELT)

New Orleans, Dec. 28.

Bill Bardo's Orch., Morton Downey, Esther Todd, Orla, Pesci, Darlene and Maurine and Nova.

This swank spot, with good shows as a rule, maintains the standard with Bill Bardo's versatile crew. Spontaneous attraction is the crowning. Noticeable shortness of show, but it moves in good tempo, and in entertainment value is a holiday package wrapped up with all the trimmings.

On strength of previous visits here and an entirely pleasing, workmanlike crew, Bardo is drawing them in large numbers. Bardo is an easy act, m.c. enhanced by the service of the orchestra, which is a wise selection for a holiday season meant to be friendly and jubilant. No slouch on violin, he batons his orchestra from the "Blue Room" stage. His music plays the music of Argentina, of nostalgic America, of modern swing—the latter with special gusto. Young and old went for his music, but were won over on opening night, the older ones for the Walzies and the younger for the jive.

Bard's music is a nice blending of wind and string although the brasses were a bit thin. The band, however, cause Bardo, like every leader who comes to Blue Room, has difficulty in first toning it down to size of the room. Combo also provides excel-

lent background for the show. Boys in the group are also versatile, putting across gauze numbers as part of floor show.

Toppling acts Morton Downey, who contributes several familiar American songs, and the girls, who reaped plenty of palm pounding from first nighters. But when he sang "When Irish Eyes Are Smiling," critics barely would let him go.

Esther Todd, looked like a nice pipes, works easily, and sings a song. Members of band join in choruses and novelty tunes for good change of pace. Darlene Walder, a girl with a number of pretty routines to get into her hair. Orla Pesci, handsome waver, clicks with his singing. Femmes go for him in big way.

As a dance team, Maurice and Norva step into originality, appearing in Argentine costumes of the plains. Their Latin routines smack of the far west. Femmes like them click strongly. Pair lets crowd asking for more after a congra.

Doing swing and sweet with equal ease, Bardo's band had little trouble keeping the dance floor crowded before and after the show.

Luzzu.

LYNCH'S, PHILLY (WALTON HOTEL)

Philadelphia, Dec. 28.

Bob Russell, Paul LePaul, Patricia King, Chaney and Fox, House Line (14); Neil Fontaine Orch (15); August Sonabria's Rhumba Band (6) with Morrison, Nina Nenni, Helene Heath, Susan Long, Rochelle Gordon, Vera Niua; No Cover, No Minimum.

Plenty of life for the holiday trade in this week's offering at Lynch's Walton Hotel Roof. Although he is still sticking to the name policy, Lynch's show has plenty of talent and entertainment.

Stanley King, Patricia King and Chaney and Fox, longtime Philly faves making their unfeathen return here.

The couple feature a cakewalk to the tune of "One Dem Shorty" with the theme of Philip's New Year's Day Mummers' parade.

The team's entire repertoire has plenty of zing. Among their steps are everything from waltz to foxtrot, plus "The Castle," "Twelfth Street Rag," "One Dem Shorty."

The tempo of the rest of the bill is also geared to festive spirit. Grace George (New Acts), the latest "find" of Siegel, should sell to a sell-out.

Paul Le Paul's magi act is still one of the best in the nitery field.

He doesn't take the legerdemain route, but his lightning quick catches on with the audience. Best trick in his bag is changing a live canary into a corsage. Lee Lamont does her usually good job of tap-tenting.

Stanley King, the Latin looker who's been succeeded by modern dance numbers and one with maestro Neil Fontaine.

Bob Russell, longtime holdover, m.c.s. have been giving him the benefit of his age, but the boyish burlesque act is still the best of them being "Donkey Serenade," "America I Love You" and "Wagon Wheels."

Russell also leads off the competition that is the finale of the 50-minutes show.

The house line appears in three production numbers, beautifully gowned and well executed. In keeping with the Christmas theme is the opening number, with the girls appearing as nuns, holding candles with the entire company singing Yuletide carols from backstage.

Fontaine's band, going into its second year, is not a smart, tuneful aggregation. Its arrangements by pianist Eddie De Luca, ex-symphony key-pounders, are ear-soothing, both during the show and between numbers.

Pauline's rhumba sextet fills in neatly with Felicia, a Latin looker, handling the south-of-the-border vocalizing.

Lou Morrison and Nina Nenni, the opening act, will be a small lounge with Helene Heath, Susan Long, Rochelle Gordon and Vera Niua doing the chirping.

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STATE, N. Y.

Jay C. Flippo, Six Honeys, Alice Marble, Dorothy Stone and Charles Collins, Peggy Bernier, Ruby Zweiher, House Orch; *'Thief of Bagdad'* (UA).

This bill bridges the two holidays, so that even if it isn't so forte the State's offerings would be expected to treat the proceeding indulgently. They did at the performance caught Thursday (26). There were few outbursts of enthusiasm, and even Alice Marble, who for the overwhelming majority present must have represented little other than a sportspage headline, got away nicely with her express delivery of the patter she was booked apparently for what was assayed as name value. Miss Marble, who recently turned tennis professional, incurs the admiration of the State's public more than ever in the course of crashing a new medium than for her aptitude. She's reviewed more extensively under New Acts in Theatres.

J. C. Flippo ringmasters the run-off in shipshape manner, getting most of their good kick at the mid-section. Only time that he steps out of his m.c. role is during Peggy Bernier's routine, and the quality and quantity of his antics tend to step up the entertainment of her act in the end.

Opening honors go to the Six Honeys and this team of whirlwind acrobats (evenly mixed) makes it exciting throughout. Their series of shoulder-to-shoulder jumps are, as ever, a sleek climax to a dazzling display of tapping, tumbling and pyramid balancing items. Miss Marble fills the next inning. Her singing stirs are stolen. Her voice is contralto, and her handily dressed outfit looks and Back Bay accent complete the portrait of a personality that has stepped from the sports section to the amusement page with limited cause of preparation.

Dorothy Stone and Charles Collins take over the comic rhythmic adagio stepping along strictly interpretative lines. They register strongly. Two numbers that stand out brightly are their *"Lullaby by Day"* and *"All About Romance."* Peggy Bernier's singing shenanigans prove good for a consistent stream of laughs and despite this the Three Sailors, who follow her, mop up on stage a bit. The comedy of the ensemble plus Miss Bernier's hoydenish comedy to combine to apply a strong finish to an otherwise hamby-bumby bill. The two acts, at least, send 'em away laughing.

ORPHEUM, MPLS.

Minneapolis, Dec. 28. Gene Krupa Orch (16), Howard Dulaney, The Alens (4), Irene Day, Paul Remos (3), Johnny Woods; *'South of Suez'* (WB).

Bringing 'em the Krupa outfit, Santa Claus has come through nobly for the local hepcats and jive hounds.

The hot swing fans couldn't have deserved a more welcome visit, and the fact that it's Krupa's annual trip here makes the present all the more welcome. The three acts backing up the band are familiar here, but each is a topnotcher in its line and based on a solid musical skill, though routines remain unchanged.

Krupa himself, of course, rates head and shoulders above any of the drummer men who have visited these parts. What's more, his band is a superior organization and the fact that it's a musical sketch, stealing arrangements, it provides syncopated rhythms which is ultra in quality.

Besides toiling strenuously on the drums, Krupa proves a polished and smooth emcee and handles the baton with aplomb, but not a single degree where the customers become fed up. And the lively rhythm sets a fast pace for the entire show.

Naturally, most of the arrangements are designed to set off Krupa's drumming, but they are done with no less admirably. Vocalist Howard Dulaney and Irene Day fit in nicely.

"Tiger Rag" is a hot start with Krupa pounding the drums. The arrangements are interestingly different in color for all the striking band numbers.

The Alens comprise two fast stepping mixed couples—oldsters and youngsters. The elderly man and woman again amaze us with their gaiting, and other dance routines and times they bring down the house when they join the boy and girl for some real jitterbug stuff. The contrast of the modern and old-time hoofing lends novelty to the offering.

Alens' act is a fast-stepping, jiving "dancing" the primitive "Blue Rhythm Stomp," a novel and exciting fantasy. Each musician has a small drum of his own and joins in the thumping. It's the band's outstanding number.

Mrs. Day is good to look at and listen to and she scores with such pop vocal numbers as *"There I Go"* and *"Drummer Man."* She and Dulaney combine for two duets, *"Our Love Awaits"* and *"Call of the Cam-*

yon." DuLaney also singles earlier with *"For You,"* done nicely.

Paul Remos once more stops the show here with his personable manner and the ability to make the balancing feats, tumbling and acrobatics.

Krupa and the band land heavily with "American Bolero," swing that attains a certain rhythmic effect. Woods, a local favorite, jumps from a breathless pace and has the customers alternately amazed at the imitations authenticity. *"Wire Brush Mono"* is appropriately lively for a band.

A well-filled lower floor even at the last show Christmas eve, at the Strand, B'klyn.

EARLE, PHILLY

Philadelphia, Dec. 27. Larry Clinton Orch (14) with Terry Jack, Jimmy Currie and George Mann, Jack Somers and Pauline Burke; *"NineTeen"*; *"Hormonics Rascals"* (8); *"You'll Find Out"* (RKO).

Fare for the Earle adds is load-on the bill at the Earle—fore and aft. With Clinton's crew in the flesh and Kay Kyser's on the screen, the lads are lassies who like their music are getting the money's worth.

Clinton and his boys opened today (Friday) after a hectic trip from Indianapolis in which their plane was downed by fog. They arrived here too late for rehearsal, missing the first show. This was a disaster, but the lads get things moving again.

At this catching the boy showed the essence of the kind of existence he has—a daisy, this also going for the comedians. It seems only here that he is reborn.

Nicely staged, with the numbers

and routines woven together for extremely nice pace and unction, the unit achieves a pretty high degree of entertainment.

At this catching the boy showed girls, handsomely costumed, who add to the color. They are worked into various production numbers and contribute vocally to the proceedings.

Clinton's *"NineTeen"* is a medley of various compositions, including *Reverie*, *"Satans Takes a Holiday"* and his latest, *"Study in Surrealism."* Jimmy Currie click with his *hockey* on the piano, and Terry Jack with his *hockey* on the piano, and Dick Rogers with his *hockey* on the piano.

Earle's dead-pun clowning is guffaw-producing biz.

Terry Alen bartonies *Way* and *With Down Argentine Way* and *Only with a Woman*. Lee Mann is a boyish, brunet, looker with nice pipes. She shows her versatility on *"Our Love"* and *"Goodnight, My Beautiful."* Production consideration is also given *"Mexiconga."* Among other things, Earle has a *"jive"* that's a fooley, dummys used being set for chassis.

Lee Blue, who was in the last

"Scandals" revue on Broadway a year ago, tops the cast. He is in and out of the line, singing them out, showing girls, handsomely costumed, who add to the color.

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Canadian Loss Felt on B'way

Contributing factor in Broadway's offish business at the start of the holiday period may be the indicated shutting off of Canadian factories. Dominion authorities issued an edict reminding civilians that war economies must be made. They were told not to indulge in luxuries, particularly American-made materials.

Between 100 and 200 trains from Canada have been used at Christmas and Easter time in the past, and it is said the schedules were considerably curtailed. Reported, too, that Canadians entering the states at holiday time were ordered to take but a limited amount of money with them.

Daniel Frohman, 'Grand Old Man' Of the Theatre, Dies in N.Y. at 89

Broadway's oldest showman, Daniel Frohman, died Thursday at the Leroy sanitarium, N. Y., Thursday (26), where he was moved from his sister's apartment after slipping there and fracturing a hip early last month. His age was given as 89, but it is understood that the veteran head of the Actors Fund of America was two years older.

The last of the Frohmans, save for a sister, was recently reported taking nourishment and resting comfortably, but it was generally known that he could not survive such an injury at his age and had before him miseries depicted into a comic. He was almost totally blind and as vision failed in recent years it was a miracle that he was able to cross Broadway unassisted without being struck by a car.

Frohman wrote his own obit two years ago and it revealed his connection with newspapers. That training was reflected in later years, but to the few who were in the know he was an excellent source of news, often regaling callers to his studio and office with stories of the Lyceum theatre on West 45th street, which was cluttered with works of art and theatrical mementoes. During performances downstairs he would frequently remove a panel near the floor of the large principal room and look down upon the stage.

Fine Sense of Humor

Frohman's sense of humor was an outstanding part of his character. His memory was prodigious and he could recite whole plays by Shakespeare. Conversely, Frohman could and did tell the story of a Shakespearean work in four or five words. He was often asked to address women's clubs and rarely refused, but stipulated a fee, anywhere from \$100 to \$500, which was paid to the Actors Fund.

Frohman's activities as a producer belong to another generation, his principal interest in later life being the Actors Fund, which helps indigent and ill professionals, contributes to hospitalized cases and buries the dead in the plot at Kensico, N. Y. The Fund, under his direction for 37 years, became the most efficient of theatrical charities, maintaining a home at Englewood, N. J., and granting sums weekly to a long list of applicants. It is especially endeared to old professionals who frequent the Fund offices, referred to them as the "Journey's End Club."

When the Fund headquarters was not promptly notified of Frohman's passing there was wagging of heads and the same applied to the Jewish Theatrical Guild. Announcement of his death and the first arrangements were made by Peter Moore, head of the Episcopal Actors Guild. Services were held Monday (30) at the Little Church Around the Corner, which is practically the Guild's headquarters. Deceased had been active in that group for years and expressed the wish to be buried from the Little Church.

Member of All Religions

Frohman was a member of the Jewish, Catholic and Episcopal Guilds. Services were conducted by Rev. Randolph Ray, rector of the Little Church, with Rabbi Benjamin A. Segal officiating. The Jewish Guild also participated. A bas-relief of Frohman hangs in the church and, when it was dedicated three years ago, he said: "I am a member of all religions. I believe in all religions that bring good to people." Funeral arrangements were made by Henry Davison, a nephew. Burial was in Union Cemetery, a small cemetery in Uniondale, L. I., where an Episcopalian minister, Rev. Harry F. Lehman, said the prayers.

"The grand old man of the theatre," as he was alluded to, entered the show business as advance man for Callender's Minstrels and that in-

creased his knowledge of the country, information that was valuable to the holding of road companies later.

Frohman had a connection in New York with the Madison Square theatre, where he was business manager and the late David Belasco was stage manager. He then leased the old Lyceum at Fourth Avenue and 23rd street later razed to make way for the Metropolitan Life Insurance building. For a time he operated Daly's on Broadway.

Uptown Lyceum His Pet

His most permanent interest was in the new Lyceum, built in 1903, front of the house being the most notable of Broadway show shops. He was one-third owner along with William H. Sturz and Daniel Frohman. The latter and Belasco lended the theatre and alternated in booking their shows in it. When he stopped producing, the Lyceum was Frohman's principal source of income and a succession of successes made him secure. Recently the house was held by a bank and when it was taken over it was made clear that Frohman could have occupancy of the studio for the balance of his life. The apartment was reached by a tiny elevator.

Charles More Spectacular

Charles Frohman was the more spectacular one of the brothers. He headquartered at the Empire with the also hard to reach Haymans (Al & Al), who, with Charles, were important factors in the Klaw & Erlanger theatrical empire called the "syndicate." Charles went down with the Lusitania, torpedoed during the first World War, and made the dramatic return on deck: "Death is life's greatest adventure."

Decesed was editorialized in three New York dailies, the Times, Herald-Tribune and World Telegram, plus many out-of-town papers. With his high collar and sparse chin whiskers, he was tabbed among the immortals of the theatre. One writer put it: "He belongs among the great managers, his old age was sound, honored and happy." He was a remembrance of the past who kept step with the present.

Many stage names appeared at the

(Continued on page 42)

PLAY-READING SUBS FOR LEGIT IN MAINE

Bangor, Me., Dec. 31.

Reading of current hit plays by various Maine readers before social groups of one kind and another is becoming more and more of a business without the playwrights getting any of the reading fees.

With the decline of the theatre in Maine, except during the summer when the strawhats thrive, reading of plays in Portland, state's largest city, stepped up. Now it is catching on elsewhere. So much so, that several better-known writers are building up circuits for themselves.

One woman, a former actress and now the wife of a court official, has been reading plays with increasing success for some years. She is not alone, however, in booking various organizations for a series of four to six plays to be read during the winter season usually on a monthly or semi-monthly basis.

In the same line are those giving book reviews. Several women have built this into a pin-money sideline, although profitable. Women's clubs and church organizations are the usual bookers of this entertainment.

Right now "Life With Father" is a popular reading number; "Skylark" is being read frequently and others that are popular include "The Philadelphia Story," "The Little Foxes" and "There Shall Be No Night."

Wreckers Take Over Old Nixon-Grand in Philly

Nixon-Grand in Philly

Philadelphia, Dec. 31.

The Nixon-Grand Theatre, built 52 years ago as the Grand Opera House, is being torn down. Workmen began razing the building on Saturday (28) after it had been lying idle for more than three years.

Built in 1888, it was run for many years by the National Opera Co.

Later it became a vaudeville house and had been used for pictures and music hall vaudeville. It had a capacity of 3,500.

The site may be utilized for per-grocery market.

Treasurers' Officers

At the 51st annual meeting of the Treasurers' Club, Allen J. Schnebely, Lyceum, N. Y., was elected president for the fifth successive term. Samuel W. Belasco, Belasco's Pleasure, Belasco, was reelected vice-president; Irving Engel, Winter Garden, was made treasurer for the first time; Leo Solomon, Longacre, names financial secretary, and Thurber Wilkins, Met opera house, recording secretary, both the latter being new officers.

Elected to the board for two years:

Earl Lewis, George Handy, Aaron Hellwitz, Thomas Clark, William Metz and Jack Wallum.

New B'way Show Arrivals Click,

Holiday Week Biz Falters Till

Last Minute Rush for Tickets

Shows in Rehearsal

Liberty Jones—Theatre Guild.

Tanyard Street—Jack Kirkland.

The Cream in the Well—Carl Wharton, Martin Gable.

Mr. and Mrs. North—Alfred de Lisiere, Jr.

The hoped-for change in the quality of shows coming to Broadway occurred last week, when four out of five arrivals were classed as potential successes, which is an unusually high percentage. Two straight plays and a pair of musicals received the best, but whether the all-in-laud in the sock class is not clear, for despite good notices, business was hardly what it should have been with one exception.

Attendance during Christmas week was disappointing, being light until Friday. Then business approximated the heavy holiday volume with a last-minute rush. Agencies had key men duty Sunday to accommodate incoming visitors, but there were few sales. Monday (30), however, the brokers reported a 30% increase. The musicals played matinees then and all sold out, the shows being "Panama Hattie," 46th Street, "It Happens on Ice," Center, and "Louisiana Purchase."

Advance sale for New Year's Eve was under normal up to Monday. Agencies sold out allotments for the upper floors, but there was little call for the orchestra seats. Again it may be a matter of prices, as the musicals still stand leaders to \$7.70 and most of the straight leaders went to \$5.00. Bookers kept tabs on the agencies and, finding the selling off high, harassed the brokers by setting earlier deadlines for the return of tickets, or else. However, the Garrison finish plus lowering of the high tap by the box reversed the situation.

Promising Premieres

Of the new entries, "My Sister Eileen" was accorded the strongest response. Reported selling out the second night, much to the surprise of the management, also a good percentage of first-nighters. "Old Acquaintance" was cordially received at the Marquis and first week's takings were good. The new production of musical "Pal Joey" drew some fine reviews, but there was a difference of opinion which was reflected in the business after the Wednesday (25) debut. "Word" is around, however, that "Joey" can't miss.

"Meet the People," at the Mansfield, the Coast revue which bowed in on the same evening, "Joey," won a good press from second-stringers and reports on that revue are encouraging. "Retreat to Pleasure" stopping at the Belasco, "Mr. and Mrs. North" coming in there next week. Premiere card for that period will be initiated by "First Stop to Heaven," opening Sunday (5) at the indoor theater next week debuts. "Eight o'Clock Tuesday," "Majestic" was mostly on the down side and it folded Saturday (29).

"Cue for Passion" suddenly stopped at the Apollo Saturday and at least one other recent newcomer will end it all this Saturday. "Retreat to Pleasure" stopping at the Belasco, "Mr. and Mrs. North" coming in there next week. Premiere card for that period will be initiated by "First Stop to Heaven," opening Sunday (5) at the indoor theater next week debuts. "Eight o'Clock Tuesday," and possibly "The Hard Way," unfavorably regarded out of town.

Princetonian Actor Hurt

Princeton, N. J., Dec. 31.

While on a Christmas holiday tour with the Princeton Triangle Club's new troupe, Albert VanCourt, a member of the club and resident of South Pasadena, Calif., was struck severely injured by an automobile in Washington on Christmas Day, the day after the Triangle thespians gave a performance at the National theatre there. He is in a Washington hospital suffering from a possible skull fracture and internal injuries.

VanCourt, a senior, is sports editor of the Daily Princetonian.

Hillbilly Romeo

"A Lovin' an' a Feudin'" described as a hillbilly version of "Romeo and Juliet," with songs and music, will be produced Feb. 4 for a two-week run at the Pasadena playhouse. Authors are Erik Barnouw, radio writer and Columbia University lecturer, and Ethel Park Richardson, author and authority on American folk music. Sarah Rollins of Columbia Artists set the production deal.

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NEXT WEDNESDAY, JAN. 8

35th ANNIVERSARY NUMBER

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Broadway

Ralph Sievers lost father recently. Louis Nizer to the Coast on business.

Harry Shapiro house manager of Monroe.

Rube Bernstein managing Tivoli, Brooklyn.

Allen Schnebelle abed with grippe last week.

Abe Cohn tabbed with handle, Franchot Court by Chicago pals before Red Buttons' arrival. Cohn left Thursday night (26) for Toronto on "Hudson's Bay" campaign plans.

Jean Hersholt RKO player, presentedly vacationing in N. Y., will stay east for at least a month.

Henry Jagie due back tomorrow (Thursday) from honeymoon in the Adirondacks.

Ted Looff, publicity rep for the Stephenie, has been engaged by the Hudson's Bay Co. to help publicize the department store's "Barrett McCormick" Humphrey Bogart and his wife, Mayo Methot, back in town after spending Christmas with friends upstate.

Bill Susman, eastern division sales manager for 20th-Fox, left for Florida Saturday (28), to be gone a month.

Bill Albert, Australian newspaper rep in N. Y., hosted several foreign department film officials last week at an informal luncheon.

With Marty Gorden taking over the "Lover's Lane" show, Bill Billingberg-Fred Armour direction. Chic Farmer is back at the Stork.

Arthur Silversone, recently named to handle Fox's new import-export arrangements for United Artists, will headquartered in Philly.

Wolfe Cohen, Warner's Canadian division manager, has gone back to Toronto where he makes headquarters after spending a week at the box with Roy Haines.

Tay and Helga Garnet will vacate east until the 10th or so before returning to the Coast where they direct an independent production idea in view.

Sarah Rollins, play agent of Columbia Artists, planned to Mexico City, New York, due there this week after visits to Guatamala and Yucatan.

Rosario and Antonio quickly to the Coast this week, for Ziegfeld Girl at Met. They are making arrangements for Astoria Jan. 15, where the Spanish gypsy dancers have been holding forth.

Don Reeve, Arth's son, who's attacked by the Paramount's public relations department, is home from the hospital after an appendicitis poisoning but will not be back to work until Feb. 1.

Lila Farnol, whose resignation as pub-ad head of United Artists became effective yesterday (Tuesday), leaves this week for auto trip vacation in the south, returning around Jan. 20.

Robert Steele, formerly on the telegraph desk of the Daily News, press-agening the WGN Concerts. Succeeded by WGN's Seaman, who is now doing special publicity assignments for the agency.

Loye's home office employees last week contributed \$100 to the Times' "100 Friends" fund and provided 50 baskets of food to the Catholic and Episcopal Actors' Guilds and N. Y. Hebrew Day Nursery.

Chicago

Jack Elliott auditioning new type of comedy show for NBC.

Ed Beatty, Butterfield circuit exec, was in town for a week.

Doe Banford, Metro exchange chief, recuperating after operation.

Hotels are all sold out for January indicating terrific show business month in Chi.

Ruby Newman is to play parts for debutante daughter of Charles Deere Wiman, Dwight's brother.

Everett Wile, producer of "Hate To See You Go," has married Patricia Cowan, last week and flapped to the coast for brief honeymoon.

Theatre Authority, with cooperation of Fred Clegg of Actors' Fund, Frank Darré of Equity, Jack Irving of AGVA and Roy Jones of AFRA, arranged for feeding of all needy actors. Henrici's on Christmas Day.

Pittsburgh

By Hal Cohen

The Leighton Nobles' offering due to be born in Boston next June. Barclay McCarty in town beating drums for Dennis King's new musical.

Joey Cappa and his wife, Ruth Hazen, the dancer, are back in Holly wood.

"Tobacco Road" pays annual visit to Nixon Feb. 3, this time for "two weeks."

Elizabeth Cunningham, of Rep. office, okay again after appendectomy.

Ed Morton feeling better and he's gone to Florida to convalesce. Missus won't be along.

"Man Who Came to Dinner" using choir boys from the Trinity Cathedral here.

Donald Buika, local lad in "Twelfth

Night," being tested by couple of major studios.

John Lazaro, one of Villa Madrid owners here, flew to Miami last week over a nitery deal.

Miss Lazaro's wife, who injured her back a year ago, will rejoin "Ice Follies" cast shortly.

Chick and Lee have been signed on by Harry Howard's "Hollywood Hotel" unit for a month.

John Parker, who is slated to an early return to its old East Liberty stand, the Club Petit.

Every member of "Ice Follies" cast Xmas-gifted by show's owners with \$75 each.

Sal Caccia, local winner in Jesse Lasky "Gateway" contest, now working for Earl Carroll on the Coast.

The Dick Hoovers have returned to Indianapolis, where he's a director at Indiana Theatre, after holding here.

Marie Frost, head of contract dept. at WB exchange, and Adrian Goldbach have announced their engagement.

Bob Fink, Tech drama grad and son of Southside exhib, learning film-making from ground up at Monogram studio.

'Lazy Songwriters'

(Continued from page 1)

average of every 15 minutes, where as we have to wait five hours or so between plugs, in order to get a performance on the air; you'd think that was the amateur songwriters' millennium. But what happens is that you're so tired of their stuff, you never care to hear "Frenesi" or "Jean or a Strauss waltz for years.

To show how foolish it is to think that writers can be ground out like machine-made sausages, look at the great number of songs that have been written for them to match a successful, song-writing team. I'll speak for myself. After Dorothy Fields and Jimmy McHugh split, we had to team

McHugh with Gus Kahn, Harold Adamson and Al Dubin to achieve results. Adamson and Johnny Green are a new partnership; the result of long experience. And the same for Charlie and Milt Berliner.

Because his owner has gone in for war service, Scruffy dog film star is for sale. Master is cameraman with the Army. His hope is to get into Royal Air Force.

Arthur Deni has acquired the Park Cinema, Bristol, once owned by Associated British Picture Corp., with which he has been connected for years until his recent resignation.

Max Miller, running resident vaudeville show at Hippodrome, Brighten with himself as star. Programs are now being produced with him are Tracy and Fay.

The Bredwins, due to open at Coventry, cancelled due to illness of one of partners so decided to leave the blitz before it blew up the theatre.

For the first time a genuine filming of a portion of the War Office's new propaganda has been held. Heretofore permission had always been refused.

In this instance it shows how London is "carrying on."

For the front office Michael Powell, master of "49th Parallel," accepted full responsibility for its production. He asked for a break and hinted rocky road to travel. The two sets of flats were built on bricks tossed by local press.

Amateurs

The amateur thing isn't new. So Ruth Lowe, manager of "I'll Never Smile Again," but she's not a rank amateur. She's been around for years with bands, etc.

As a matter of fact, ask Sandy Joy-Selct about their tieup with the Song Guild. You amateur tunesmiths, wherein Hoagy Carmichael, Jimmy McHugh and others collaborated, doubt if they got one-bit seller from them.

Don't get me wrong. Every professional was a fugitive from a Bowes songwriting unit—if the Major had one—at one time or another.

But the IBM plugging of unknowns' song material proves that the mere open-season to the kilocycles isn't enough: songwriters are born with that spark that makes them endless, repetitive pluggers, whether it's on the radio or anywhere else.

As I said before, maybe this will wake up the "has-been corner" in Lindy's to start writing again. I hope so. I hope also that radio realizes it needs us ASCAPers... and we need radio.

Claire-Behrman

(Continued from page 2)

creaching down, and miscues, fell as though rain from heaven.

Miss Claire at that time stepped out front and, for the education of those who braved the three hectic acts, offered profuse apologies for attempting a play without sufficient rehearsals and invited one and all to turn in their stubs for a refund. The boxoffice stampede had gotten underway long before that.

When Miss Claire returned had an opportunity to see "Biography" when Miss Claire returned in a revival last June for the Carter Summer Theatre season. Lo and behold, Miss Claire appeared and behaved like a true professional.

Came "The Talbot Melody" and MacMaster, after a box office smash, said as "Glorious Preferred," Suzanne and the Elders, "Off the Record," etc., was a sellout for the first time this season. Not even the ballyhooed Elmer Rice play, "Flight to the West," which the Playwrights had preened here two weeks ago, created the stir and box office sale that this Behrman-Claire setup provided. Princeton was willing to forgive and forget.

Design for Living okay.

Continued from page 2

The "Hamptons" We Watch Xmas released by RKO in Sydney, Australia, after a box office smash, said as "Glorious Preferred," Suzanne and the Elders, "Off the Record," etc., was a sellout for the first time this season. Not even the ballyhooed Elmer Rice play, "Flight to the West," which the Playwrights had preened here two weeks ago, created the stir and box office sale that this Behrman-Claire setup provided. Princeton was willing to forgive and forget.

Man Who Came to Dinner" using choir boys from the Trinity Cathedral here.

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London

Mrs. Bud Flanagan operated on for tonsil removal.

The Carlton Hotel, London, has closed out the blitz.

Laurie Evans, brother of Rex Evans, driving American Red Cross truck.

Bud Flanagan, Jr., has the acting bug and is to follow in his father's footsteps.

Gladys Cooper's furniture, which had been shipped from London to Hollywood, is still in transit.

Some opposition has developed around plan covering release from contracts of exhibs hit by war conditions.

Mr. Ben Fuller has become a grandpop for the sixth time. Says he will soon have his own army to beat back any invaders.

Clarke Gaidie may return to Great Britain soon.

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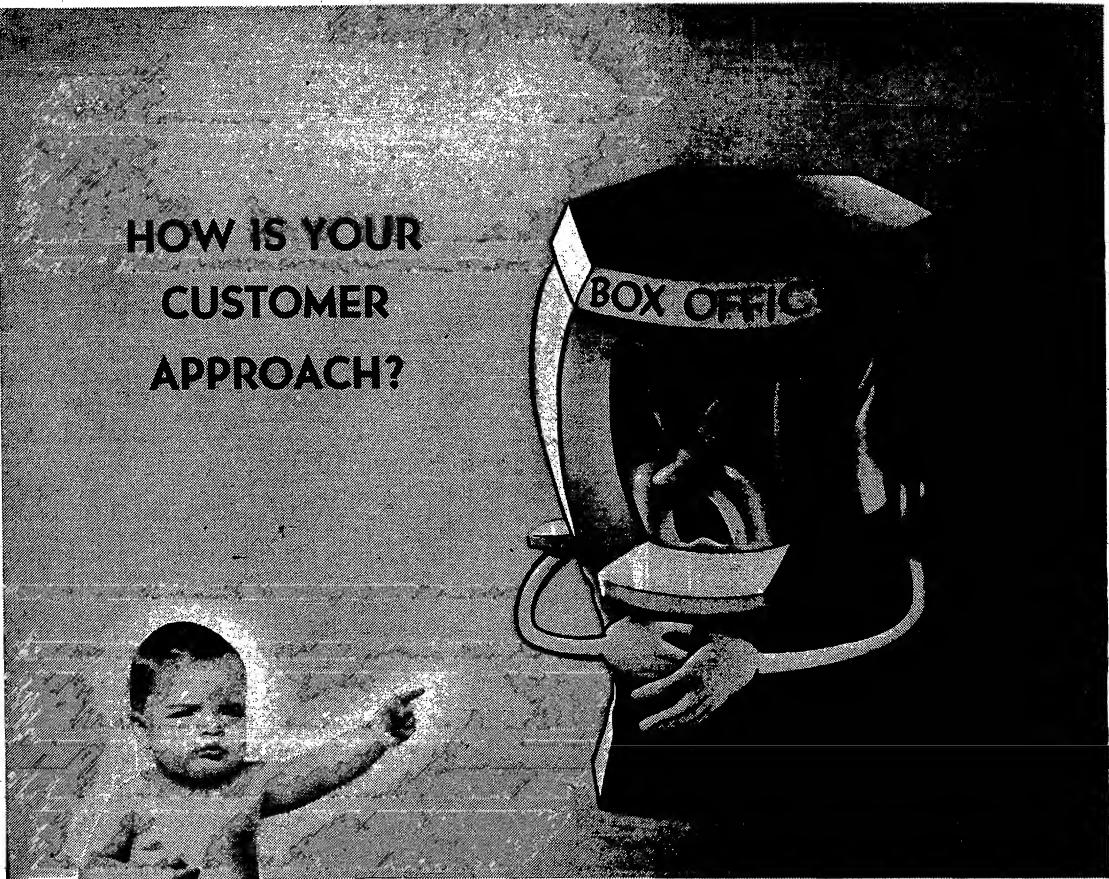
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35th ANNIVERSARY NUMBER

VARIETY

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VOL. 141. NO. 5

NEW YORK, WEDNESDAY, JANUARY 8, 1941

PRICE 25 CENTS

"Thank you, Hollywood"

AWARDS

won by Lux Radio Theatre
"For Best Dramatic Program"

1935

N. Y. World-Telegram Annual Poll of Radio Editors
Radio Stars Magazine Award
(for distinguished service to Radio)
Cleveland Plain Dealer Radio Poll

1936

Motion Picture Daily Poll of Radio Editors
Radio Guide Medal of Merit
N. Y. World-Telegram Annual Poll of Radio Editors
Cleveland Plain Dealer Radio Poll

1937

Annual Poll of Hearst Radio Editors
Motion Picture Daily Poll of Radio Editors
Women's National Radio Committee
N. Y. World-Telegram Annual Poll of Radio Editors
Cleveland Plain Dealer Radio Poll

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Motion Picture Daily Poll of Radio Editors
Cleveland Plain Dealer Radio Poll

1939

N. Y. World-Telegram Annual Poll of Radio Editors
Motion Picture Daily Poll of Radio Editors
Radio Guide Poll
Radio Daily Poll of Radio Critics
Cleveland Plain Dealer Radio Poll.

1940

N. Y. World-Telegram Annual Poll of Radio Editors
Movie-Radio Guide Poll
Cleveland Plain Dealer Radio Poll
Motion Picture Daily Poll of Radio Editors
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LUX RADIO THEATRE WINS AGAIN!

7th record-breaking year — greatest audience in history of radio drama

Since 1934 acclaimed "the best dramatic program" by radio critics and millions of regular listeners, the Lux Radio Theatre again says: "Thank you, Hollywood!" You have made it possible for the Lux Radio Theatre to bring thrilling entertainment by the finest dramatic artists in the world into American homes from coast to coast. To these artists—and to the hundreds of technicians who have helped "behind the scenes"—the Lux Radio Theatre offers a very special vote of thanks. A "Thank you" to each and every one for his part in making the Lux Radio Theatre the highest rating dramatic hour on the air!

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LOUIS SILVERS, Musical Director,

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VARIETY

VOL. 141 NO. 5

NEW YORK, WEDNESDAY, JANUARY 8, 1941

180 PAGES

MORE CASH FOR FILM TYROS

London Show Biz Under Blitz Portrait Of Fortitude for All Phases But Legit

By Joshua Lowe

London, Dec. 25.—In the Air—In the Bag! That's the sound of public interest during this opening stretch of War II. King Sky and his players rate at figures the Crosley stars see only in a dream. Airforce Blue has come to mean more than a color. It's a masterpiece, like *Yester*, *Gold* and *Jason's Fleece*. Britain's girls are broken out in a rash of wing-brooches clamped close to the heart. He's in the Airforce!

Cinemagoers here are controlled folk usually, considering it indiscreet to indulge in more than a little hand-music when a popular favorite makes the newsreels. Be reserved! But even if that smiling guy on the screen's only in the Volunteer Reserve who'd up it! He's got wings hasn't he? If you're looking for a happy ending on the remake of *Dawn Patrol*, house-reords would have tumbled like Messerschmitts in September.

This airborn heartache got so terrible comedians took to gagging about it when a line failed to clinch a laugh. "I know, I'm not in the Airforce," was their comeback. The "pilot look" was good as a through ticket to Joe Public's heavenly estimation.

In early August, and with a clear sky which to stage the dog-fight game, rooftops were a grand stand perch for London apartment (Continued on page 50)

Shirley Temple and Ma Drawing Down \$3,500 Weekly on M-G Deal

Hollywood, Jan. 5.

Shirley Temple's new contract with Metro, calling for \$2,500 a week for herself and \$1,000 a week for her mother, Mrs. George Temple, has been signed by the principals and submitted for approval of Superior Court. The deal gives Shirley the studio holding the right to release the moppet after that period.

First picture on the Culver City lot will probably be a musical in which she will co-star with Mickey Rooney and Judy Garland.

Young Rathbone Yens To Bag 20 Nazi Planes

Detroit, Jan. 5.

Radion Rathbone, son of Basil Rathbone, declined to pose for newspaper photographers at Windsor, Ont., where he is in the elementary school. "I don't want to pose for any pictures," he told the reporters, "until I have shot down 20 German planes."

Young actor, who had been in the films, once with his father in *Tower of London*, now is training to become a pilot in the Royal Canadian Air Force.

Triple Comeback

Hollywood, Jan. 5. Ozzie Nelson band and Harriet Hilliard check in at Columbia early in April for "Betty Co-Ed," which features Ruby Keeler.

Marks film comeback for all three after a long absence from the screen.

D. of J. Closely Watching Majors' Theatre Actions

Having permitted the major producer-distributors to retain their theatres under settlement of the U.S. anti-trust suit, the Department of Justice is keeping very close tabs on activities of the chains and will continue to do so under operation of the consent decree. Task of supplying all information demanded by the D. of J. and making reports in detail is placing something of a burden on the production companies as well. Those owning theatres—Metro, 20th-Fox, Paramount, Warners and RKO.

Presumption is that the D. of J. will keep a close eye on all companies so that expansion moves do not become too widespread. Whether or not any new wideleasing, change of interest or pooling arrangements may also be investigated is not known, also whether or not reasons given for expansion, building, lease-takers, etc., may be looked into.

There are definite restrictions, under the consent decree, but in the minds of theatre men it is a question of whether they apply fully, in part

(Continued on page 20)

Gold Mudpies for Filmdom's Kiddies; Courts Watch Their \$

Mickey Rooney, Judy Garland, Jackie Cooper, Jane Withers Among Juve Toppers Protected for the Future

Hollywood, Jan. 5. While film studio chets continue to collect grey hairs as they ponder ways and means of pruning the industry's enormous annual outlay for performing talent, the screen's brighter kiddies go merrily their way toward bigger and better financial grab. For instance, Nov. 6 was the eve of another Presidential election of Americans, but for Mickey Rooney it meant an option lift with an accompanying salary boost of \$50,000 weekly.

While most fellows of Rooney's age would consider themselves in seventh heaven if their paycheck totaled that figure for each six days of toil, the increase to the Metro player is merely another drop in his golden pool. Rooney is believed to earn some \$200,000 with his screen and radio work and personal appearances during the next 12 months.

No, does Rooney stand alone in the big money division of what the California legislature and courts, which are doing what they can to safeguard the cinema youngsters' earnings, are wont to refer to as minors and wards of the court?

There's Judy Garland, who recently affixed her signature to a new Metro contract calling for \$2,000 weekly for 50 weeks, an income that will be materially swelled by radio engagements and p. a. work which are performed under the terms of her pact. There's Deanna Durbin, who pulls down \$2,000 weekly for 52 weeks plus a bonus of \$50,000 upon the completion of each of her three annual pictures, to say nothing of her earnings and some \$70,000 each 12 months from advertising tips. There's Shirley Temple, who collected \$185,000 per picture for three features per year, during her last stanza at 20th-Fox and now goes to Metro at \$25,000 a week.

Buys a Lot of Lollipops

And the list goes on and on, building up into fantastic numbers. Jackie Cooper, down to \$1,000 annually for Paramount, rates \$4,000 weekly with an eight-week guarantee on each; Jane Withers receives \$2,000 per week for 40 weeks of the year from 20th-Fox, garners another \$5,000 weekly during her annual eight-week p.a. tour, and further ups the whole with radio broadcasts and advertising tips fees. Bonita Granville nicks the producers for \$750 weekly, which isn't exactly pin money for an ingénue.

Universal's Gloria Jean rates \$250 weekly for 52 weeks per year, while the same studio's Baby Sandy is paid \$200 per week while before the cameras or on call. Both these children, however, average a similar amount from their ad tips, which are mounting with each passing month.

Susanna Foster, Paramount's teen-age wunder, is on the studio roster for \$200 weekly now, after 18 months of \$100. Pint-sized, 17-year-old Baby Burdette receives \$75 weekly, but she is more or less a beginner in pictures.

Members of Metro's Our Gang are paid varying amounts, with the average rating from \$50 to \$75 when he or she works. Reason for the low scale on these comics is that the Gang personnel is constantly changing because of the speed with which its members grow up.

It is to prevent a recurrence of the Jackie Coogan situation that the state's lawmakers and judges frequently lighted up in grueling cinch-pins' trials. Jackie's son, his youth laboring under the impression that he was worth \$3,000,000, as a result of his earlier film chores, but when the day of reckoning, the attainment of his majority, came, he awakened from his dream with little more than \$100,000 left after the smoke of legal battles had cleared. That, too, is practically gone now, leaving Jackie little beyond his current wages for personal and band-leading jobs.

Hold Jack in Trust

Under the laws as they momentarily stand, half of each minor player's income, after deductions for maintenance, attorney and agent

fees fixed by the courts, must go to trust funds for the benefit of winners. However, fathers and mothers of the present crop of screen babies have been more than duly impressed by facts uncovered in the Coogan case, and are more than willing to cooperate with the tribunals having control over their offspring. Mickey Rooney, Judy Garland, Deanna Durbin, Jackie Cooper not only have their trust accounts, but they have also built up savings holding out of the percentage of their income not diverted to trusts. Baby Sandy's entire earnings, both from United Artists and from tips and being sold at the trust fund, Infant's dad, who drove a milk route when Sandy landed in pictures, is still holding down the same job. There has been little change in Gloria Jean's mode of living since she became a b.o. attraction, either.

THE BERLE-ING POINT

By Milton Berle

Hollywood, Jan. 5. VARIETY is 35 years old today—which still makes this subscription available for conscription.

Been writing for this paper for 18 weeks—been paying for this type writer for the same length of time.



I am thrilled the way my fan mail has been pouring in; well, not exactly pouring—it's more of a drip.

Most conversations out here in California start with: "Very nice weather we once had," wasn't it?

It's been raining so much that a life boat and pontoons are now standard equipment on all automobiles.

The only consolation people get out of the weather is that they had a half-inch more rainfall in Florida.

One Hollywood night club used to send its patrons home by cab. Now it gives you a choice—cab if you're brave and motorboat if you're cautious.

Told Eddie Cantor that I would stay in Hollywood as long as the public wanted me. He said: "Berle, I'll see you next week in New York."

New Year's Eve my brother had trouble with his glasses; he had one too many.

California police are the most courteous in the world. They wipe your windshield before handing you a ticket.

Broadway Department

"All in Fun," which had more authors than a Bob Hope script, was panned so badly they should have called it "We Were Only Fooling."

The New York critics liked "Meet the People," the sunkist California revue. Several of the critics were in a quandary whether to call Jack Gilford (my protege) the "last comedy discovery of 1940" or the "first comedy discovery of 1941."

Pai Joe is a George Abbott smash hit, and already tickets are scarcer than bouncers at Jack Dempsey's restaurant.

Night club New Year's Eve reservations were so heavy that the Hurricane management tried to break up Romo Vincent into a table for 12.

George White's "Gay White Way" sounded like a Benny Davis unit, only instead of saying "And then I wrote"—the White show kept repeating "And then I produced."

Hollywoodians

The Earl Carroll night spot advertises "No Cover," and when you see the costumes the girls wear you realize Carroll is a man of his word.

The service at the Brown Derby is excellent, but I think it's going to far when they bring the cow to your table if you order milk.

Saw a picture that was so bad the ushers showed you to your seat walking backwards so you wouldn't have to see it.

When Darryl Zanuck found out how much money the Santa Anita race track earned last year, he wanted to let out his actors and give contracts to horses instead.

After seeing me in the rushes of "Tali, Dark and Handsome," the studio barber dared me to come in for a shave.

Saw a native running down Hollywood Blvd. to buy a car because he had found a parking space.

Women drivers here are getting more careful. Now they only drive in safety zones.

Glad to see the Dept. of Justice step in on the BMI-ASCAP battle. Understand that Attorney-General Jackson sings a pretty good baritone.

Radio Dept.

Heard a band play "Dark Eyes" so badly that they should have used eye drops on the arrangement.

An antique dealer made me a magnificent offer for my radio joke file.

Hangnail Descriptions

Ethel Merman: Patina Hottie . . . Gracie Fields: A bundle from Britain.

Jimmy Durante: The original guy . . . Billy Rose: The man with the Aquarius . . . Samuel Goldwyn: The man nobody knows.

Observation Dept.

An actor out here has been married so long that they held him for observation.

Bing Crosby bought all of his horses a Christmas present. Instead of shoes; they now wear carpet slippers.

One more day of rain and I'll use my cellar to go into competition with Billy Rose.

Maxie Rosenbloom is going east to work at the Hurricane. His ears look as if they were in a Hurricane before.

Eavesdropped at the Grace Hayes Lodge: He's as entertaining as Sally Rand in a racoon coat.

Eavesdropped at Mocambo: He even has a butler to help him into his straight-jacket.

Whatever Became of?

Vincent O'Donnell Blackface Eddie Ross

Fravley and Louise Davis & Darrell O'Hanion & Zamboni

John Ford

Margaret Hayes

Graham McNamee

Philip Merivale

Lou Pollock

Mrs. Edward G. Robinson

David Rose

J. Walter Ruben

Conrad Krebs

Jules Levy

Anna Neagle

Herbert Wilcox

Darryl F. Zanuck

Samuel Goldwyn

Howard Da Silva

Robert M. Gillham

Rita Hayworth

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1941 FILM PRODUCT OUTLOOK

8 Months Yet to Go on 1940-41 Season (Before 'Consent Decree')
And Pix Look Better Than Average

MORE PRE-RELEASING THIS YEAR

POST-MORTEMS OF 1940

**Rhymes Out of the B'way Nursery
For VARIETY'S 35th Anniversary**

By Albert Stillman

1940, or Jukebox Era,
Though dominated by De Fuehrer,
Had its moment or two of fun.
(Fardon me while I think of one.)

That Taylored masterpiece, 'Fantasia,'
Could have been a little jazzier,
Don't you think? (Or am I ratty?)
And I liked only part of 'Panama Hattie,'
Despite the swell Du Bois apparel,
Ethel Merman and Joan Carroll;
But I thought the acting of Betty Hutton
Had all the spark of a Willkie button.

The humor suffered from too much labor
In Jack and Freddy's 'Love Thy Neighbor'.
'Information Please' was pleasing,
Even when O. Levant was wheezing.
The World's Fair came to a close,
But not the Muse of Major Bowes.

They played 'The Woodpecker Song' till it hurt,
Likewise 'The Breeze and I.' (Advert.)
'All Pools Rush In' was considered socks
By Bregman, Conn and Rocco Vocco.

The Sixth Avenue Subway opened, and
So did another orange stand.
The hot spot angels still were squawking.
The Brass Rail strikers still were walking.
Billy Rose made a lot of dough;
Macy had its Annual Christmas Show.
Vaudé, still suffering from a buck back,
Decided not to stage a comeback.

Theatre, movie and cafe society
Renewed their subscriptions to VARIETY,
Artie Shaw, after saying: 'Never
Again' was back as loud as ever.
Rock Robbin' was crowded in Rhumba King.
The right name of G. Swings
Proved an ill wind some good doth bring.
Thanks to the Powers of Hate and Fear,
The Rockettes didn't go to France this year,
Remaining, therefore, to enthral
The patrons of The Music Hall.

Hal Kemp, Frank Tinney and Einar Swan
Left a valid in passing on.
As did America's great showman,
The dean of the theatre, Daniel Frohman.
While Heywood Broun's passing proved indefensible.
The rule that no one is indispensable.
(Men have come and men have gone,
But Uncle Don goes on and on.)

'The Great Dictator,' which might have been faster,
Played at the Capitol and the Astor.
And so did 'Gone With the Wind,' albeit
I didn't have the time to see it.
The ASCAP-BMI affair:
Made a bum of Jeannie with the l. b. hair.
Benny Goodman, ex-killer-diller.
Was blown off the pedestal by Glenn Miller.
Bob Crosby lost his sponsor. Who got?
Mr. and Mrs. Xavier Cugat.

'All in Fun' opened, produced by Stillman.
(Don't confuse him, please, with Stillman.)
At the Lyceum Theatre, East of B'way:
'George Washington Slept Here,' and others, they say.

Who wore the floor out at La Conga?

George Abbott and Madame La Zonga.

Dan Topping got hitched to Sonja Henie,

Each copping a Pretty Penny.

Every week came another Quiz—

Ideas are so scarce in the radio biz!

PM was born, a publication

Appointed solely by circulation.

According to the Herald:

'For Whom the Bell Tolls' was pale and heavy,

Exceeding even the sale of 'Grapes.'

Which had an appeal both to 'brows and apes.'

DeSylva, Buddy and Shakespeare, Bill,

Mopped it up at the b.o. till.

Watts went nuts for Bill Saroyan,

While Winchell found him most annoyin'.

The Hit Parade had fewer hits,

Thanks to the ASCAP-Broadcast blitz.

Cole Porter sailed for—I think—the Indies.

Sam Lewis took a suite in Lindy's.

Winchell kept on giving orchids;

The rich got richer, the poor got more kids.

And as for that 'moment or two of fun,'

Well, maybe we'll have it in '41.

By ROY CHARTIER

With eight months yet to go on the 1940-41 season, after which selling-buying under the consent decree becomes effective, the exhibition branch is generally optimistic concerning the outlook on film. With what is yet to come, the distributors also are looking for highly satisfactory results from various top-budget pictures that are either already completed or in preparation.

Scanning the release schedules as far as dates are set, plus taking into consideration certain pictures that are on their way, the exhibitors and buyers are hopeful that all the predictions and expectations now expressed will pan out favorably. Judging film on paper, however, is not quite as safe as one might guess, although stories, the producers, talents, etc., are important angles for the buying handicapper, in addition to operating reports, often very reliable, that come through before pictures are sent to market.

The increasing habit of pre-releasing pictures long before they are nationally available to all accounts is providing hundreds of exhibitors, not in the pre-releasing column, with a good line on product considerably in advance. In addition to knowing what he is going to get several months ahead, the exhib also is enabled to lay plans more effectively, especially for holiday weeks.

During the past month a representative number of top-bracket features have gone out, some on pre-release, and these, together with further releases, make it appear that the first quarter of 1941 is going to be one of the best experienced in late years.

Pictures

Pictures that get into general and wider circulation between now and the spring include *The Letter*, *Little Nellie Kelly*, *Tin Pan Alley*, *You'll Find Out*, *Long Voyage Home*, *She Couldn't Say No*, *Comrade X*, *No, No, Nanette*, *Flight Command*, *Lady in the Night*, *Katy Foyle*, *Glade Holiday*, *This Is Not a War*, *What's Fair*, *What This Called Love*, *Second Chorus*, *Hudson Bay*, *Victory*, *Four Mothers*, *Back Street*, *Mr. and Mrs. Smith*, *Third Finger, Left Hand*, *Men of Boys Town*, *Philadelphia Story*, *Too Many Girls*, *Night Train*, *Flight of Destiny*, *Virginia*, *Come Live With Me*, *High Sierra*, *Lil Abner*, *Citizen Kane*, *Western Union*, *Road to Rio*, *The Invisible Woman*, *Father's Son* and *Strawberry Blonde*, among others.

In addition the market will receive *Gone With the Wind* on general release and *Charlie Chaplin's* *Without a Modest Term*, latter, without specified minimum admission price. Both of these are contracted for separately rather than under sea-

sonal contracts.

While the pictures about which something is known, or on which some handicapping lines may be made, are possibilities as 'stiffs,' the average opinion is that the current (1940-41) season is going to be better than the prior year of 1939-40. This is despite the fact that many exhibitors and buyers believe the '39-'40 film averaged up better than in many seasons, albeit there were more than a dozen smash hits in the picture. These included a couple of costlier stars like *These Sons* and *Mortal Storm*. Among others that did not show the speed that had been expected of them at the boxoffice on the '39-'40 season were *Of Mice and Men*, *Abe Lincoln in Illinois*, *Howards of Virginia*, *Way of All Flesh*, *Susan and God* and *Queen of Destiny*.

Against them, however, the old season included a goodly number of strong hits, while for the approxi-

mate four months on the new film year ('40-'41), the pace would reliably indicate that the final semester leading up to the beginning of the consent decree and blocks-of-five may strike even a better average.

Some Good Ones

Thus far on the new season have been such draws as *North West Mounted Police*, *A Day in the Life of Billie Sol*, *Boeing, Boeing*, *The Letter*, *Escape*, *Strike Up the Band*, *Little Nellie Kelly*, *Third Finger, Left Hand*, *Tin Pan Alley*, *They Knew What They Wanted*, *Ramparts We Watch*, *Down Argentine Way*, *Spring Parade*, *No Time for Comedy*, *City For Conquest*, *Knute Rockne*, and others of some lesser note which, however, have earned their way satisfactorily. Because of clearance schedules and other peculiarities of the trade, including exhibs who allow film to pile up on them for months, all of these pictures still have a considerable ways to go before being played off.

The same applies to *Charlton Heston*, which is getting bushed on the playbill, which is no fault of the distributor, but the latter follows very often to arrange release schedules, depending upon seasons and holidays, so that a lot of the higher-bracket features fall at the same time. On other occasions there will be weeks of release where the exhib has little to choose from, if it plays close to release and picks up pictures immediately after they are available. Sometimes, also, there will be twice as many films on one week of release than there is on another.

The studios make an effort to space the big pictures as judiciously as possible, but time-back on film may leave a company without anything of particular value for a month or more at a time. Producers releasing through United Artists have complained at times that the company will have nothing for a long spell and then break out at once with several films bunched.

Pre-releasing has to some extent avoided the conflict which previously occurred among the distributors. There has been more of that practice during the past year than ever, partly, perhaps, with a view on the part of the distributors to get more out of the pictures through higher admissions and extended runs.

The market is held by Par, Inc. and North-West. *Mountain* is held by Paramount. The company started pre-releasing the film a couple of months ago at advanced admissions in all engagements and is understood to have run up the terrific total of 750 such dates. In doing this, Par also pulled the picture off for any engagement two weeks before Christmas, this in turn providing a justifiable protection to the theatre pre-releasing the film at higher scales. *Boom Town* was among other pictures pre-released during 1940 at increased prices. So was *All Men Are Heaven, Too*. It is a policy that will probably extend even further, but just how it will work under the consent decree is a question at this time.

The distibutes have been getting extended runs to an appreciable degree during the past year, especially for the pictures that deserved added time, and likely the balance of this season will see an even more marked trend in that direction under the constant campaigning of the sales forces in wringing all there is out of film. Subsequent run operators very often complain about extended runs up front and on so-called moreovers, but the economic fact is that the film companies must rely on first runs to get the exhibs that they cannot make dangerous sacrifices to them. Anyway, the second run never will like the 'breaks' the first run gets, the third won't like the advantages of the guy ahead of him, and so on down the line. Any subsequent, however, is in the position where he must do the best he can with the film he gets, the clearance over him, rentals demanded, buying power of the opposition, etc. The consent decree may ease his problem, however.

This Is How New Income Tax Rate Will Affect You

More than 2,000 Americans who have never been liable for Federal income tax will file returns on March 15 for 1940 earnings. Many of these will come from the amusement industry.

The new income tax legislation enacted during 1940 and retroactive to Dec. 31, 1939, lowers the tax exemptions of both single and married persons and greatly increases their tax rates.

Personal exemption of a single person has been reduced from \$1,000 to \$800. Married persons and heads of families will be allowed an exemption of \$2,200 instead of \$2,500.

In most years it is required to file if his net income was

\$1,000 or more; if his gross income is \$800 and \$2,000 if married.

Surtax rates have been increased in all brackets from \$6,000 and up. Tax rates on non-resident aliens has been increased to 15%. It was formerly 10%.

In addition to the increase in normal tax rates, there is a special defense tax called a surtax—an additional amount of 10% is superimposed. Where the normal tax is \$100, 10%, or \$10 is added.

The following table will give some idea of the increases for 1940 over 1939. Increases range from 60% to 265%.

Net Income	Tax Paid In	What you will pay in
1939	1940	In
\$1,000	\$358	\$440
2,000	\$32	44.40
3,000	68	83.60
5,000	140	171.60
7,000	292	343.00
9,000	464	558.00
12,000	762	968.00
15,000	1,104	1,476.20
25,000	2,804	4,522.60

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Tax Paid In

What you will pay in

In

1939

1940

1940

WRIGHT TO HANDLE U.S. SUIT VS. 'LITTLE THREE'

Robert L. Wright, special assistant to the U.S. attorney general, will try the Government's anti-trust suit against Columbia, United Artists and Universal, which is scheduled to get under way in N. Y. Federal court in the spring. James V. Hayes, who had replaced Paul Williams as head of the Government's prosecution staff, and who was mostly responsible for the consent decree with the five producer-exhibitors, will not be associated with the film, any more.

Of the original Government staff, Wright, Seymour Simon, John F. Clark, Edward T. Davis and J. Frank Cunningham are all that are left in the film suit who will be associated with the trial of the action against the "little three."

The Government expects to get its suit started against the trio by May at the latest. It was stated by a representative, that the Dept. of Justice feels that despite the fact that Columbia, UA and U have virtually sold out, the film seek to delay the trial, that Judge Harry Warren Goddard will not look kindly at a delay and will force a trial before summer.

NO FUN FOR HER

Hollywood, Jan. 5.—Greenwood, draw a straight admits she is a prima donna. Technical musical, at 20th-Fox.

Filming starts in three weeks, with much of the shooting slated for Florida.

MORE ACTIONERS, MUSICALS FOR '41-'42

Frontier Justice On WVMA Time

By GROUCHO MARX

Hollywood, Jan. 5.

I don't remember the name of the town. I think it was Burlington, Iowa. But it could have been Cedar Rapids, Sioux City, Decatur. It doesn't make much difference. They were all hokey-pokeys, and I guess they still are. I remember the name of the manager. It was Jack Root.

At one time he was heavyweight or light-heavyweight champion of the world. He had beaten Marvin Hart at Fort Erie, and after he retired, or got knocked out, whichever it was, he became manager and (I think) also the owner of this theatre.

This was part of the Western Vaudeville chain, and comprised a group of moth-eaten theatres from about where Mozart ended and Pantages began. We were doing a tabloid, eight men and 12 girls, a carpenter and musical director. We got \$900 for the whole setup, unless it was a cut-wait, which was the week before Christmas, and I felt pretty happy that Monday morning as I walked into the side door to rehearse the orchestra. I

had on a dark suit, a white shirt, a black velvet hat, a cane, and the best 50-cent money could buy. I strolled to the mailbox to see if that telephoned dame from Bloomington had answered my letter. Suddenly, a burly figure loomed out of the darkness and pointing a finger at me said, "That'll cost you \$5. Don't you see the sign?" It says, "No Smoking". It was so dark I not only couldn't see the sign, I could barely see him.

He'd always been a nice kid. The tales of Jack Root in Burlington were legendary. The performers were all on to him and afraid of him. He was a tyrant and big enough to back up anything he wanted to impose. Now \$5 was a lot of money. It was a day's salary for me, and I didn't intend to relinquish it without a struggle. The music rehearsal over, I went back to the hotel and woke up the boys. We held a council of war, and decided that unless he consented to reduce the fine, we wouldn't go on. The curtain was scheduled to go up at 2:30. At two o'clock we were all in the cellar in our dungeons, then humbly called dressing rooms. We got into our stage clothes, slapped on our makeup, and then sent for Jack Root. There he was, looking for us. He was sweating, his face was red, and he was afraid of hell, and we had a handfull of blackjacks. A heavy knock on the dressing room door, and there he stood, the former heavyweight champion of the world. Chico, the oldest, acted as spokesman. Taking a firm grip on himself he said, "Mr. Root. Unless you cancel that \$5 fine, there ain't going to be no show. We're not going on."

Root said, "I have a rule in this theatre, NO SMOKING ALLOWED. I caught your brother, Groucho, smoking and I fined him \$5. That's the law of this theatre, and it stands."

Chico hollered out to the company, "OK everybody. Take off your makeup and costumes. We're leaving."

By this time the overture had been played and a packed house (we always were a draw) in Iowa were beginning to stamp their feet. Root was a big bully, and he knew we had him.

"No, wait a minute boys," he pleaded. "You can't do this to me. I'll have to refund all the money at the boxoffice."

We answered, "As long as the fine stands, we don't go on. Now, take your choice."

We were bluffing too. We couldn't afford to lose the four days' salary, \$500. Then Harpo, the Chamberlain of his time, spoke up. "I'll tell you what we'll do. We'll pay the \$5, if you pay five, and we'll take the \$10 and throw it in the Salvation Army pot on the corner."

Rather than lose the afternoon's receipts, Root yielded and the show went on.

We were leaving Saturday night for our next jump, and from the time the last night's show was over we had a margin of about 40 minutes to get dressed, pack to the depot, and check our baggage. When they brought the salaries back, it came in four big canvas bags, each one containing \$125 in pennies, and each bag had to be counted. We barely made the train, and as it pulled out of the depot we wished on Root every curse four young fellows could think of, including the Scandinavian. We even hoped his theatre would burn down. Two weeks later it did, and to the ground. Ah, those good old vaudeville days.

CAN'T FIRE MANAGER, ASK ARBITRATION

Lakewood Amus. Corp., operators of the Strand and Palace theatres in Lakewood, N. J., will apply to the N. Y. State court of common pleas (Thurs.) to appoint two arbitrators and one umpire in a dispute between it and the manager of the theatres, Barney Ferber, whom it seeks to discharge. Under terms of a five-year contract at \$2,954 yearly which was signed with Ferber Aug. 18, 1938, it could not discharge him unless with the consent of Dr. Henry Brown and Morris Schulman.

On Dec. 10, after an exchange of letters, the latter refused to consent to the discharge of Ferber and has consistently refused to agree to any of the dozen arbitrators offered by Lakewood, who have also rejected the four men proposed by Schulman. The court is therefore asked to settle the dispute by appointing the arbitrators.

Hunt Yarn for Betty

Hollywood, Jan. 5. Betty Field takes leave of Broadway for a brief stanza to make a picture at Paramount. She checks in May 1.

Studio is hunting a yarn.



PETE SMITH

COMMENTATOR-PRODUCER

Who today completes his one hundred and fiftieth short for M. G. M.

Also Plenty of \$100,000 To \$150,000 Pictures, Although Program As a Whole Still Vague

By BOB MOAK

Hollywood, Jan. 5. Shriveled foreign revenues, anaemic domestic grosses and the general confusion generated by the 'big' decree's signification of the consent decree, to say nothing of America's own epidemic of war jitters, have compelled to throw more men into the key-wrench into the business of drafting 1941-42 production schedules. While the dawn of a new year usually finds studio chiefs more or less definitely set as to what stories will be included on the ensuing season's slate, they are today as far from a decision as they were six months ago.

Only two things appear certain as far as is written now:

1. That shooting schedules will be the most flexible ever adopted by the talkie industry, with the vehicles being docketed from week to week as the stanzas advances, thus permitting producers to keep more closely in step with changing public tastes in screen material.

2. That actioners, musicals and comedies will remain in many instances backgrounders for the U. S. Army, Navy and Air Corps, will predominate the lineup.

3. That 1941-42 will go down in cinema annals as the 'year of the great experiments'—experiments in plot formulas, in lensing and sound recording methods, and in extremes in budgets, with each of the majors turning out a group of \$100,000 to \$150,000 pictures to travel alongside their \$1,000,000-or-more offerings.

Actioners and Tuners

Sagebrush, shagbark, infant-torpedo, rifle, artilleryman's cannon, dreadnaught's big guns and aerial bombs will contribute toward making 1941-42 a rip-roaring year. Then, too, there'll be plenty of a horde of warblers to further noise up the silversters.

Every studio will lean heavily on western films, some of which will be placed straight and some for laudable reasons, committed to giving the atagoers their all of hard riding and dense powder smoke. Responding to Uncle Sam's plea for aid in enrolling the general public behind the national preparedness drive, these same lots will also push forward a flood of pictures carrying martial atmosphere. Besides, there'll be an output of comedies and musicals of the type designed to help satisfy the growing appetite for escapist fare.

It used to be that players graduated from hoss operas to drawing room vehicles, but the new historic educational method seems to be the reverse. Trend that put James Stewart, Robert Taylor, Franchot Tone,

(Continued on page 20)

Exploitation, Good and Bad

By TOM GORMAN

(Midwest District Manager for RKO Theatres)

Bill it like

"Exploit, it to the nth degree!" "Give it everything!"

Chicago, Jan. 5.

How often one hears these exclamations in the picture business. Particularly from people who have never been connected with a circus and probably think a "razorback" is some sort of an animal, and "hood of paper" is used to roll one's own cigarettes.

In the field of exploitation, or whatever one wishes to term it, instead of the misconceived idea that consistent publicity has been secured for the circus by loud and blatant methods, it should be realized that space in the daily papers, magazines, etc., has been secured for so many successive years only by the fact that circus press agents were men who made invaluable contacts year after year; men whose arrival in advance of the annual tours of the stars, and such, was anticipated by everyone they contacted. These acquisitions, these friends, were well known.

In other words, what the writer wishes to call attention to, is that film companies sending exploiters out into the various territories, in many cases miss the target by a wide margin. So many times these men are on short assignments, typical "First-of-Mayers" in every sense of the word, who are going to show their boss in New York, who possibly has never been in the town, what they can accomplish. In the first place, the theatre manager in any town has established friendships and connections with the press by hard, diligent work. He knows what the papers want and will accept. He plays golf with the dramatic editor, has social contacts; yet, so often, when the additional assignments for the various picture companies arrive in the town, probably for the first time, they immediately attempt to dictate to the theatre manager what kind of copy to use, what kind of exploitation to employ, and tell him how they knocked them dead in Oshkosh the week before. This leads to a very unhappy situation. Mr. Johnny Newcomer exploiter can't undo in one day in a town what it has taken a theatre manager months and months to establish.

Every company representative knows, of course, that the film he represents is the biggest and best ever to play the town, and sets forth the most extravagant claims for the attraction despite the fact that the theatre operator, who can both read and write, knows that the film everywhere, particularly in certain sections of the country, has not been a bloomer. Now, if Mr. Theatre Manager has the confidence of his press, and other people he contacts for advertising purposes, why should he not be honest and not go overboard, at least not extravagantly.

If there is any industry that is oversold if it is our business, which sells everything in the same extravagant way, Theatres are happy to share, up to an equitable amount, with the companies in extra advertising cost, but the local theatre manager or operator should certainly be the most capable judge of the amount of space, that will be effective in his territory, or rather in his situation.

The Other Side

There is, of course, the other side of the situation, sometimes justified, in which the theatre operator does not give the support to a picture that he deserves, but because of unfortunate circumstances the onus should not be placed on the theatre operator.

That the readers may not be led to believe that this writer is an "Adam Sowerby" type of manager or publicist, let the writer state that some of the film companies have secured the services of some of the outstanding press agents and showmen of the country. Never with organizations that are manned by such capable people does the theatre operator experience any difficulty. It is the Broadway-minded type who have never trouped who cause irritation and vexation to theatre operators.

Huge ads can be purchased and everyone can send in tear sheets and say that they made a whale of a showing, but the writer is firmly convinced that so far as the theatre operator is concerned, the exploitation press who plants his stories, effects tieups with radio stations, etc., and principally does it through his efforts and not with a large expenditure of money. In many situations the theatre managers have been able to effect radio tieups with local stations on a trading basis, equitable and helpful to the station and the theatre, and which do not call for any great monetary expenditure on the theatre's part. So Mr. Exploiter decides that they should immediately spend quite a large sum with the radio station to put over his picture.

Putting Managers on Spot

Now, that's all fine, but how can Mr. Theatre Manager go back to the radio station to secure publicity through a mutual tie-up without spending money after this precedent has been set? These are the tieups that theatre operators must protect. This is another illustration of tearing down in a short while that which has taken long, hard, diligent work to establish. The result of this is that the theatre operator is put out when it is all said and done that all revert back to the old rigid fundamentals. This is the same as the dramatist who wishes to construct a new play; only a limited number of plots or situations are at his disposal. So it is with exploitation stunts. Many of the oldest ones can be revamped and proven to be the most successful. The main thing in the writer's opinion is to establish the "entente cordiale" with the newspapers that are; when all is said and done, the means of either making or breaking your campaign, and one should never abuse their confidence.

The writer is very happy to remember on one occasion that one of the film critics here in Chicago called me on the phone and said "Tom, I want to see your picture tomorrow morning before I want to give you the review." I replied, "Rejoice, my friend! You don't want to review my picture coming into the 'Blank' theatre, it's a knockout and will give you a great story." It is a terrific picture, and mine, I'm sorry to say, is quite ordinary.

The critic said, "Just a minute," turned aside to representatives of the theatre in which the picture I recommended was to play, and informed them what I had said, and afterwards told me that she suggested that this would be an excellent example for them to follow.

Jeffrey's 13 Features And 13 Shorts Plans

Yours' for Oberon

Hollywood, Jan. 5.

Merle Oberon has been set by Warners for the top femme spot in "The Mystery of Oberon." Male interest is Dennis Morgan.

Lloyd Bacon is directing and Hal Wallis supervising the production.

George S. Jeffrey, veteran distribution official who has formed his own producing-distributing company, plans 13 features and 13 shorts for this year's release independently. The first is "Cavalcade of Faith," a documentary, which also has Spanish language and Italian versions. It was made partly in Rome and partly in South America.

Jeffrey was for many years with Paramount, United Artists and other companies in important sales capacities. He is president and gen-

eral manager of Jeffrey Pictures Corp., which has been incorporated at Albany. Robert E. McIntyre is v.p. and sales manager, while Allyn Butterfield, v.p. and production manager, was for many years with Universal. M. E. Jeffrey is treasurer and Lee Kugel, ad-publicity manager.

THE PERENNIAL WESTERN

The '20s and 'Variety'

By CLAUDE BINYON

I saw Broadway for the first time in 1927 as a supposedly world's Variery mugg. The strain of acting that part can never be outlived. There are so many things I don't want to forget:



The night, for instance, that I reviewed my first legit. It was a lousy little show and I walked from the theatre toward the Variery office anxious to start a devastatingly witty review of the flop. Somebody whistled behind me, so I stopped and waited. It was Walter Winchell.

"How you gonna handle it?" he asked.

"Just rip into it," I said, "guesstimated."

"The guy who wrote that shite," said Winchell, "came 500 miles to see it open, but he missed it. He's a TB, and the excuse to hit him so hard he couldn't leave his hotel room. And every cent his family had was put into that show to make his dream come true."

I swallowed. "That's tough," I said.

"Let's not make it tougher," Winchell said.

I went to Sime and told him the facts. "Do whatever you want," said.

My debut as the newest and best of the devastating critic was postponed. My review might have been written by Elsie Dinsmore. But Sime printed it, and I felt good anyway.

Saga of the Office Cat

There was a pet cat which wandered throughout the Variery building—it lived on mice and hamburger and had a fondness for all guys, old iron-pus Pulaski (Ibeey). One night Arthur Caesar dropped in to regale whoever would listen to the latest humor from Caesar. In the midst of an animated recitation he stepped on the cat and crushed the life from it.

We all looked at Pulaski. Pulaski looked at Caesar. For the first time in his life Caesar didn't finish a story. He walked out hurriedly.

From Burleyton to Wall Street

The crash had happened and things still were jumbling about us as Syd Silverman assembled the various Wall Street and Broadway reports into the lead story for page one. All of us were at the print shop and Syd asked for help in writing a head for the crash story. I submitted "Wall Street Lays An Egg," and Syd used it. What's more, he congratulated me.

What I've never mentioned till now is that earlier in the week, for the burlesque page, I had written a head for the failure of burlesques in some theatre. "Burlesque Lays An Egg," it said. Frankly, I searched the proofs to change that head before press time. I couldn't find it—until the paper was on the stands. And there it was, right in the middle of the burlesque page.

Fortunately nobody was reading burlesque news anymore.

Ex-Leyman

Dissatisfied with the amount of news being gathered, Sime ordered all of us to give him a list of news sources. Later he posted them:

I was the talk of the office. I had one news contact—a producer of stock plays. I waited for my dismissal.

Sime took me off the street and put me on the editorial desk.

After I had served my apprenticeship, Sime told me I could have a signature for my reviews. I chose Bingo. Sime said to me use one with four letters, so I compromised with Bing. Then Bige Joe Bigelow) got his first chance to review a big show and it appeared in Variery under my signature. Bige squawked and Sime changed Bing to Bang.

Cause and Effect

We'd put the paper to bed Tuesday afternoons and then relies to a downtown speakeasy for nourishment. Every Wednesday morning, without fail, I'd wake up with a splitting headache. And all I'd ever had was a mixture of beer and ether.

Confidential Hits

As the then music editor, Abel Green, gave me photograph records he'd reviewed and didn't want. My wife and I used to wonder why nobody knew the songs we hummed.

Moral

There was that young mugg from Canada (what was his name?) Mori Krushen—Ed, who, in his review of a vaudeville bill, said that the guy with the red wig in the acrobatic act wasn't fooling anybody with his female impersonation. The whole act barged into the office indignantly. Yes, thug with the red wig was a woman.

I learned early. Never pan an acrobat.

Guilt

The vaudeville and night club trio of Clayton, Jackson and Durante put pickets in front of Variery building in protest against the sheet's description of their act as "lousy." Variery reiterated the charge and the act finally pleaded guilty.

At least it gave the pickets a little work.

Plagued Note:

The Variery building nestles against the rear of Loew's State, and the advent of talking pictures into that theatre was a real tragedy to the Variery muggs.

None—and possibly forever—was the sweet organ music waltzed into the gents' room.

Surefire Touch

There was that bum who used to wait in front of the office for his daily handout from Sime. When Sime was

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'Bill, You and Slim Go Thataway, Me and Sam'll Take the Short Cut and Head 'Em Off'—Mesa Mellers Through 30 Years

By HENRY MACRAE

(Universal producer, who has been directing and producing sagbrushers for 30 years.)

Hollywood, Jan. 5.—If nothing else were needed to stamp Thomas Alva Edison a genius, the fact that he invented the western picture should be enough.

Edison didn't know he was inventing an art form when he made it. He was too concerned with his experiment to give much thought to what he was starting. He was attempting to tell a story via motion pictures—something that hadn't been done before.

The picture was, of course, "The Great Train Robbery," made in 1903. It was the first dramatic motion picture ever filmed in America, and, unerringily, Edison had selected a plot form that was...

For "The Great Train Robbery" had all the elements of the present-day western—or, perhaps, I should say the present-day westerner—or, perhaps, I should say the elements of the Great Train Robbery. Guns, horses, shooting, action, adventure—the screen hasn't anything to compare with that formula when it comes to downright entertainment. Every boy from 6 to 60 loves a horse, a gun, the movement, the excitement, the thrilling chase. A stagecoach drawn by 12 horses, galloping along a rocky road, with the bandits in close pursuit—that's something. I love it myself and never tire of seeing it on the screen.

Broncho Billy and King Baggott

Two men, actors in "The Great Train Robbery," were destined to become famous in the movies. One, "Broncho Billy" (George M.) Anderson, became the screen's first western star. The other, King Baggott, became one of the movies' first dramatic leading men, and later, a director of western pictures. Among others he directed William S. Hart—Twice, in fact—in "Tumbleweed."

The pattern of western hero set by Broncho Billy also has endured. Dashing, heroic, two-fisted, he was a fighting buckaroo. When Broncho Billy galloped to the rescue, with his nickelodeon pistol drumming out "Pony Boy, Pony Boy," it was the big thrill of the early days of the cinema.

Tom Mix appeared on the scene along about 1910. He was real westerner. He came out of Oklahoma with a bunch of Indians in tow, and reported to the old Selig Polyscope studio in Chicago. He was offered a job at \$100 a week, but he wanted \$500. His first week's salary, Mix thought there was something crooked about the whole deal. He had supposed the quoted salary, \$500, was on a monthly basis. Col. Selig had to talk fast and convincingly to prevent cowpuncher Mix from high-tailing it back to Oklahoma, away from a business of such suspicious nature that it could pay a cowhand a month's salary for a week's work.

Two-Gun Bill Hart wasn't a westerner. Bill was a stage player, and he got his initial movie experience when he came west to play in the screen version of "The Spanish Main," a role he had played on stage. Bill, a tall, dark, dashing fellow, was the screen's first big "western." Billie directed "Two-Gun" subquiet was fastened to him because he was the first big western hero to wear his guns in pairs.

Gary Cooper, Will Rogers, et al.

There always have been western heroes. Fred Thompson was a great one in his day. Gary Cooper got his start in westerns and made another of the "biggest of its kind"—"The Virginian." Will Rogers was a western star, though he didn't play the dashing buckaroo character. Will's westerner was a rural philosopher. But Bill could rope better than any western actor who ever lived. He was the world's champion.

And there was Hoot Gibson, Jack Hoxie, Harry Carey, Ken Maynard, and a host of others. We've got 'em today—Buck Jones, John Mack Brown, Tex Ritter, Dick Foran, Gene Autry, Roy Rogers, and the western is going stronger than ever, packing them in from New York's tenement district theatres, down to the once-a-week houses along the Rio Grande, and in foreign lands where never a cow-pony has grazed a larval throw or a calf branded. England and France and the Continent are (or were) crazy about them, and France and the Continent are (or were) crazy about them, and crazier things still. There they're the favorite form of movie entertainment in Japan, South America, and Australia, and gaudy Mexican peons and hidalgos and the fans in the Antipodes love 'em. The Chinese, Malays, and the East Indians don't care so much about them though. They're a too-peacock race, I guess.

Stars have come from westerns to straight dramatic pictures, and at least two, Richard Dix and Bill Boyd, have reversed the process, going from straight drama—"westerns." Dix starred in "Cimarron." Boyd is riding the western movie trials as Hopalong Cassidy.

Plenty of now-high-powered directors have swung a megaphone in the medium of westerns—Woody Van Dyke, George Stevens, Fred George Marshall, Alan Dwan and Lloyd, among others. It was great training for them. They learned to pack a lot of action into small footage. Even today there's more action and less dialog in a western than in any other form of screen entertainment.

Western Ideals Haven't Changed

The original format for the western hasn't changed much in 30 years. The hero is athletic, forceful, vigorous and dominant. He is gentle with his hose and his women folk. He must not smoke, drink, abuse women or animals. He mustn't shoot to kill—only to wound his opponent. A favorite spot to plant a shot from his revolver is the back of the forest or ledges above his adversary. He mustn't commit crime and he must be the deadly foe of rustlers, road agents, rascally sheriffs and crooked gamblers. He has to go light on the love-making, for he's a strong man who hides his emotions. And besides, the kids (from 6 to 80) don't care much for

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The Case of the Brooding Book Publisher

By BENNETT A. CERF
(President of Random House)

It seemed to me that my friends in Hollywood were spending all their time writing ads to tell the palpitating world where they were writing, challenging each other to debates in the Bowl, which I gather is the Hollywood equivalent for Macy's window. I was surprised and pleased therefore to learn that many of them had time to read a piece that I wrote for a recent issue of The Saturday Review of Literature entitled "What's Wrong With Authors." Some of them misunderstood my article, so I'd like to explain a little more fully.

There is practically nothing wrong with authors. I said that a good stamp in Hollywood wouldn't cure, I continued:

Until a sweeping readjustment takes place in values in the picture industry, it will be impossible to interest enough in either books or book publishers to regard them as much more than little way-stations on the royal road to Beverly Hills. Publishers as well as authors have made a lot of money out of motion picture rights, and I don't want to appear to be crying sour grapes just because an industry that does a gross business about 100 times bigger than ours needs the same raw material that we do, and can afford to pay so much more for it.

But how can a sane sense of proportion be preserved when a lot of wornout old hacks who haven't written an honest word or thought an honest thought for 10 years can earn a cool thousand dollars a week? And don't the authors draw salaries and newsmen whose first novels are still wet from the presses are offered contracts that make their total earnings from their book rights look like a lunch check at the Automat? Today the studios don't even wait for a book to be published before they are on the trail for its author, if he shows sufficient promise. One of our most recent discoveries sent the typewritten manuscript of his book to the Coast a few weeks ago—and sold it. All that the book will have to do is to earn as much for him as he received from Hollywood is to sell about 75,000 copies.

The thing that an author wants most from his publisher these days is a letter of introduction to Darryl Zanuck.

Until Hollywood ceases to hold such an irresistible allure for every man who can write a book it will be hard for a publisher to tell what is wrong with any one particular author because he doesn't see him long enough.

There is nobody to blame for this state of affairs. So long as Hollywood continues to offer authors salaries far greater than they could possibly get anywhere else so long will all but the most uncompromising rungs out at the first opportunity. And the fact is that motion picture money today is almost as important in the book publisher's scheme of things as it is in the author's.

Stay Away From Hollywood If You Would Do Some Worthwhile Writing

In brief, there are two things that I think would clarify the whole relationship of the picture producers, the author, and the publisher. First, I believe that the legitimate book author should maintain his permanent residence in New York, or wherever he happens to come from, and regard his work in Hollywood as temporary. Once he gets his family to the Coast he becomes, in effect, a screen writer, and the odds are 10 to 1 that he will not write another really good book until he comes back home.

I could give many examples to illustrate my point but you know them just as well as I do. Furthermore, I think that the author would gain rather than lose from a commercial point of view by keeping away from the Coast just as long as possible. Producers are more and more eager to buy the rights to every successful novel published, and in comparison to what they pay for originals, the prices paid for some recent novels are almost fabulous.

This brings me to my second, and most important, point. When are the book publishers of America going to have enough common sense to make some basic agreement with The Authors League to establish once and for all a fair division of motion picture rights?

The theatrical producers did it long ago. In the book business, however, every separate deal involves a new battle.

Leading authors have been able to freeze their publishers out of picture rights altogether. On the other hand, many unknown writers, in their eagerness to have their first book published, have allowed themselves to be shamefully imposed upon. I think that a publisher is entitled to some share in the picture rights of every book that he publishes. In the case of even the greatest hits, this is a reasonable share of the success of the book by his advertising and exploitation. I notice that the agents who protect most bitterly against such a suggestion still get their 10% of picture sales. Certainly the publisher is entitled to at least the same cut.

If a basic agreement could be reached, setting the publisher's share of picture rights at a range of 10% minimum to 20% maximum, I believe that the greatest source of irritation between the authors, the publishers, the agents, and the producers would be eliminated once and for all, with a resultant saving of time and temper that is incalculable.

That gleaming axe in the corner of my office? I'm saving it for the next author who comes back from Hollywood with the manuscript of a sleazy tome that he has ground out between picture assignments, and deposits it on my desk with a condescending "Cerf, it cost me about \$110,000 in salary from M-G-M to do this for you . . ."

NUTS TO NOSTALGIA

Ex-'Variety' Mugg Jack Lait, Now Editor of the N.Y. Mirror, Salutes A Formerly Lusty Chi

By Jack Lait

They tell me in Hollywood and on Broadway that the surefire theme today must be "nostalgia."

For the 100th time or so, I just stopped between trains, between coasts, in Chicago. To one who was long a passionate and professional Chicagoan, my old bug grubs me in not alone nostalgia, but the weird creeps of jaywalking through a graveyard.

The town is big, thriving (I suppose), sprawling and streamlined. But its soul has passed. For, from short-pants days there, I was thrown in with its newspapers and theatres and the Loop; And of these, the spiritless skeletons rattled in rusty retrospect.

It was a gay town, big-time, individual and self-contained. We downed our bourbon at the bar. To us Chicago was the biggest and liveliest city on earth. The stockyards smell filled our lusty lungs. We loved and we lived, we played and we worked; in a community of millions, everyone who was anyone knew everyone else who was someone—and that was determined not by money or position, but by personality and enthusiasm.

13 Newspapers Had Chi.

When I sold newspapers, we had 13 to sell—seven morning and six evening. Now there are four—one morning! Local news was king. We looked on cable-stuff as hunks of nothing chiseled out of valuable space that could and should have been used to tell about all that mattered—Chicago. For a paragraph we offered our lives. We served our city editors with keenest zeal than we gave to our flag or our Deity.

A fire on Wabash Avenue was more important than a war in Warsaw. And the shudder of a

Good Friday in Chicago is just big Fort Wayne, with standardized chain-store and prepared-package protective coloration blending into the drab national picture. It's smart to be respectable, conventional and methodical. That may be for the best—but it's not.

And a Mess of Vaudeville

Those were the days when we had three two-a-day vaude at the Haymarket, Chicago Opera House and Olympia. We had a couple of dozen real houses and playhouses, the better attractions well known, always home-made shows that the town supported, good or lousy. A Chicago dramatic critic was a national figure, and when he came to New York the Beloses, Haymans, Woodses and Erlangers came down off their thrones.

We had a season of family-time vaudeville, in the city limits and Jim Wingfield could book you a year of

'SKIP' WESCHNER HEAD OF UA EXPLOITATION

David E. "Skip" Weshner, who was named last week to head the United Artists exploitation department, will take over the reins next Monday (13). His resignation as zone manager for first-run and key nabe theatres for Warner Bros. in Philly becomes effective this Friday (10). He held the post since 1934.

Weshner moves into the spot vacated by the personnel departing to UA pub-ad head following the departure of Lynn Farnol. Greenthal, it is said, was given a free hand and a money-is-no-object carte blanche to select his successor, with the result that his choice has won unanimous approval of UA execs and producers alike.

Before joining WB, Weshner was public relations representative of the Samuel Goldwyn chain of 60 theatres; production manager of Action Pictures in Hollywood; pres. of Weshner-Davidson Advertising agency and editor of Motion Picture Post.

Only step in reorganization of the UA publicity remaining is the naming of a head of the Hollywood bureau. Appointment is expected within a week or so.

Gable Succeeds Weshner

Philadelphia, Jan. 5. Maurice Gable, manager of the Stanley-Warner Boyd, named manager of the central city district for the chain to succeed "Skip" Weshner. Gable has been associated with Warners for the past 10 years, most of the time as manager of downtown first run houses.

BARBARA ON A BIKE

Hollywood, Jan. 5. Barbara Stanwyck bicycled from Paramount to Warners to finish two pictures in one day. First job was a sizzling sound track shot for "The Lady Eve" at Par.

Second was a new ending for the Frank Capra picture, "Meet John Doe."

one and two-nighters without asking New York's permission. We had a dozen long-lived producing units and song-publishers of our own and Chicago was a metropolitan center, not an outpost. The big theatres were home-owned and the owners were mighty figures there and anywhere.

We had cafés known around the globe—De Jonghe's, Schlog's, Vogelsang's, Kuntz & Remmler's, the Red Star, the College Inn, the Bismarck, Henrici's. Some are still there. But they are not known around the globe now.

And Lots of Other Things

We had the best liquor, the worst grafters, the most notorious, the lightest, the briskest breezes, the prettiest crooks, the prettiest killing and the prettiest homes on earth. We did more work and downed more hooch than any community could match. We loved our families though we didn't see much of them. We had never heard of a hangover, we kept the faith with one another, and we laughed at the dudettes from New York who wore gloves and spats and ordered cocktails; we never ordered at all—the barkeep smiled and shot the bottle down the bar.

I knew more important people when I was a ragged 21-year-old reporter in Chicago than I do now. And friend, independent, robust, joyful, fearless, free-swinging individualist—sentimental, hard-boiled, a song in my heart and brass knucks in my kick. Tomorrow bothered me none—I had a lot to do today. And Chicago would take care of me, no matter what. The town was my mother. I fought for it, took from it, gave to it and was safe in its arms.

But Also Its Own Code

When I was making \$20 a week I could pass the hat up and down Randolph Street and borrow \$10,000. When I was making \$25 a week I owned the Sherman House \$1,700 on tabs. Today they tell me if you don't pay off in Chicago, they croak you. If those days they just wouldn't talk to you. That was enough. You had to play fair in your own yard.

Any time I didn't like my job or my job didn't like me, I could walk across the street and hang up my hat. We all knew each other and all respected each other. I once punched my managing editor's nephew in the nose and before the editor knew about it I was on another paper—didn't want to embarrass my boss; he was a good guy.

I moved among the gangsters and thieves free and unafraid. I wrote the inside. They knew I had to and that it had to be. I never heard of a newspaperman being hurt before Jack Lingle—who once was my copy-boy; he matured in a later period and worked differently, or he wouldn't have been shot, either.

We might be battling the mayor, but I had the private number of his gal's fat and could raise him at the private number of the night—and get my story, too. He knew I wouldn't lie about him or tip off private stuff to break up half the better families in town. They didn't worry

There will never be again a Chicago as I knew it, for it had all the cosmopolitan attributes of a world center and all the neighborly homeliness of a village. It was unique, its growth and not a system.

Nostalgia? Nonsense!

Berkeley's 'Ziegfeld' Flash

Hollywood, Jan. 5. Busby Berkeley will create and direct two dance numbers for Metro's "Ziegfeld Girl" before he starts direction of "Lady Be Good" on Culver City lot.

Production numbers will be built around the ditties, "You Stepped Out of a Dream" and "Minnie From Trinidad."

Six Sealed by 20th

Hollywood, Jan. 5. 20th-Fox handed out new contracts to a director, a cameraman and four players.

Director is Irving Pichel; cameraman is Leon Shamroy, and players are Joan Davis, Laird Cregar, Robert Cornell and Stanley Clements.



RAOUL WALSH

1940 was a busy year for Raoul Walsh. After ringing the bell with "Dark Command," Republic's most ambitious effort to date he moved over to "Burbank" and the Brothers Warner to direct "They Drive by Night." "They Drive" turned out to be one of the smash hits of the season. Ida Lupino rose to new heights and got herself a starring contract. George Raft further increased his box-office stature and a new Humphrey Bogart was discovered.

Walsh has two more Warner pictures ready for 1941 release: "High Sierra," now ready for preview and "Strawberry Blonde," just completed.

Balaban's H. O. Address

Barney Balaban, president of Paramount, addressed the home office forces Tuesday night (7) at company headquarters. He discussed theatre operation and other phases of the picture industry as part of a series established to acquaint everyone in Par with its activities, film background, etc.

Claude Lee himself for many years in theatre operation and formerly with the E. J. Sparks circuit but now in a h. o. executive post under Balaban, presided at the meeting.

Donlevy's Par Deal

Hollywood, Jan. 5. Paramount renewed Brian Donlevy's acting contract, calling for two pictures and an option on a third in 1941. Currently the actor is working in "Billy the Kid" at Metro and has a commitment for the role of O. Henry in the Boris Morros-Robert Stillman picture, "American Vagabond."

His first film at Par under the new pact will be the William Wellman production, "Pioneer Woman."

Studio Contracts

Hollywood, Jan. 5. Lloyd Bridges inked a player pact at Columbia.

Phil Terry drew a new acting ticket at Paramount.

Columbi signed Dale Van Every, scripter.

RKO handed player contract to Jack Briggs.

Metro contracted Richard Haydn, singing actor.

Robert James Smith penned an acting pact at RKO.

Jackie Horner's minor contract with Metro approved by Superior court.

Emmett Lynn drew a new player deal at RKO.

'On My Way to the Theatre...'

By George Jessel

In 1907 when VARIETY was in its infancy I remember my mother taking me to Percy Williams' Alhambra theatre in New York and the first monologist I ever heard made his entrance upon the stage and began his routine by saying, "On my way to the theatre—". His name was Gus Williams, and that was a third of a century ago.

As I sit here in my dressing room in Buffalo (at this writing) it seems like 100 years ago, and rightly so, because as Bordelaisse has written, "I am an old man for I have lived three days in one."

The show business has taken many twists and turns in the last 10 years particularly. A great many people have come and gone, and the old-timers, the original plays getting big laughs have said, "The show business has gone back to where it was 30 years ago." This is not the case from where I'm sitting. Whereas the 30-year-old gags may get by now because they are more robust than the smart revue sketches of 10 years ago, there is missing the respect that the public had for the theatre 30 years ago.

The respect or reverence that is now almost entirely missing is due to two things: And mostly due to the radio. The fact that people can hear Helen Hayes or a Toscanini symphony for nothing, without having to applaud, without having to be dressed, is a surprisingly strong factor why they talk loud in a theatre while the play is in progress and do not applaud when the curtain falls. There are less curtain calls taken today than ever before. The other factor is the penny-wise, pound-foolish motion picture presentation policy of allowing jitterbugs to come to the theatre half dressed, dance in the aisles, scream at the performers and jeer at the motion picture drama that follows. Butch Strudel and his Hot Lickters.

A Salute to Johnson and Wynn

The only thing that makes Broadway seem more homey this year is because 44th street boasts two musical comedy stars presenting their own plays; two men who definitely know what the public wants and fortunately have the money to be able to get right to the public. For were these men broke, their shows could never be produced, as I have heard some of the motion picture producers—and many a radio sponsor as well—refuse even to listen to their names being mentioned the second time, saying they were through and the public didn't want them at all.

The theatre of 30 years ago had ever so many actor-managers and these alone, in my opinion, can save the public from the doom of hearing what an advertising agency prepares for them on the radio, or what a group of picture producers arranges for the public between the racing seasons at Santa Anita and Hollywood Park; and with one or two exceptions there is never a quarter of their own money invested.

The musical comedy stage I believe will continue to be highly successful. The spirit of abandon almost bordering on hysteria which comes right before the grapefruit era. Therefore it is no source of wonder why "Hellzapoppin'" has had such a great success.

This is a conversation I had the other night in a group of six men and women: "Oh, forget about it. Let's go somewhere where there's a lot of noise and hear nothing about war, taxes or religious persecution. Let's go somewhere where we don't have to think."

This last line I believe is the order of the day in these, our contemporary times.

And now they've just called 15 minutes, so I must get ready to do my fifth show of the day. As I enter my first line will be, "Good evening folks. On my way to the theatre...."

P. S.: My wife cannot remember Gus Williams at all.

J. S. NEWSREELS' COSTLIEST YEAR

By MIKE WEAR

Cost of covering the European war, the U. S. presidential campaign and upped expenditures for football games, plus the cost of an expensive operating period ever recorded by the American newsreels. Additionally, the Nazi blitz through the lowland countries and France, with Hitler's subsequent order to U. S. newsreels to quit operations in lands he had conquered, represented a heavy writeoff for most U. S. reels. Despite joint coverage on many stories in European war front, increased insurance rates, united transportation and communication fees probably added \$35,000 to the ordinary operating costs in 1940. Suddenly Nazi drive wiped out about \$50,000 worth of equipment and stock of two or three subsids working in France and Belgium for American newsreels.

Indeed political campaign by the two leading papers and fall represented an outlay of about \$40,000 for the five newsreel outfits. Gridiron stories, which have been more costly with each succeeding season, set the reels back nearly \$50,000, with an additional extra \$5,000 or more spent for the world series.

Hitler's edict against continuing in Britain, Holland, Belgium and France wiped out a weekly profit of \$1,000 in each of these countries for Paramount and Movietone, which had complete newsreel units in those territories. Expense of liquidating the newsreel properties, etc., in these lands likely will not be known for another six months.

EISON'S TRANS-LUX POST
Norman B. Eison, formerly sales manager for Film Alliance is now general manager of Trans-Lux Theatres.

Appointment made by Major L. E. Thompson, president of Trans-Lux Movies Corp.

GROSSES OFF 5% IN 1940 BUT NET PROFIT WAS UP THAT MUCH

A Conversation That Never Took Place

Between Jack Pulaski ('Variety') and George M. Cohan

BY GEORGE M. COAHAN

JP—Why not sit down and write a special show-business story for our 35th Anniversary Number?

GC—I can't seem to sit down to write a story!

JP—You can write it standing up if you want to.

GC—OK. Give me an idea.

JP—You don't need any ideas for a story.

GC—You mean it?

JP—Sure. How about Saroyan?

GC—What about him?

JP—Have you never read one of his plays?

GC—He never sent me one.

JP—Well, if he should send you one,

GC—Why? Are you his agent?

JP—What makes you think so?

GC—I didn't say I thought so.

would you produce it?

JP—Let's see. Where were we?

GC—When?

JP—Just now, when you interrupted.

GC—I interrupted?

JP—Yes, when I asked you to write the story.

GC—What story?

JP—For the Anniversary Number.

GC—Oh, I see. You want a Christmas story.

JP—It needn't be a Christmas story.

GC—How about a 4th of July story?

JP—Fine. A great idea.

GC—I thought you said I didn't need any idea.

JP—You really don't, but you've got it.

GC—I've got something I don't need. Is that the idea?

JP—Sure. That's the idea.

GC—I don't me for smiling.

JP—What's the smile?

GC—I'm a little confused.

JP—Who isn't?

GC—Let's see. What were we talking about?

JP—The story for the Anniversary Number.

GC—Oh yes, that's right.

JP—You said something about the 4th of July.

GC—Yes, I remember now.

JP—Well, what about it?

GC—About what?

JP—The 4th of July.

GC—There won't be many shows running on that date.

JP—Oh, I don't know.

GC—You don't know what?

JP—Anything.

GC—That puts you in my class.

JP—Speaking of shows—

GC—Yes?

JP—What do you think of Broadway today?

GC—I don't know about today. It seemed to be all right last night.

JP—Do you think it's changed a lot?

GC—Yes, but Topeka, Kansas, hasn't.

JP—What's Topeka got to do with Broadway?

GC—Have you never been to Topeka?

JP—Never.

GC—Then you wouldn't understand.

JP—Understand what?

GC—Never mind. Let it go.

JP—They're writing great stuff for the Broadway theatres.

GC—Don't you think so?

GC—Yes. Berlin and Cole Porter are both writing great stuff.

JP—I don't mean musicals. I mean the drama.

GC—Oh, I thought you meant the hits.

JP—What plays have you seen?

GC—You mean in my whole life?

JP—I mean the latest Broadway plays.

GC—Charles' Aunt and Twelfth Night.

JP—Do you suppose the Sunday night shows will help?

GC—Yes, what?

JP—The theme.

GC—Which theatre.

JP—All of them.

GC—How many are there?

JP—How many theatres?

GC—No, how many Sunday nights?

JP—In a theatrical season?

GC—Yes.

JP—That all depends.

GC—Up to what?

JP—What are you talking about?

GC—I wasn't talking about any show.

JP—I asked you a question.

GC—Repeat the question.

JP—Do you think the Sunday night shows will be of any benefit?

GC—No. They'll kill all the Sunday night benefits.

JP—What is this, a gagging act?

GC—Do you know any gags?

JP—No, I want to kill some.

JP—What do you?

GC—I can't think of any.

JP—Well, are you going to write the story?

GC—Sure.

JP—Fine.

GC—How much?

JP—How much for what?

GC—For the story?

JP—I will print it for nothing. Won't charge you a cent.

GC—Oh, I couldn't do that.

(Continued on page 20)

First Six Months of the Year Parred
Initial Half of 1939, But It Eased
Off Latter Part of 1940

By ROY CHARTER

The actual amount of money left at film boxoffices during the past six months totalled as high as for 1939, various factors offsetting the picture business decline, but considering everything—including the war—theatre business is regarded as being in good shape. This is claimed to be the fact regardless of the complaints which emanate from certain exhibition quarters concerning the state of the take.

That argument is too often habitual, as a means to impressing the distributors that they are "robbing" the retailer, at the same time reminding "those unions" that they aren't letting a guy make a decent living. The exhibitions are doing well, the country estates and other things tell a different story.

Based on reliable information the conclusion is drawn that the boxoffices of the nation are in much better shape than other businesses which depend on a fickle public, and that only in relation to the grosses of 1929 is there any important variation.

Another point raised in informed circles where national data provides the basis for an opinion is that the position of the picture theatres as a whole is sound or else there would be fewer houses in operation. The statistics indicate that during the past summer a smaller number of theatres closed down, not for a year since 1929 and that at the present time there are more accounts on the active list than there were 12 months back. This includes major chains as well as independents.

2d Half of the Year's Grosses Went Off 5%

First six months of 1940 were about even with those of 1939, but the second half of the year just ended showed a drop, with the net result that the grosses went off nearly 5% on average. The independents appeared to be running about the same as the affiliated circuits, according to statistics, but with the reported exception that Loew's chain was down during '40 as compared with the prior year. This is the first time since 1929 that Loew's has at its command.

The other affiliated circuits—Paramount, RKO, Warner Bros. and National (20th-Fox)—ran behind 1939 anywhere up to 5%, but none, from accounts were worse than 5%. An average of about 5% in decline also applied to the independents, it is claimed.

While an actual comparison with 1939 is not enough on which to base a serious complaint, based strictly on the whole picture, the reason why the picture reader has resulted through economies in operation. The best available figures would indicate that although grosses have averaged off up to 5%, the increase in the net has matched this, which would make a 10% difference in the situation.

Both affiliated chains and independents have importantly improved theatre operation from the point of view of management, efficiency and economies in order to provide a profit cushion against the decline in the dollar value of tickets during the past year. Operators have not been reckless concerning diversification. Additionally, more care in making film deals and in booking of product has made it possible for many theatres to show a gain on the books with less money than was taken into the b.o. in 1939.

Closer supervision of operation, particularly where circuits obtain; adoption of the best possible policies to suit each operation; the elimination of costs that have not been absolutely essential; better leasing deals where they exist, and a realignment of personnel (plus some salary-cutting), have combined to put the exhibition house in order in view of conditions.

Defense Spending Boom Optimistically Regarded

In most operating circles the new year is viewed with more than the customary optimism, aside from the decline suffered in '40, not only because of film as it appears on paper, but also due to the possibilities of a boom of proportions now unpredictable because of the war and added spending less unemployment, etc.

The greatest advances, of course, are expected in the motion picture industry, benefiting from the war.

During World War No. 2, the business zoomed, but whether or not the same percentage of benefit might accrue from Battie No. 2, whether the U.S. gets in or not actively, is a question; since times change, and now radio, added sports interests and other factors figure in the spoils. General business indexes show that wholesale prices, stock prices and business activity ascended sharply on America's entrance into the war early in 1917; climbed during all of 1918; took a slight drop on signing of the Armistice, and then went into new heights of prosperity during the war around coming in at the end of '20. This last period was the gravy among other businesses, the sluff-off for the theatres 20 years ago came later than in the other fields.

The trend of grosses at the film theatres does not follow the graphs which show how business has wavered up or down during 1940 or for the prior year.

For the theatres other factors figure, however, aside from pictures, weather, floods, etc. In the opinion of showmen, not the least of these factors so far as the film b.o. was concerned was the hot Presidential campaign and the war, both providing what they choose to call a "bigger show on the air." It is also believed the addition of amusement, lowering the exemption to 20%, has some connection with the fact that grosses the last six months of 1940 were under the first six months.

The best year for the theatres since '29 was 1937. Maybe 1941 will turn out to be the best.

Never the Twain, Etc.

By WALTER WINCHELL

I started covering the Stork Club sector about five years ago, just about the time the Casino de Paree folded. That was not long after its sister, the Manhattan Music Hall (around the corner on 53rd street) blew up.

The Paree was the Big Time among the restaurant-floor show places, and the spot in which most of us gathered at a last-round-table every mid-

portations from Paris, London and Vienna (with some Bronx kids for good measure and better gams) started at the French Casino and ended the Broadway cabaret. It was the punch that led to the knockout of the Hollywood, the Paradise, the Casino de Paree, the International Casino and the others.

It was around this time, too, that Clifford C. Fischer invaded the Broadway Arena and scared the hell out of the gorillas who were cleaning up the top gun around Broadway—without a '38 in their hip pockets. Fischer's girl im-

portations from Paris, London and Vienna (with some Bronx kids for good measure and better gams) started at the French Casino and ended the Broadway cabaret. It was the punch that led to the knockout of the Hollywood, the Paradise, the Casino de Paree, the International Casino and the others.

Where the Paradise used to founder we have 'The Hurricane, even back to the line of cuties, plus other talented specialists, featuring spics-and-Spaniards. The Havana-Madrid, another Cuban spot, offers the señoritas in bunches, and La Conga on West 51st street is an improvement over former tenants. Then there's La Martinique on West 57th, with rhumba routines and such talented people as the William Morris Agency has available—and George White is returning to the stage and resuming his Cotton Club act with his girls. There's a new Broadway entry offering a better than average night club show. And what about The Beachcomber? The latter was the star in the new firmament—putting Monte Proser in the higher brackets. It is still a Broadway high spot. And have you forgotten the mint of them all—The Diamond Horseshoe of Billy Rose?

Broadway Hasn't Moved East

So you see Broadway hasn't moved east, at all. Swing Street (52nd) between 5th and 6th avenues hasn't the zing it had a season or two ago, unless you want to argue about Jack White's corner of East 52nd Street's East Side. But many of the others that lane ("21" is for rich rugrats) are steaks and the clutches of the sheriff or about to be.

The Copacabana (a classy branch of the Beachcomber) is the newest hit in the \$3 minimum business and deservedly so. It is on 60th street between Fifth and Madison, on the fringe of The Silk Stocking District (the Republicans' habitat)—only the Cops is borrowing Broadway's familiar stay-up-trade. You see them at La Conga, Hurricane, Martinique or the Beachcomber in the Broadway Belt the next midnight or two.

Cou Rouge and Monte Carlo on E. 54th street attract a totally different class of bores. Few of them ever come over to our side of the tracks anyway. So what is all this gas about a "trend to the East Side," and Broadway being "a state of mind," etc.? The Kit-Kat (which thrived until the gendarmes squawked about the after curve trade) is now a steam and chop house and what other dine-and-dance dens are there after you like them? None.

Broadway is still The Main Stem, brother. It's where we all go for the best chowder (Ruby Foo's on W. 52d)—for the best shows—for the best MCs—the best looking shovels (The Diamond Horseshoe), the tops in chicken liver sandwiches (Lindy's), the best corned beef mit rye brad (at the Gately and Rialto deli's). And where can you get Vassar at 4:30 a.m. or the late editions containing the reviews of the new plays? On 50th street, sister, but not on the East Side—unless it's the East Side of Broadway.

The '20s and Variety'

Continued from page 7

late the bum would come upstairs and fall asleep at a desk where Sime would have to step over his legs.

Thus was he guaranteed an awakening at handout time. And the orders were to let him alone.

Saved

A policeman traced a case of Scotch into the building at Christmas. There were several hearts in several throats. The cop went out stinking.

Ghost's Banquet

I had a series of kidding life stories of prominent show people called "Inaccurate Biographies." When I submitted one about a music publisher, Sime threw it out and wrote one myself.

A friend came to me later with a compliment. He said the publisher had exclaimed "Who is this guy Binyon? He's one of the smartest men in show business!"

I told my wife the last part.

Fame

A mug who shall be nameless, but whose name bears a strange resemblance to a sign I see each day on my way to work—Baby Laundry—once made the amazed paper's own Literal column by reviewing a juggler and calling him a prestidigitator. The review wasn't printed.

Vassar threw out the review and reviewed the word.

Sime On Criticism

(From 'Variety', Feb. 18, 1911)

New York, Feb. 11.

Editor, VARIETY:
I have been reading *Variety* for a long time now, and I have often wondered why you gave so much room every week to criticisms. Are all your critics so expert that everything they say about a show or vaudeville performance must be printed?

If you print this, will you tell what you honestly think of criticisms?

Very earnestly,

James Hampton.

(Some day I hope to be an actor. If I'm not, then I'm going to be a critic.)

James, here goes for what we honestly think of critics. And you are going to hear what we think of the critics, too. We'll let them know, because it didn't tell what you think of us. So many do. Somehow though every now and then a writer manages to send the mark down pretty low; no one seems to get us just right.

Honestly, Jimmy, criticism is the bunk. The critics on *Variety* have termed a lot of things connected with the show business the bunk, but criticism is the star green of the lot.

To let you in on the ground,

James, we will first tell you how the critics on *Variety* came to know the acting profession so well they believed themselves competent to criticize it. We have five critics in the New York office, one in London, two in Chicago, one in San Francisco, one in Philadelphia and another in Atlantic City. Between we have several hundred correspondents who report shows. Every one is a critic (Ask any of them).

We don't know the early history of all, but about those in the New York office, James. One was brought up in a pants factory; another thought himself an assistant to a surveyor (and was indicted in Rochester, N. Y., for trespassing); the third played baseball; with country girls sometimes for money and more often his fair could count at least one reason to be critical of him; the fourth was the best stenographer, New York ever had until the girls pushed him out of a job; and the fifth started to learn the show business by acting as delivery boy in a grocery.

We are not so familiar with the past of the critics in the branch offices, although we do know that two of those who should be best qualified to be critics leading critics secured their early training from one interested in a theater program, and the other was an usher in a New York vaudeville theater.

But, Jim, for the sake of argument, and if a critic should remark that the beginning has nothing to do with the ending, we will take the other view of it, the scholarly side, that critics should be critics—should be learned. Since our critics are busy watching shows and then writing about them that they have no time to read what others have written (about shows and other things) where did they secure their education from? Honest, Jim, we don't know. One had a thorough course in business college, and the course became a curse before he was through. Another knows every move that Dick Carter ever made, while the baseball player read Spalding's Guide so often he spoke in records.

William Morris, the vaudeville manager, once worked on a trade paper. He told us himself. As Mr. Morris is now a manager, perhaps his scheme is the best. In Germany Mr. Morris never heard of Prince ton nor Yale, nor even Harvard. Coming over here and landing in the job of giving good reading notices for the management, he would bring to him a condition he could not make good on. Mr. Morris could dig the ads, but where were the notices to come from? He commenced to read the paper. It was a clothing journal. If Mr. Doe advertised, Mr. Doe wanted the paper to "say something nice" about the elegant clothes he made. (The only difference in trade papers and advertisers in them, Jim, you see, is the trade itself.)

Mr. Morris could find no help in his own paper. One day he looked

over a paper for the shoe trade, Eureka! The next time an advertiser told him a good notice must go with the ad, Morris was there. Taking the shoe journal he clipped out an item. Rewriting it, the only changes were where the shoe paper had printed "Smith," Mr. Morris wrote "Jones," and where the shoe paper notice read "shoes," Mr. Morris inscribed "clothing." Mr. Morris told him that the example of advertising was considerable and literary style excellent. They asked him to take a quarter interest in the sheet. Perhaps that offer drove Mr. Morris into the show business.

But that isn't the point, Jimmie. What are we driving at is, how do we know our critics are writing their own stuff. We don't even know that with this say, we don't know of their performance they see from their own minds. What is to prevent a critic asking an usher what he thinks of this or that act or show? Who knows as much as an usher? We have never met anyone who did.

So, we reach the conclusion there must be more money in being a critic than in holding a pole on damp ground while another fellow looks at you through a spy glass. For critics do like money. Even critics have been known to broach the subject of overdue board to one.

To be a critic is the simplest job in the world. It becomes a matter of believing what you write. When the critic is criticized, he shrugs his shoulders and (inwardly) mutters, "He thinks he knows. Let him wait. Everything will come out just as I said it would." If it doesn't, by that time everybody will have forgotten it anyway.

The critic is a very important person. (He may admit that.) Let a remark be dropped about a performance and the critic will recall the day he mentioned the same thing. Critics have a remarkable memory. There are only three speeches that may be made to them by others which will be retained. Those are "You are through," "What a job" and "Did you write that?"

"That last speech is the best. The critic loves that, Jim, if you want to bunk the critic any time, notice him slip up alongside of him, mention something recently printed, notice the look of passing pleasure starting over his face—then, with a gasp of surprise, exclaim, "Did you write that?"—as though you never expected to live to meet the wonderful fellow who did. If you will do it right, you have that critic hooked for life.

This is leading up to the remark, James, that if you know the critic very well, you won't think much of criticisms. That's why we don't, because we know it's a bunk. If the readers say this one or that one is a good critic, it's enough, and that's why the stuff continues to be printed.

There's but one critic we ever know who is any different. He criticizes the Yankees, and was called Rush. (The late Alfred Rushton Greson.) If you had asked Rush the next day what show he had seen the night before, he would have recalled the incident with difficulty, though Rush was the best critic we've ever had. Often he wrote articles we ourselves couldn't understand. (Rush had had a college education.) One day Rush was in the office when an actor-friend called him in. Rush said, "Well, Sir, he should have been treated better in the review Rush wrote." So Rush read the review over. (He had to, to remember it.) "That sounds all right," said Rush. "What's the kick?" "Well," replied his friend, "there's no special kick that I know of, but I never used that (pointing) in the show." His friend pointed to the word "expedient." Then Rush forgot all about his college education, and became one "I."

If a critic, Jamesy, you would find that what you might tell a man in conversation would be breath-wasted—but print it! Human nature has its weaknesses. One is the love of comment. The actor likes it, says criticism is grand and useful—and beneficial when it's honest—and a lot more, but it's just human nature, Jimmie.

If the snow would remain on the



My Best Wishes to VARIETY Always,
MITZI GREEN

P. S.—Joe and Rose job me.
Exclusive Management
W.M. MORRIS AGENCY

ground long enough for several thousand snow-shovels to be kept busily employed removing it, we would wager that a trade paper devoted to the business of snow removal could be sustained by a column of critics upon it. If the snow was freshly laid and knew the average man's capacity for work, would write a criticism to be published in the Weekly Snow Review, it would have every snow shovel between Albany and the Bay reading it. The critic could make the snow handles on Broadway and 39th street very angry by mentioning the fellow at 40th and 48th streets three hours afterwards—in minute to the letter. If the critic said he had a way of getting it over without spilling a flake—well, the chances are, Jim, that snow shoveler's life would be made miserable.

That's what we think of criticisms, Jimmy. Were the same criticisms that are printed passed around, written in long hand for perusal, about one in 25 would read them. But the same article in type will be read by that same 25, and will mean something to it other than that the power of type, Jamesy, and criticism is nothing more than type—ordinary comment printed.

Among the theatrical papers, Jimmy, and those which devote space to theatricals for business purposes, criticisms are for sale. You can buy criticisms, just as you purchase anything else, and the transaction is almost as openly made. In fact, Jim, you can notice either way, if you pay you get a good one. There is a whole crowd of remarks to be made upon the conduct of theatrical papers, as they are now operated, and we are going to hold that out for some future time, Jamesy, with your permission.

Three pictures is Bill Seiter's 1940 score for Universal. Between it's a date? Deanna Durbin's first grown-up role and "Nice Girl" her latest, he produced and directed "Hired Wife" starring Rosalind Russell and Brian Aherne.

"Nice Girl" will be ready for preview soon. His present advance schedule calls for direction of one more Durbin picture and two other stories which he will both produce and direct for Universal in '41.

Foreign Film Biz Closeup

By Phil Reisman
(RKO Vice-President in Charge of Foreign Sales)

Strange to say, despite the terrific bombing of key cities in the United Kingdom, business as a whole, and apart from individual situations, has held up favorably compared with 1939. In England this is explained by the fact that although some theatres in thickly populated areas may be closed temporarily, in others that remain open there has been a definite increase in business in the provinces and outlying areas, especially those to which there have been shifts in population since the war began.

The outlook for 1941 is promising. Good business is expected despite the war, but fingers must be kept crossed because the warfare is continuing to do plenty of material damage which naturally affects the motion picture industry.

Furthermore, war or no war, motion pictures remain the favorite entertainment of most of the people in England.

Restrictions

Of course, there are restrictions incident to the present quota system, and it is reasonable to assume that provisions of this law may be eased off a little officially or otherwise as the warfare proceeds, due to the difficulties of production in a normal way under such prevailing conditions.

It might be mentioned that shipment of film to England not

affected by the cash-and-carry provisions of the U. S. Neutrality Act. This is because of the copyright angle pertaining to motion pictures.

There are definite restrictions on the export to the United States of dollars earned on films in the United Kingdom. This is fully covered by an agreement made at London between American companies and the British government, details of which are familiar to the trade.

Monetary restrictions also affect the importation of prints in England, because of the fact that Empire territories since last year in remittance territories must be paid for in remittable sterling (U. S. distributors for years have maintained large printing laboratories in London in order to supply product to markets adjacent or near to the British Isles). Similar restrictions apply to many other items, cost of which is incurred in England on behalf of the British government. For example, such restrictions apply to payment of the insurance premium on Fidelity Bond coverage for Portugal. RKO will continue to ship all of its pictures to England as fast as they are completed.

Latin-American Bit As Is

Our business in South and Central America, Mexico, Cuba and the West Indies has been affected, except as to changes brought about by local conditions in each country. Generally speaking, the improved quality of pictures deserving longer runs, and wider distribution has resulted in some increased business in the Latin-American countries.

Adverse local conditions in some of the smaller countries, particularly those whose exports have been shut off or greatly curtailed, is responsible for the falling off of business in those countries.

In nearly all the Latin-American countries the matter of dollar exchange is a serious one.

THE FIGHT AT RENO

By Al Jolson

(Published in VARIETY, July 9, 1910)

I have been asked to write about the fight. Though I feel pretty sad, here goes.

I went to Reno upon Corbett's special and what was a mob there. The baggage car turned into a dinner and gambling house. One croupier was so excited he overturned the stove. We had to pull the blankets from the berths to

put out the fire. Save \$5,000 played on the turn of a card in two hours. I felt so safe with my money. I slept it with in my mouth. I slept about 20 minutes, while the baggage car was on fire. That was the only time sleepers were quiet.

Coming back after the fight least said the better. After the battle? Well—no, not well—sick. After looking at such an awful thing as that cheese fight. You know the old gag about only two blows hit. Well, that goes. Johnson hit Jeff, and Jeff hit the floor.

It's really too bad to write about. It was awful. Johnson just played with Jeff as a dog does with a mouse. It's all I can say that Jeff's teeth were in his pants what he would have done to Johnson, but believe me, it would have been just the same.

The majority at the ringside must say that Johnson is the greatest fighter who ever lived. Jeffries did not hit him one good punch.

George Little, Johnson's ex-man, got \$100 to \$200, after the first round, that Jeffries won. After the fifth round, I bet \$200 that Johnson would win. That made before break even, as I had bet \$600 before the fight that Jeff would win.

At the end of the first round any one could see that Jeff didn't have a chance. I saw Eddie Leonard, Walter C. Kelly and Bob Vernon as they were leaving the arena. They looked like a lot of pallbearers. I think Jeffries' "trainers" must have rubbed all his hair off and taken his strength away. All the time they were fighting Corbett kept saying to Johnson, "You'll make that year streak." He will make you. And Johnson replied: "Well, Jim, he made you quit, and if he makes me quit I'll start on you!"

One thing I must say in fairness to Nat Goodwin: It was Nat who made the odds go to 10/5 on Jeff. He bet as much as 2,000,000 against four bananas.

I feel glad for those who remained east.

Oh, you Reno! Never again!

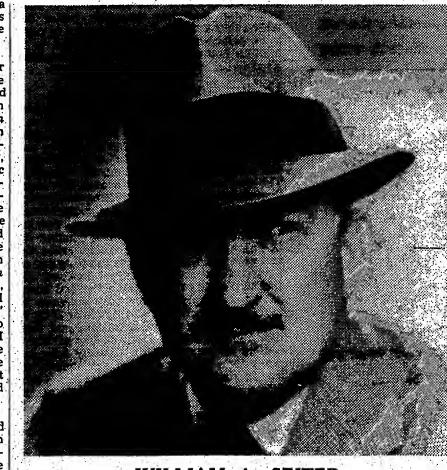
Amen!

Marmar Prod. Head.

Hollywood, Jan. 5.

Picture Corp. of America, headed by William Thomas, signed L. B. Marmar as production manager.

First assignment is "Power Dive," Richard Arlen starrer to be released by Paramount.



WILLIAM A. SEITER

Surrealistic Appellations

Daily 8-9 a. m. record program conducted on WNEW, New York, by Hal Moore, has unearthed a string of particularly descriptive, tele-scoped tags for various recordings by name bands. Each morning Moore plays a "mystery record" and listeners are required to name the band and placing it. In addition they're supposed to name a one-word description of the platter by combining two or more words. A recording is shipped to winners. Some of the better entries are:

"Glenocigkeit"—Glen Gray's "No Name Jive".
"Saxhibition"—Jimmy Dorsey's "Contrast".
"Pennsylvania"—Glenn Miller's "Pennsylvania 6-5000".
"Dorstronomy"—Jimmy Dorsey's "East of the Sun".
"Krupercussion"—Gene Krupa's "Drummin' Man".
"Hornaments"—Duke Ellington's "You Meets Horn".
"Berkzette"—Bob Zurke's "Nickel Nabber Blues".
"Lamentertaining"—Tim Nobody's "Baby".
"Miller-tainment"—Glenn Miller's "Runnin' Wild".
"Barnetantrum"—Charlie Barnet's "Tappin' at the Tappa".
"Clintononsense"—Larry Clinton's "Study in Surrealism".
"Judelicious"—Judy Garland's "You Made Me Love You".
"Trumpetuous"—Harry James' "Concerto for Trumpet".
"Orionite"—The Three Dorseys' "Song of India".
"Vocanelling"—Helen O'Connell's "Madame La Zonga".
"Hokusno"—Benny Goodman's "Opus Local 802".
"Hermanevers"—Woody Herman's "Blue on Parade".
"Ellingtone"—Duke Ellington's "Toolin' Through the Root".
"Kemplagration"—Hal Kemp's "Swampfire".
"Bennyarancy"—Benny Goodman's "Stealin' Apples".

NEW FILM FACES

Scramble for Talent Gives Newcomers a Better Break Than Ever

Hollywood, Jan. 5.—New faces were at high premium as the year ebbed to an end. The scramble for talent of any considerable promise was more frantic than at any time since new faces were given a legitimate chance to compete with the old, or familiar.

The reason, primarily, for the haste in grabbing off the new crop of thespes and personalities was the requirements of the Government's consent decree, with its limitation of blockboating to maximum groups of five pictures and no blind selling. This change of method in producer-exhibitor dealing, with the theatre operator actually previewing every picture before purchase, would call for all the names and attractive faces that could be mustered by the producer to enhance every film in his group of five.

Obviously there weren't going to be enough of the old, proved b.o. favorites to go around. Consequently, almost everyone, boy, girl, man, woman and child, who had shown any promise at all during the year had been optioned, signed up and was being groomed or showcased for intended prominence during the final few months of this year. More prospective talent has been selected than within the last 90 days than the total number selected during the previous two years.

Yessir, new faces were sitting pretty, so to speak, as 1940 dissolved into 1941. They aren't being stuck away to languish in stock company knitting circles. They are being spoken to, soft and pretty, by the company bigwigs who snip off the fates of the younger players, for better or worse. A few of those who have made the grade during the year, and who somehow have resisted the allurements of the dotted line, already are playing hard to get. And some of the faces, scarcely out of the brand-new class, are tossing aside roles because they don't quite like them—something most of the elders in the biz regard as shocking egotropy. In the sub-star ranks.

For quality and intrinsic star material, the outstanding entries in the 1940 list are on a par with any prior year's survivors.

Some of the newly prominent have been seen previously in unimportant roles, and some already were names on stage or radio, but their rise to consequence on the screen during the past 12 months and so are eligible to be enumerated as new finds.

Dean Jagger, for Example

Martha Scott belongs in the top crust of the new ones. She came from the play, "Our Town," to do the same role in Sol Lesser's film version. The producer himself admits he was dubious that she would be wholly acceptable to screen patrons in such a part, but there was a dearth of women fitted for the role, so she was signed. Scoring a definite hit, she repeated impressively in Frank Lloyd's "Howards of Virginia" for Columbia. On the strength of her reception and her now unquestioned ability to fulfill exacting demands on the screen, she got the stellar character of the school teacher in Richard A. Rowland's production for United Artists, just completed, "Cheers for Miss Bishop."

Dean Jagger established himself a film star in the title part of 20th-Fox's "Brigham Young," having been selected from many candidates during a year's search for the exact personality. He will be seen next in David L. Zanzie's "Bigie, Western Union." His term contract furthermore calls for some of the best and most important assignments in the coming season. This was Jagger's second try at Hollywood. First time, several years ago, he didn't make even a vague impression. Then, he went back to Broadway, where he came to Zanuck's attention in the play, "Missouri Legend."

Laird Cregar, a man of girth and marked ability, exacted attention for his fine legitimate performance of "Oscar Wilde." He was immediately signed by 20th-Fox and given star grooming with initial assignment in "Hudson's Bay."

Broderick Crawford, son of Helen Broderick, rose to stellar importance as second generation thesp in the outlaw leader role of Universal's "When the Daltons Rode." He socked again with Marlene Dietrich in "Seven Sinners," has since repeated in one of the tops in the comedy-melodrama, "Trail of the Vigilantes," and is considered by Universal as one of its best player assets.

Safeguarding Mary Martin

At Paramount, Mary Martin found her stride in "Rhythm on the River," with Bing Crosby and with her stock that booked, won a co-star spot with Jack Benny and Fred Allen. "They Need Her," Company was careful to place her, but hasn't had too forte start in "The Great Victor Herbert," to which she had come direct from New York on the clef of that song about her heart and her daddy."

Victor Mature, making personal impact in the film capital's social gyrations as well as professionally, went rapidly up the grade under the Hal Roach banner in "The Housekeeper's Daughter," 1,000,000 B. C. and "Captain Caution," then on loan to RKO in second lead opposite Anna Neagle in "No, No, Nanette."

Republic lays great store by its stellar find of the season, Judy Canova. Already an established radio name, she made a hit in her film bow, "Scat-brain." Company paid its top price for the season for "Sis Hopkins" as her next starring vehicle.

Betty Field, possessing fine talent and using it intelligently, emerged as one of the most promising of the younger women after her memorable

'YOU OUGHTA BE IN PICTURES'

Or, It's Some Fun to Be a Talent Scout for a Major Film Company—Where and How to Search for Future Stars

By Arthur Willi

(Chief Talent Scout for RKO Radio Pictures)

Back in 1934 a pair of tunesmiths named Ed Heyman and Dana Suesse wrote a little number I used to like. It was called "You Oughta Be in Pictures."

Two years later I was named talent chief for RKO and the tune lost its romantic flavor. All its charm. For the words "oughta" were no longer "You Oughta Be in Pictures," but "I Oughta Be in Pictures."

I've been hearing them ever since. If they're not, then they're "He Oughta Be in Pictures" or "She Oughta Be in Pictures." There's apparently no one living whom someone doesn't think "oughta be" in pictures. Thousands of them every year hum the same tune—and I've got to see them all.

Usually our informants are wrong, of course. But talent is where you find it. If correspondence from a fond mother reveals that a would-be Clark Gable or Carole Lombard has the necessary physical attributes and dramatic qualities, we have a look-sie. Ninety-nine percent of the time it ends with that; every so often we know we've got something. Those every-so-often chances we play for.

With the world to choose from, our standards are tough of course, which leads me to clear up a misapprehension or two about screen tests. Out of thousands of people I look over each year, in more than a score or two reach the tryout stage before a camera.

There's a popular impression that every Tom, Dick and Susan is quickly shoved in front of a lens for a screen test. A good talent scout can easily eliminate most applicants without such a test. Fact is, it's an absolute necessity that he be able to.

SCREEN TESTS COST, \$200

Each screen test costs the company upwards of \$200. After preparing a candidate for the test for any period up to two months, we must take over a sound stage and the entire crew that gets it for a whole day. That costs between \$800 and \$1,000, and it is seldom that more than four people can be tested in eight hours; very often only one or two, which raises the cost even more.

Tests consist of various angle shots taken from varying distances. Then, when possible, we team a boy and a girl and give them parts opposite each other in a little scene. They are rehearsed and coached in by my assistants, Ethel Robertson, mostly, for at least three weeks before the test. We follow up with an informal interview in a light vein between the prospect and Miss Robertson to give the studio executives, who'll finally pass on the film, a chance to see the person's relaxed personality.

After the tests, if we sign up six to 10 players a year the studio thinks we're doing a pretty good job. Which gives all the hopeful mothers in the world something to think about before investing a lot of money in little Mary on somebody's urging: "She oughta be in pictures."

Despite our painstaking searches throughout the country, Broadway is our best source. For one thing, talent, by the time it reaches the Bright Way, has been pretty well picked over. Our second thing, Broadway players have had experience.

Few people, whether they be actors themselves, potential film material or just the friends who urge a career in pictures, realize the importance of training and experience. I often see someone I like and watch over him and keep contact with him for years before I sign him. I spend half my time summer and winter endeavoring to spot such people in strawhat and Broadway plays to get them experience.

Edmond O'Brien, whom we sent out to the Coast last year, is a case in point. I first put my eye on him four years ago. I watched him develop on Broadway and in stock. Finally I felt he was ready and he was given an important part, w/ Charles Laughton in "The Hitchcock of Death." He immediately proved what seasoning had done for him.

MARTHA SCOTT AND BETTY FIELD

Other players who have hesitated to accept Hollywood contracts before they felt they were ready and later showed how wise they were are Martha Scott and Betty Field. They now have careers based on bedrock instead of sand.

Foundations of sand are bound to crumble, for, matter what captions critics think of Hollywood acting talent, newcomers are up against the stiffest competition in the world. Every extra is immediately opening himself to comparison with Laughton, Ginger Rogers, Cary Grant, Bette Davis and others. They're not built to withstand Hollywood talent methods. It's the plucking of potential players before they're ripe, not giving them full opportunity to blossom on the legitimate stage. That old idea of sending a beautifully photogenic girl to the Coast on the theory that she will develop when she gets there is phony. It may happen once in a while, but it's nothing I'd want to bet on, even at fancy odds.

That brings me to another canard, that Hollywood doesn't give young players a chance. Studios bend-backwards to give kids a break—disregarding an investment in a picture of anywhere from \$500,000 to \$1,000,000, which they must protect—and why shouldn't they. Talent is their greatest stock-in-trade and they spend so much to find it. They naturally give a youngster who shows signs of developing into a star an opportunity to achieve that development.

Where do I look for talent aside from Broadway is a frequent question. A couple brief itineraries se-

lected at random out of my files will give a pretty good idea.

First was a trip to Philadelphia about a year ago. I arrived at 1 p.m. and immediately went to WCAU to audition two performers at the station whom a personal friend of mine had heard and recommended.

Three-quarters of an hour later I was at the studio of Arline Smith, a singing coach and operator of a dramatic school. She had written me, as she sometimes does, about two of her pupils. One was a girl 11 years old and the other a Deanna Durbin type. An hour later I was at the matinee of a musical show at the Forrest Theatre trying out before it arrived on Broadway.

I had dinner at the Walton Room, staying through most of the matinee of the show, long enough to see a dancer I had been told about. At 9:30 I went to see an amateur group at the New Century Club giving a new play, "What's in a Name?" I stayed for one act, leaving at 9:10 to catch the last two acts of another Broadway tryout at the Locust St. Theatre. Then I went to Benny the Bum's night club to see another performer I had been tipped off on and caught the 12:44 a.m. train back to New York.

I had seen more than 100 people during the day. Not one was suited to our needs. You may wonder where I got all the tips-offs that I mentioned—each of our salesmen—all of our exchanges is a source of suggestions. Also all of our theater managers throughout the country. In addition to that constant sources are many personal friends I've known during 20 years in show business as booker of the Palace, N. Y., and other important eastern houses of the Keith circuit.

RADIO AND COLLEGES

Radio station executives are also a good source—and there are always those hundreds of letters from well-intentioned people.

A three-day trip to Pittsburgh will give you another idea of what a talent scout goes through. The first afternoon I saw Ethel Robertson in "Fury of Three" Echoes prior to its arrival on Broadway. Then Carnegie Tech students in "Family Portrait"; then Carnegie Tech students in "Stage Door" at Duquesne University, then a rehearsal at Pitt of "Three Men on a Horse." Also a performance at Pitt Playhouse by a little theatre group. In between I saw innumerable radio, night club and drama school students.

The Powers and Conover model agencies keep me constantly engaged viewing beautiful girls, but few seem on purpose. To me ability, personality and intelligence are much more important than beauty. If a girl is photogenic, too, that's all in her favor, but she must have more than that.

IF STAGESTRUCK, THAT'S OK, TOO

The kids I like are those bitten by the "stage bug." They are the sincere ones, ready to work and study to get ahead, ready to do anything to act, the lure of the stage is such a strong pull. Blood. They are the ones who develop most successfully.

Summer theatres are often the source of such talent. But out of about 80 covered this summer we only found one prospect, a boy whom we recently sent to the Coast. His name is Jack Briggs and he's a perfect example of a kid bitten by the bug. I saw him at the Maverick theatre, Woodstock, N. Y., in "The Milky Way" and then went back to see him in "Up Pops the Devil." After that I had a discussion with his father and we agreed that at 20 he was immature, needed some real experience and would be much better after a year or two in New York. His father and I were going to help him locate a Broadway job.

In the event of anything happening to anything about him, however, we learned that he had gone to New York himself and landed a spot in the Taylor Holmes road company of "The Man Who Came to Dinner." I would like to have seen him play more legit parts, but as other studios also wanted him we had to act quickly and after only six weeks of real professional experience we sent him west.

He has appearance, personality and shows a definite flair for acting. Furthermore, he's the leading man type, which is our greatest worry. Girls outnumber boys at least 10 to 1 in the theatre. We also have plenty of potential character players, but getting leading men is the headache.

Ah, yes, you oughta be in pictures.

Now F.D.R. Is Called Too

Tough Radio Opposition

Minneapolis, Jan. 5.—Independent exhibitor leaders here are calculating a petition for presentation to President Roosevelt asking the nation's Chief Executive to schedule his fireside radio chat on Monday instead of Sunday nights.

In the first place, it pointed out, even more people undoubtedly would be reached by the talks because a greater number of people undoubtedly stay at home Monday nights. Secondly, by cutting heavily into theatre patronage on Sunday, one of the best nights of the week normally for show-house, the President's talks deprive the Government of needed admission tax revenue, the exhibitors say. It wouldn't matter so much on Mondays, they point out, because those nights invariably are the week's worst for theatre attendance.

GREENROOM ECHOES

(From Joe Laurie, Jr.'s forthcoming book, 'Here Lies Vaudeville')

By JOE LAURIE, JR.

F. F. Proctor, one-half of the team of Levantine Bros. ("Pedal Jugglers"), put over Proctor's continuous vaudeville at his 23d St. Theatre with the slogan, "After breakfast go to Proctor's." Nat Haines, the comedian, added, "After Proctor's, go to bed."

B. F. Keith refused to book a certain act because he didn't like him, so he would have to close his house if he declined to book acts for that reason.

First real building as a theatre was in Charleston, S. C., in 1735.

Young Miles did a walking act at Tony Pastor's. The time keeper was selected from the audience and the stage manager would tell how many laps to the miles. Miles would keep walking around the stage and did a mile in eight minutes. If you knew how tiny Pastor's stage was you would realize how funny this must have been.

In 1815-1816 gas footlights were introduced at Philadelphia. The first English theatrical paper was called *The Magnet*, 1866. The paper had a program of all the shows that were playing and was sold at the theatres as a home program to the audience. (Program-selling is still retained in the English music halls.)

The first Actor's Society was organized in England in 1850 and was called "Dramatic Equestrian and Musical Sick Fund." Jerry Cohan (daddy of George M.) played the part of a woman once.

Waiters singing in the old "Free & Easies" had to divide the "tips" or the "throw money" with their fellow performers. They would "knock off" a few for themselves; they would put sawdust in their pocket so the money wouldn't jingle. Tom Blake was the originator of this idea. Bartenders copied the idea . . . when they moved around the boss couldn't hear the "jingle."

The End Men of Minstrel Shows were sometimes called "Ebony Comics" and "Corner Men."

At Keith's Union Sq. the program had a note reading, "Kindly control your laughter; you are annoying your immediate neighbor."

They called it "Orchestral Selection" in the early days instead of "Overture."

Birth of the 'Bronx Cheer'

The "Bronx Cheer" first started in 1911 at Loew's National theatre, in the Bronx on "tryout nights" when "New Acts" would play to the bookers.

In 1798 there were no actors who wrote on the palm of her kid gloves the first words of her lines.

In 1795 the "star" system was established in Baltimore. Fennell received \$30 per night for two weeks.

In 1819 actors took baskets of bouquets, vases and goblets that were presented to them over the footlights with new emotions of the deepest sensibilities . . . They carried them from theatre to theatre. Why shouldn't they? They paid for them themselves.

Edgar Allan Poe's father was an actor. He made his first appearance with his wife at Vauxhall Garden theatre, Fourth Avenue (N.Y.), opposite Cooper Institute on July 16, 1806.

From Mr. Pepys' Peppery Diary

Samuel Pepys wrote in 1660, "A certain actress quit the stage to be kept by somebody, which I am glad of, being a very bad actress."

Edmund Waller deplored a "trumper" and scorned to purchase applause at the expense of his lungs.

Years ago if an actor (the hamorous) would place his left hand on his waist, and hold out the right hand while declaiming, he was called a "tea-pot actor."

In the early days of the theatre when notices were sent out about a coming play in the winter time, a footnote advised patrons to bring their own footwarming equipment. Negro servants were usually sent to the theatre to occupy the best seats until their masters arrived as there were no reserved seats.

A Brunswick Museum Playbill of 1784 reads: "For the greater convenience of the benevolent public, the manager of the theatre has decided that the spectators of the front row will lie down, those of the second kneel, and the third, sit down and those of the fourth stand. In this way the play of the actors will be witnessed by the whole audience. N.B.—It is strictly forbidden to laugh, as a tragedy will be played."

Sam Lucas was the first Negro to ever play a leading part with a white company. It was at the Boston Museum. He played Uncle Tom. Around 1870.

The Crystal Palace at 42d street and Sixth Avenue (now Bryant Park) opened in 1853. It covered five acres and its sides were composed of glass supported by iron. There were two military bands and 20,000 people attended the opening day.

In 1885 Lottie Gilson, singer of songs, was the first to have a singing plant in the audience. She was also the first to sing to the bald-headed man in the audience.

Yuma, the contortionist, in 1898 tried very hard to get an interview with J. J. Murdoch when the latter was running the Masonic Temple, Chicago, but J. J. just didn't or wouldn't see him. So Yuma had himself packed in a box and was delivered to Murdoch's office. When the box was opened, out jumped Yuma, dressed as Mephisto. He caused a sensation and when Mr. Murdoch recovered from his faint, he gave Yuma not only an interview but a route.

"They Shall Not Pass"

A manager in the west who got tired of the "pass" evil had the following quotes from the Bible framed over his box office:

"In those days there were no passes" . . . Numbers XXI, 18
"This generation shall not pass" . . . Mark XIII, 30
"Suffer not a man to pass" . . . Exodus XI, 28
"None shall ever pass" . . . Isaiah XXXIV, 1

"The wicked shall not more pass" . . . Nahum I, 15
"Thou shalt not pass" . . . Numbers XXI, 16

"Though they roar yet they shall not pass" . . . Jeremiah V, 22
"So he paid his fare and went" . . . Jonah I, 3

In a specially copyrighted booklet issued by the Minc Estate it is explained how the "hook" was originated. "It was at Miner's Bowery on a Friday night, 1904. (Since then Fri-

day has been the traditional amateur night.) A particularly bad amateur was competing on a patient audience in Miner's 'hook' name, voice, and gait. Laughter and groans and catcalls the artist" insisted upon staying on. Then Mr. Tom Miner, who was conducting the amateur performance, changed to see in a corner a large old-fashioned, crooked cane; used by the Negro impersonators. Quickly picking it up, he called Charles Guthring, the property man, and had him lash it securely to a long pole. With this he would be singer and yanked him off the stage before he really knew what had happened. The next amateur was to give imitations of noted actors and after giving some of the worst imaginable, a small boy in the gallery yelled, "Get the hook!" The expression since then has been used at every Amateur Night.

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Alf Grant's Esperanto

Someone once asked Alf Grant, the comedian, did he see Joe Doakes? Alf said, "I saw him standing in Hope Island on the Waffle Iron about 10 minutes ago. He walked down Cripple Creek with a couple of turtles and then headed for the Water Hole." Hope Island meant a spot in front of the Palace theatre; Waffle Iron the grating on the sidewalk; Cripple Creek, 46th street where idle musicians hung out; turtles, layabouts standing in the sun; Water Hole, the Automat.

Boarding houses were called "peck-and-pad" joints (meaning eat, and pad the mattress). "A Square and Splash" (meant a room and bath). "A diaper Mansfield" (meant a young legit). "A shelf" meant a stage, or sometimes it applied to the gallery. "Cull" and "bo" were old variety terms of endearment for friends.

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When Salvini signed his contract for America he insisted he was entitled to six candles for every performance. (In Italy it was the custom to have in their contract how many candles they would get to light on the dressing room.)

The American manager told Salvini that the lighting rooms here were lighted by gas. Salvini insisted on his six candles. When the collection filled a trunk he sent it to Italy.

Stuart Robson kept a scrap-book containing clippings of the conduct of delinquent clergymen. If he heard a sermon preached derogatory to the theatrical profession he would produce his scrap-book, read a couple of articles to his friends, and smile sarcastically. For he had proved by statistics that fewer actors adorned prison cells than any other profession.

The shortest review in VAUDEVILLE of a New Act was written by Wynn when he reviewed a trick pony act called Napoleon at the Fifth Ave. theatre, N. Y. His review read, "Giddap Napoleon, you're small-time bound."

Shorty was acted originally as a comic relief in 1802 for the purpose of further deprecating the persecuted Jew.

The first melodrama produced was "A Tale of Mystery," in 1802.

In 1808 Irene Franklin won the popularity contest in the Percy Williams theatre. Eva Tanguay ran second, Alice Lloyd third, Vesta Victoria fourth, Gertrude Hoffman fifth and Marie Dressler sixth.

In the small time days when the curtain would have wires to guide it on the sides, an act would say "We wore out the wires when we were a hit."

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In 1870 there was a skating rink at 61st street and Third avenue that held 22,000 people.

Arthur Prince, the noted ventriloquist, once told me that ventriloquism was formerly used in connection with religious services instead of the then popular entertainments. Priests could make voices come out of idols and thus make them come out of the worshippers. In those days, golden images could be made to voice the sentiments of the ecclesiastical dignitaries.

Belasco and Bernhardt

When Sarah Bernhardt played the Palace, New York, afternoon she had David Belasco visiting her. It was near matinee time so rather than forego the pleasure of Belasco's visit she sent word to the theatre that she was ill and couldn't appear that afternoon. An announcement was made from the stage that Bernhardt would not appear, and those wishing their money back could get a refund at the boxoffice. Only 160 people stayed; 1,800 left. And there was a great show that week too (1913).

The best situation I ever heard of the difference between Vaudeville and Varieties was given me by Tommy Gray.

He said, "Variety: Maggie Clark, Lottie Gilson, Hastings Hart, Joe Welch, Doherty & Hengler, Pat Rooney, etc. Vaudeville: Mileva Fragoleska, La Napokowska, La Amour le Artist, Ignacius Cardosh, Mileva Negi Varad, etc.

It was in 1913 when the Shuberts started breaking in women as assistant treasurers . . . later they became treasurers of all Shubert theatres.

After Blanche Merill made a big hit writing songs for Eva Tanguay, Lillian Shaw, Lasky's Trained Nurses and many more headliners, she joined the publishing firm of Waterson, Berlin & Snyder. The first song she wrote with Irving Berlin was "Take Me Like You Used to Do."

In 1898 Gus Hill had one of his shows playing in Montreal. That city had one of the biggest bilazars in years, and business was very bad. On Saturday Hill had the following notice put on the callboard: "Summer salaries begin next

RETAKES OF 1940

By GEORGE E. PHAIR

Hollywood, Jan. 5.

A writer started out to write a script of warlike thrills and opened with the German drive on Norway's fords and hills.

But there were changes in the international jam.

And so the writer had to shift his play to Amsterdam.

In Holland there he wove a yarn of battle and romance.

But war had plowed through Flanders fields and rumbled into France.

And when he wrote of Paris and its fate so sad and sore,

His trend of thought was shattered by the bombs on England's land shore.

And as he wrote of London and its mighty rain of shells,

The boys put on a clinch amid the ancient Grecian dells.

The cameras are waiting for his drama day by day.

But every time he starts a yarn, the war moves away,

Everybody in the radio business is wondering what "grand right" means, but the answer is easy. It means that a flock of lawyers will get rich.

20th-Fox hired a forester to teach the boys in "Blood and Sand" how to handle the butt. When the picture is finished he may be shifted to the publicity staff.

Between "The Devil and Miss Jones" and "The Devil and Daniel Webster," Old Man Satan will have to hire a bicycle.

Columbus many years ago passed through the gold and pearls gates—And now the picture studios discover the United States.

Latest state to be discovered by Hollywood is "Arizona," which takes its name beside "Kentucky," "Virginia," "Maryland" and other commonwealths. As far as we can remember, there has never been no picture titled "Minnesota," but that state can take care of itself, at least on the football field.

There once was a lad Who was born to be sad, And aspired to be a tragedian, So a Hollywood scout Picked the young fellow out, And signed him to be a comedian.

Now the railroads are going Hollywood, with their Super-Extra-Streamliners putting on premières for the delectation of the populace. Presently the trains will break out with a rash of screen credits: Engineer, Theodore Throttle; fireman, Joe Whistle; conductor, Henry Strut, and a chorus of 16 fellas named George.

Once the butt of vaudeville quips, the Erie Canal is about to enjoy the last laugh. Vaude is dead, while the old Canal is about to play the lead in a Hollywood picture.

Edward Arnold is whittling a sequel to his autobiography, "Lorenzo Goes to Hollywood." Title will probably be "Lorenzo Goes to Beverly Hills."

Multiplication is vexation; Division is as bad. Biography, like geography, Makes exhibits feel sad.

Classroom Fable
Proudly the Princess sat on her throne while gilded courtesies fawned about her. Emeralds and rubies glittered in her crown and all the world was at her feet, including the director.

Presently the school teacher looked at her wrist watch and said:

"How about an hour of arithmetic, geography and spelling—particularly spelling?"

"O, nertz," said the Princess as she flatwheeled to the studio classroom, leaving a \$1,000 production flat on its negative.

Producers make a lot of dough, directors do the same. And so do male and female stars who muscle into fame. But when the suits are ended and the bank accounts are lame, The lawyers get the gravy in the motion picture game.

Freddie Bartholomew, who aspires to be a lawyer, has a running start in that direction.

Easiest way to break into Hollywood nowadays is to be a model, which brings up another problem. Where do you break in as a model?

Histrionic Heebie-Jeebles
Cornelia Otis Skinner not only writes her own dramas, but plays all the characters. If you hear Orson Welles talking to himself, you will know why.

After all these years on the prairies, Bill Boyd becomes a mat. "Aye, aye, sir," sez he, leaping aboard a horse mackerel.

Dame Nature's naturalistic ways
Are all a lot of tripe;
For when comes to picture plays
The Redskins ain't the type.

The Bronx and Flatbush Injuns ride
Over the hills and dale.

Hoofbeats and popping of six-guns are no longer sufficient for a sagebrush film. Next Tex Ritter picture has eight songs to keep the contented cows that way.

Trailer?
Little Billy and his troupe of lower-case actors are going on the road, just as the slot machine boys are boozing and midget movies.

Baby Sandy, who started her picture career as a male moppet and wound up as a female star, has sold Universal on the idea of signing up a new member of the family, due to arrive in spring. Hollywood's most precocious agent.

A News Story On Trade Papers And An Editorial On Support

(From Variety, Feb. 14, 1924)

In the recent discussions of the Producing Managers' Association about the establishment of a 10-line minimum for theatrical advertising by the "Evening Journal," which resulted in the association voting to hold out daily insertions in the publication pending some adjustment of the matter, the topic of advertising in trade papers was considered.

This is said to have resulted from the supposed suggestion from the "Journal" that some trade and weekly publications (not theatrical) could be eliminated which would counterbalance the "Journal's" increase.

The latter justified its stand of an increase from six to 10 lines, because of the publication's superior circulation over other evening newspapers.

Variety and the use of its columns by Broadway's attractions and theatres came into discussion. The use of Variety was stated to be of direct benefit to the plays. One manager declared that it is read by professionals who constitute a class of people really patronizing theatres and spending money for tickets. That was perhaps a surprising development, but it was the full sense of the session that Variety did aid the theatres.

The above is a news story, just as it was turned in.

It provides an opening for editorial comment upon the relation of the trade paper to the trade it represents.

The theatrical trade is peculiar as a trade—so far the courts have refused to stamp it a trade. But trade or no, if it's big enough it needs and must have a trade paper for news and protection.

The protection might be more important to a trade as a trade than the news. A trade paper not subsidized by any one factor or person of that trade, is a valuable weapon for the trade itself as a whole.

In theatricals there are powerful interests. They know that theatricals must have a trade paper, but they want to control the trade paper which is the most influential—they want to run their part of the trade to suit themselves and use the trade paper as their propagandist.

That goes for every interest of supreme importance in theatricals with no exception.

If Variety, as a trade paper, is of any value to the theatre's box office, that is something to be thankful for. This paper would like to show a return in money to the trade, if that's possible—which we don't think it is, although the same argument frequently has been vainly employed to convince us.

If Variety has any value at all to all of the theatrical business it is in its attitude—as long as it remains.

main independent. If it can be controlled, directed by interests other than the paper's own, the theatrical business had better try to build up another trade paper just as soon as it finds that out—if it ever becomes necessary to try to find out—and we trust that time will never arrive.

But the trade paper, if of value, if independent and properly conducted, if creating a marketable good name for itself, if printing the news of general interest, obtaining circulation and giving information, if allowing anyone in the business, no matter how lowly, to make his plaint public in its columns, if the plaint is justifiable; if doing all of these things and doing them fairly and honestly, will be well paid for and be supported, even by the highest and assuredly by all of those who need protection against the more influential—for only through that can the paper live, and only through that the kind of publicity should be given to the trade that the trade should have, for one thing or another.

And by the very virtue and blessing of being independent, a trade paper is often in a position to print "under cover stuff" and especially in theatricals—for those who might want to put it over know the independent trade paper will hear of and print it—a paper that will print everything stops a lot of things. Publicity is the greatest curb and the preventive power of great producers of accomplishments becoming known. The think-twice habit was publicly born.

Variety appreciates the recognition given it by the members of all of the theatrical branches, those that have, and Variety claims a certain support is due it; also from those that have not and even from those that have tried to destroy it for one reason or another; but let's run it tomorrow if they could, while regretting nobody did ruin it yesterday.

If we never turn a dollar into a boxoffice it's a surety that we never can take one away; that is an equalizer—but as a theatrical trade paper if of the character and description set forth here, Variety is entitled to the support of all of the business—from its friends and its enemies. For were it to pass out, how do its enemies know but that the paper to succeed it in standing might not be "controlled" by the enemies?

The trade paper that can be independent needs and must have support; it may not have the entire good will of either one, it may get along without that, but it cannot live without support and to be an independent trade paper against all of the temptations is worth much more to the trade than the support that may be given it.

Hal Roach, Walter Wanger, and Edward Main, mainstays of United Artists' program during the last 24 months, will probably confine their efforts to a maximum of two each for the 1941-42 season, and possibly only one. While Hal Roach, Sr., still watching his profit roll, Orin Tucker-Bonnie Baker star, resumes lensing during the next 12 months is still very much a question.

RKO Cools Off

Meanwhile, George J. Schaefer, RKO prez, who early in 1940 appeared to be pointing that organization toward the United Artists formula of almost complete separation of production from the corporation itself, is now understood to have gone cold on the scheme because of his discovery that all that glistens before indie cameras is not necessarily b.o. And not entirely out of line with Schaefer's new-born stand is the recent announcement by Murray Silverstone, U.A.'s operating chief, that his company will limit its slate to 15 for the next season.

Clouds now darkening the indie horizon have not formed suddenly. The storm warnings, it seems, have been flying since last August, when

WB SALARIES

Cagney's \$363,333, Wallis' \$265,000

and Robinson's \$25,000.

Additional salaries of executives and financing by the Sustaining and Exchange Commission last week revealed the holdings of several Warner Bros. executives and salaries paid stars.

James Cagney was paid \$363,333 in the past fiscal year, Warner Bros. informed the SEC. Its annual report for the year ended last Aug. 27, in the same period, Hal B. Wallis, production head, was paid \$265,000, while Edward G. Robinson was paid \$25,000.

Report showed Harry M. Warner, president, as owning \$750,000, or 6% of the outstanding 6% debentures. Also that Albert Warner, vice-president, owns \$1,500,000 of these debentures, and Jack L. Warner, president, held \$15,000 face amount of the debts.

Siegel's Par Getaway

Hollywood, Jan. 5. Sol Siegel, who recently joined Paramount as head of its B production unit, and who has a contract to produce 16 features by the end of 1941, plans to get his first picture made in early February.

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WAR SETS FAST PACE

Only a Long-Range View Permits Best Literary, Dramatic and Cinematic Perspectives

By JOHN C. FLINN

Military and political affairs in Europe have moved with such rapidity within the past year and their impact against the American way of life has been the cause of so many diverse complexities that the motion picture screen scarcely has had time to translate what is happening into film terms. Entertainment seldom keeps pace with current events. Only after the passing of time, which permits a view of happenings from some reasonable perspective point, is it possible for novelists, dramatists and screen writers to interpret major movements in terms of human stories.

It was so during and after the World War. Most popular of the films of the earlier conflict was *The Big Parade*, which was produced in 1925, seven years after the armistice. On the other hand, Charlie Chaplin in *'Shoulder Arms'*, perhaps his most amusing picture, struck the risibles of the public in 1918 while civilian draft soldiers, whom he satirized, were still in training camps. Chaplin's current picture, *'The Great Dictator'*, is told against the background of happenings of three years ago when the Hitler machine took over Austria.

Only one feature film of the past year attempts a more recent glimpse of the European debacle. Paramount's *'All Quiet on the Western Front'* placed against the background of events of last spring just before the invasion of the low countries and France.

Glimping the long lists of feature releases for the past two years one discovers hundreds of films which dealt in whole or in part with the World War. Every conceivable treatment of the theme is included, all the way from scenes of trench warfare to the 'back-home' locale 20 years later. Returned soldiers were both heroes and villains in the innumerable gangster pictures, a cycle fiction which came with prohibition. From so many, it is difficult to enumerate more than a few as examples of certain general groups.

J. Stuart Blackton in 1915

First of the World War pictures to get wide distribution was Vitagraph's *'Battle Cry of Peace'*, a bit of inspirational showmanship fostered by J. Stuart Blackton as a warning for American preparedness. It was shown in 1915, two years before the American declaration of war against Germany, and a score of others followed quickly, including *'The Fighting Men'*, *'Over the Top'*, starring Arthur Guy Emery. About the same time Robert Brenon brought to the screen a film version of a highly successful vaudeville sketch called *'War Brides'*. Nazimova was the star and the film was an exciting melodrama which played heavily on the woman angle in an invaded country. The villains then, as now, were Germans.

Then, as now, novelists, dramatists and screen writers lagged well behind the news events of the day, but the screen was not lacking in exciting war subjects. Half a dozen newsreel features were pieced together of which *'Invasion of Belgium'*, sponsored by the Chicago Tribune, was one of the earliest and most successful. It was played in two years, attracting audiences weekly at the 39th St. theatre. No picture quite comparable to it in suspense and tribulation has been prepared from European shots of the present conflict. For some reason the newsreel companies either did not obtain, or were unable to export from France, pictures of the exodus of the French civilian population from the northern provinces last May and June when Hitler forced capitulation. There was this distinction also between the World War newsreels and those of the current struggle—the earlier pictures were served on the screen in the raw. Current newsreel propaganda were not developed to their present state of efficiency.

Chaplin's *'Shoulder Arms'* was a farcical account of the American draft infantrymen of 1917. It was roborously funny, from the moment when Chaplin was handed his ill-fitting uniform and told to fall in (which he did) to the brilliantly conceived finish-chase, during which Chaplin camouflaged himself with tree branches.

COAST 10%ING NO LONGER A GOLD MINE

By BILL BROGDON

Hollywood, Jan. 5.—Talent agents, big and little, settled down to hard work during the past 12 months to hold up their average on the coast. They were more or less managing to break a little better than even on the year. Sizeable profits, with the exception of a few isolated cases, seem a thing of the past, but the field is still lucrative enough to encourage new entries.

Year was marked by the falling off of court cases centered around agency-client disputes, due to the operation of the arbitration board under the Screen Actors Guild franchise for theatrical managers. Most notable case, still pending at this writing, is the final breakup of re-

lations between Carole Lombard and Myron Selznick & Co., after years of association.

Franchise agreement and its arbitrating board, made up of three impartial observers, has proved a big help in ironing out controversial situations, particularly in the writing matter in the opinion of the courts. Perectors generally feel agreement has proved a big benefit to them because of its various clauses in spite of the fact that clients usually have the edge in contractual difficulties.

During 1940 one of the first decisions to come out of arbitration gave the nod to an agency. Award was made in the Smith Co. claim against Reginald Denny and the Paramount agency, with the small office claiming Denny had walked out on his managerial pact with it. Board held that the contract had been breached without cause and awarded Small all commissions on Denny's earnings, collected by Kramer, over a period of several months.

Selznick Loses Kay Francis

Selznick & Co. also had its other difficulties during the year that reached a head between the studio and its confederate during the negotiations between Selznick, Berg-Alenberg and Kay Francis. In this case the board found for the actress, allowing her

to terminate her contract with Selznick and sign with Berg-Alenberg.

Another Selznick fight is in the hands of the Los Angeles County Court, agency seeking to collect commissions on \$5,500 weekly salary of Errol Flynn at Warners. So far the court is holding \$15,000 in commissions on the actor's earnings while he and the agency both try to prove their claims to the coin.

There were several departures from the legal opinion of the year; a number of top-flight actors either deserting their old connections to try it on their own, or entering picture producing game. William Hawks, at one time partner of the Hawks-Volk agency, now has his own production unit. Nat Wolff, radio head for the Selznick office, and Noll Gurley are now operating their own agencies after checking out of the Selznick setup.

WB Forgives Lynn

Hollywood, Jan. 5.—Warners restored Jeffery Lynn to the payroll after a suspension resulting from his refusal to accept a role and his demands.

New part is the male lead opposite Priscilla Lane in *'Miss Wheelwright Discovers America'*.

BASIC STORY COST'S BUT PART OF IT

**'Gone With Wind' at \$52,000 Mounted to \$235,000
—Non-Copyrights Also Costly**

Warren and Ambassador Gerard

The boys were still in France and civilians at home were greatly in need of something to dramatize the cause for which they were fighting when *'My Four Years in Germany'* was released in 1918. It was a picturization of Ambassador Gerard's diary and was distributed by the then very young, but very ambitious, organization known as Warner Bros. Some years later, a top Government official declared that *'Four Years'* sold more liberty bonds than any other piece of propaganda during the period of war financing.

American producers would hesitate to treat the war theme humorously, yet the record shows that the second greatest boxoffice picture, *'After Shoulder Arms'*, was *'23 Hours Leave'*, a Thomas H. Ince production based on a short story by Mary Roberts Rinehart. Its stars were Douglas McLean and Doris May. The two were teamed for several years in other light comedies.

In contrast, Ince produced one of the first pictures in which submarine warfare was an important dramatic element. *'Sea Chaplin'* had to make a great success in *'The Fighting Pirate'*, but Ince, the most versatile picture producer the industry has known, handled his subject with stark realism. It was entitled *'Behind the Door'* and was released in 1920. In the leading roles were Hobart Bosworth, playing a New England taxidermist, who was called to service as captain of a merchantman; Wallace Beery, commander of a German U-boat, and Jane Novak, Bosworth's bride. Irwin Willat was the director and Luther A. Reed, one of the top screen writers at the time, fashioned the script into a savage tale of relentless revenge.

Revenge That Was Sweet—Circa 1920

Present production code precludes a story of revenge like *'Behind the Door'*, but audiences of 1920 took it in stride and its foreign sales led all American pictures in gross for many years. Its moment of greatest thrill revealed Bosworth, whose bride had been taken from him by the U-boat commander, clinging to the deck of the submarine and pleading for the girl's release as the vessel emerged from the water. Bosworth, torn to bits of courage, was saved. Months later, the commander of the U-boat became his prisoner. The story of the ravishing of the girl was told. Then Bosworth, an expert in such matters, divested his companion of his epidermis. Audiences were happy at the idea that Beery was literally skinned alive, that being about what deserved.

War pictures assumed epic proportions with the release in 1921 of Rex Ingram's production, *'The Four Horsemen'*, starring Rudolph Valentino. It was a Metro production and the first of that organization's output. Marion Lessing, bosom companion in love in the firm, King Vidor's finely directed film, *'The Big Parade'*, followed four years later. *'All Quiet On the Western Front'*, the Remarque story, was made in 1930 by Lewis Milestone, for Universal. One might speculate upon its reception in present-day Germany, assuming that a few reprinted prints were shown again.

Britain's 1940 War Pictures

British film producers have been more eager to tackle the present war for film material than the Hollywood picture makers. Some that have been seen here within the past year are *'It's in the Air'* (Asso), starring George Formby; *'Gestapo'*, shown here as *'Night Train'*, made by 20th in its London studio; *'Among Human Wolves'* (Anglo-Amer), *'Blackout'* (Brit. Nat.) and *'Pastor Hall'*, released here by U.A.

Warner's took a flier with *'Confessions of a Nazi Spy'*, but the studio has since shied from the war theme. Metro, however, has been more persistent: *'Escape'*, starring Norma Shearer and Robert Taylor, has been followed by two that have been recently completed. They are *'The Fighting Cocks'*, starring Clark Gable and Heddy Lamarr, and *'The Flight Commando'*. Columbia made *'Escape to Glory'* and *'The Phantom Submarine'*. Paramount offers *'Mystery Sea Rider'*, in addition to the highly popular *'Arise, My Love'*, and the documentary picture, *'A World in Flames'*.

But the big picture of the present war is yet to be made. And for good, if obvious, reasons.

Hollywood, Jan. 5.—Buying a story for screen purposes is one thing, but converting it into a satisfactory shooting script is something else again. In fact, the acquisition of the film rights to a plot, whether it be a stage play, a novel or an original, requires the outlay of mere hay as compared to the treasury nicking that goes on and on and on—before a worthwhile script emerges from the writing mill.

Take the case of *'Gone With The Wind'* as an example. "Just think," remark exhibitors in voices tinged with amazement, *"Selznick only paid Margaret Mitchell \$52,000 for the book, and the picture will gross \$20,000,000 or more before it finishes its run."* But the theater men figure without knowledge of the discrediting row Selznick had between the day authoress Mitchell gave him the nod and the date on which he started the cameras rolling.

For months, *'Gone'*'s producer closed himself with secretary, poring over the book, dictating tentative adaptation after adaptation, for which no charge was entered on the *'Gone'* cost sheets. When he had developed what he wanted in the way of a skeleton scenario, he started writing, which, though originally written anywhere from \$1,500 to \$3,000 each, until he had expended some \$150,000. Then he signed the late Sidney Howard to turn out the final screenplay, for which he paid Howard \$50,000 flat. Next came the polishing chore, which set him back another \$35,000.

Yet the \$285,000 plus his personal services contribution, which Selznick handed out before he got the script for *'Gone'*, is trivial considering the fees paid by *'Gone'*'s budget of \$3,800,000, when compared to what a little number called *'Easy Sailing'* stands. *'Easy Sailing'* stands Columbia, which hasn't yet been able to devise a worthwhile property from it.

How \$10,000 Buy Mounted

It was five years ago that William C. Thomas, writing with Grace Moore in *'My Valley'*, bid \$10,000 for the rights to the play, successfully finding vehicles for Miss Moore, then on his contract list, eagerly gave Thomas a check for \$10,000. The yarn was sent into the scripting mill, but before it could be whipped into shape to the liking of both Cohn and the diva, the latter had fulfilled her contract and checked off the lot.

By this time, Columbia's initial \$10,000 investment in *'Sailing'* had mounted to \$60,000, which isn't considered a bad sum. Columbia Gulch, so frantic attempts were launched to make use of the script to first one and then another Columbia producer, each one working with a different top player pencilled in for the lead, and each one bringing in his own crop of scripters. Finally, *'Sailing'* had been passed to every possible up-and-coming scribe for scribbling, until it is now referred to as Col.'s \$50,000.00 property, with even the newest producers shying away from it like a debutante dodging a bad cucumber.

They were several departures from the original script during the year; a number of top-flight actors either deserting their old connections to try it on their own, or entering picture producing game. William Hawks, at one time partner of the Hawks-Volk agency, now has his own production unit. Nat Wolff, radio head for the Selznick office, and Noll Gurley are now operating their own agencies after checking out of the Selznick setup.

Paramount's \$50,000 Writeoff

Paramount went on the line for \$25,000 when it bought the rights to *'Lives of a Bengal Lancer'* in 1929, but it took five years of continuous writing and rewriting, plus more than \$50,000, before a lensable script could be readied from the tome. By the end of the first 12 months, the charges against the vehicle had mounted to a high.

No producer was willing to undertake its production, so Pat O'Brien, who had the idea of making annual writeoffs on it, with as much as \$88,000 being erased from the books via the profit and loss route in a single year.

Gene Towne and Graham Baker,

with years as a successful Hollywood writing combo behind them, thought they knew all the answers when they turned producers with an RKO release. In the public domain, they sold themselves, were plenty of classics, all of them simple and waiting to be had without financial outlays.

They reached out behind the cost horizon and plucked *'Swiss Family Robinson'*; *'Tom Brown's School Days'* and *'Little Men'*, copyrights on all of which had long since expired. Rival producers watched the screening of their initial *'Swiss Family'*, and bemoaned the fact that they hadn't thought of putting on the grab act themselves. But the weepers were wasting their tears because they knew only the tears of it.

Public Domainers Costly

Before Towne and Baker, able screenists though they are, and a corps of hired writers had finished scripting the three volumes, charges amounting to \$160,000 had been entered on the ledgers. *'Swiss Family'*'s screenplay accounted for \$50,000 of that sum. *'Tom Brown'* ate up a similar figure, while *'Little Men'* ran up a \$60,000 bill.

20th-Fox gave Richard Llewellyn \$50,000 for the privilege of cameraizing his best seller, *'How Green Was My Valley'*, but, according to the Westwood lot's money sacks, are wondering where it got to. Darryl Zanuck will shoot *'Enough'*. Writers were brought in shortly after the purchase to pen *'Valley'*'s adaptation; then, last early March, Philip Dunne was assigned to write the screenplay. Two months ago, William Wyler, borrowed from Samuel Goldwyn to direct the feature, checked in and started work on the script with Zanuck. On Dec. 20, the studio announced that the script was ready for a Jan. 6 camera start, and that Dunne had departed on a well-earned vacation.

But Westwood executive elation was short-lived, for, when Zanuck perused the script, he shook his head. It was not what he wanted and would require polishing. So Wyler went back to Goldwyn, the script went on the shelf and *'Valley'* was jerked off the January production docket and set back until June. When the account is given its last auditing, it will probably show *'Valley'*'s story outlay somewhere in the \$200,000-or-better groove.

\$25,000 "Invasion"

Paramount spent \$25,000 for a yarn called *'Invasion'*, authored by Capt. William F. Cox, U.S. Army, and has since dug down for \$40,000 for treatments. The results of that \$65,000 investment are currently gathering dust in the story department files.

While the same outfit paid Ernest Hemingway \$100,000 to add an additional \$50,000 when his *'For Whom the Bell Tolls'* reaches a sale of \$500,000 volumes, Paramount officials believe their rights to the novel would be cheap at twice that figure because they are convinced it is easily—meaning, of course, inexpensively—adaptable for production purposes. They are pinning their hopes on the fact that Hemingway, admittedly charted his plot with Gary Cooper, has pictures in mind.

Paramount's *'Invasion'* is the cutting room.

Law to Press Trust

Suit Against F.W.C.

Los Angeles, Jan. 5.

Albert J. Law, former assistant to the U. S. attorney general, who resigned short time ago to become counsel for the Pacific Coast Conference of Independent Theatre Owners, has been retained by the Motion Picture Corp. as special counsel in its anti-trust suit against Fox-West Coast, which goes to trial Jan. 14.

This will be Fox's first legal job aside from handling Government business in past 10 years.

1941

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JULY

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Fred Astaire · Paulette Goddard
"SECOND CHORUS"

Artie Shaw and His Band · Charles Butterworth · Burgess Meredith

Original Story by Frank Cavett · Screen Play by Elaine Ryan and Ian
McEwan Hunter · A Paramount Picture · Directed by H. C. POTTER
Produced by BORIS MORROS

Paramount's the
ONE in '41



1940

★
"REMEMBER THE NIGHT"
★
"ROAD TO SINGAPORE"
★
"BUCK BENNY RIDES AGAIN"
★
"THE GHOST BREAKERS"
★
"TYPHOON"
★
"THE GREAT McGINTY"
★
"RHYTHM on the RIVER"
★
"MOON OVER BURMA"
★
"ARISE, MY LOVE"
★
"NORTH WEST MOUNTED POLICE"
★
"LOVE THY NEIGHBOR"



South Seas Love Thriller!
ISLAND TALES! starring

TORY

by JOHN CROMWELL



ARCH · BETTY FIELD

IN TECHNICOLOR!

VIRGINIA

Battlefield of Romance! starring

MADELEINE CARROLL

Produced and Directed by EDWARD H. GRIFFITH

FRED MACMURRAY

The greatest air picture ever filmed—the flying cadets of the U. S. A.

"I WANTED WINGS"

starring
RAY MILLAND · WILLIAM HOLDEN · WAYNE MORRIS · BRIAN DONLEVY

Directed by MITCHELL LEISEN

IN TECHNICOLOR!

Topping "The Trail of the Lonesome Pine!"

Harold Bell Wright's Greatest Novel
"The SHEPHERD OF THE HILLS"

starring JOHN WAYNE · BETTY FIELD · HARRY CAREY

Directed by HENRY HATHAWAY

They're off again to Africa and Dr. Livingstone, I presume!

BING CROSBY · BOB HOPE · DOROTHY LAMOUR

"ROAD TO ZANZIBAR"

Directed by VICTOR SCHERTZINGER

941

Paramount sure is doing
my stuff in 1941—Just
look at the next page . . .



Colossal Colonna and Baker and Tucker!
"You're the One"
 with **BONNIE BAKER**
ORRIN TUCKER and his Orchestra
JERRY COLONNA
 Directed by **RALPH MURPHY**

Oh Henry!... You're in Wrong Against
The Aldrich Family in
"Life With Henry"
 with **JACKIE COOPER** **Leila Ernst**
 Produced and Directed by **JAY THEODORE REED**

A Heart and Thrill Triumph
for Women!

"The Mad Doctor"

starring
BASIL RATHBONE
ELLEN DREW
JOHN HOWARD
 Directed by **TIM WHELAN**

We're all going to
ride to success
with Paramount—
the seal of success!

The "Music Town" of the Screen!

"The Hard-Boiled Canary"

with **Allan Jones** **Susanna Foster** **Margaret Lindsay**
Lynne Overman
 Produced and Directed by **ANDREW L. STONE**

Harry Sherman's Biggest
All-Star Western Triumph!

"The Round-Up"

starring **Richard Dix**
Patricia Morison
Preston Foster
 Directed by **LESLEY SELANDER**

Preston Sturges Ribs
Adam with Eve!

"The Lady Eve"

starring
Barbara Stanwyck
Henry Fonda
 Written and Directed by
PRESTON STURGES



1941

Beauty and the Beast in a Chil-a-Minute, Thrill-a-Minute Killer-Diller!

"The Monster and the Girl"

with
ELLEN DREW **ROBERT PAIGE** **PAUL LUKAS**
 Directed by **STUART HEISLER**

Kitty' Heavily Exploited, Piling Up Sock Chi Gross and Long Run; 'Comrade' and 'Neighbor' 2d Swell

Chicago, Jan. 5. Business continues at a lively pace, but the truly bright item in the entire loop film situation is the walloping trade being turned in by *'Kitty Foyle'* in the Palace. Opening on Dec. 31, the picture has been a smash hit from the start. The film has sounded through to side walk standees every day, and is packing them for what looks like the biggest coin in months.

Also strong is *'Comrade X'*, which the film was handled under the supervision of district manager Tom Gorman, who arranged for a smashing series of ads and a whale of a campaign of publicity and advertising. Film looks assured of a run in this house, of three, and maybe four weeks.

Another good money item is *'Comrade X'* which opened on Friday (3) in the United Artists. *'Love Thy Neighbor'*, having minted a heap of coin over the Christmas-New Year's run, holds over in the Palace, and will come up with a second brilliant week.

Ortinal is having a healthy stanza with a combination of *'One Night in the Tropics'* and *'Vaudre'*, show headed by Thurston's Pictures of India and the Mills Bros.

Estimates for Last Week

Apollo (B&W) (1,200; 35-55-65-75) — **Arizona** (Col.) (300 wk). Will manage to garnet healthy take this round off, having snared mighty \$10,000-plus last week.

Chicago (B&W) (4,000; 35-55-75) — *'Love Thy Neighbor'* (Par) and stage show (2d wk). Galloping to nifty figures after snatching powerful \$42,000-plus week.

Garrison (B&W) (900; 35-55-65-75) — *'Bitter Sweet'* (M-G). Moved here after two good United Artists sessions and indicates a good draw. Last week, *'Tim Pan Alley'* (Par), happy \$9,400.

Oriental (B&X) (3,200; 28-44) — *'Night Tropics'* (U) and *'vaude'* Thurston's magic show. Miss Hilda is holding on and managing to boom the ticket despite the lack of New Year's eve. Last week, *'Wolf Date'* (Col) and Ted Weems band saw to minimum success.

Palace (RKO) (2,500; 33-44-66) — *'Kitty Foyle'* (RKO) and *'Saint Palm Springs'* (RKO). With one of the greatest exploitation and advertising handling jobs in the town, the line is a combination of success. Opened on Dec. 31 and is piling up a sensational gross. Looks for a stay of maybe a month in this spot. Last week, *'Nanette'* (RKO) and *'Frisco Dolls'* (Col) were the draw.

Roosevelt (B&K) (1,500; 35-55-65-75) — *'Bagdad'* (UA) (3d wk). Fan has caught on and current take is bright, following excellent \$14,200-plus week.

State-Lake (B&X) (2,700; 28-44) — *'Sky Murder'* (M-G) and *'vaude'* Fats Waller orchestra on stage. Combination is giving a swell act couple of weeks. Last week, *'East River'* (WB) and *'Streets of Paris'* until sockeroo \$24,600.

United Artists (B&X-M-G) (1,700; 35-65-75) — *'Comrade X'* (M-G). Opened on Friday (3) and looks like a smash hit. Plenty of coin. Last week, *'Bitter Sweet'* (M-G), finished fortnight to \$10,500, good.

NEIGHBOR' 2D STRONG, 'KITTY' LIKEWISE, K. C.

Kansas City, Jan. 5. Theatre still topsy-turvy over opening days as result of jumbled bookings. Currently only the Tower, which sticks rigidly to Friday bookings, is doing well. Good news is present at nearly every spot, inasmuch as attractions have a definite lift, and at least two dowers will be listed. Two other houses are likely to have extended runs to get back to regularly scheduled openings.

Best showing made by the New man, where *'Love Thy Neighbor'* is following a big opening week with a strong second. *'Comrade X'* is also making a big splash with *'Kitty Foyle'*. *'Chad Hanna'* (in the Fox Midwest first run), is staying nine days, right the booking situation, although *'Comrade X'* is on a dual bill at the Midland, for a goodly gross, and draws the assignment for 10 days.

Estimates for Last Week

Empire (Col.) (1,000; 35-55-65-75) — *'Comrade X'* (M-G) and *'Ellery Queen'* (Col). Dec. 31 opening. Holiday and weekend total good. Last week, *'Bagdad'* (UA) and *'Great*

Plane Robbery' (Col) twinned, for healthy take at \$11,000. *Newman* (Paramount) (1,800; 10-28-44) — *'Love Thy Neighbor'* (Par). Went into second week Friday. Opener was \$10,700.

Comrade X (RKO) (3d wk) — *'Kitty Foyle'* (RKO) and *'Saint Palm Springs'* (RKO). Helped by heavy campaign and paying off nicely. Last week, *'Bagdad'* (RKO) and *'Comrade X'* (Col).

Tower (Jaffee) (1,200; 10-30) — *'Cherokee'* (RKO) plus *'vade'*. *Cherokee* (Rep.) with Mona Leslie stripper, on stage, ran a neat \$8,800.

PHILLY PRODUCT AND B.O.

HEAVY

Philadelphia, Jan. 5. Tilted prices for New Year's Eve, plus heavy biz before and after, made the holiday week's windup a hefty one, for downtown dealers. *'Love Thy Neighbor'* (Par) netted \$60,000, others went to \$10,000. The Earle, which usually gets a 68c and 75c top, went all the way to 99c. On New Year's Eve.

Indications are that the heavy biz will continue, as the Earle is a weighty product that is being held over this sess.

Estimates for Last Week

Baldwin (WB) (1,300; 35-55-67-88) — *'Bagdad'* (UA) (3d wk). Last week the Earle was the star, taking \$15,000 for its second side. *'Love of Monte-Cristo'* (UA), skedded to open last Thursday, will unveil next Thursday (8).

Arabia (Columbia) (2,000; 35-46-57-88) — *'Santa Fe'* (Col) and *'The Second Chorus'* (Par). *Santa Fe* (Col) and *'Nanette'* (RKO) fair \$3,500 for its second run.

Boyd (WB) (2,500; 35-46-57-88-96) — *'Kitty Foyle'* (RKO) (2d wk). *Boyd* for a long stay here. Last week's world premiere's a sizzling \$26,000.

Earle (WB) (2,758; 35-46-57-88-99) — *'Escape Glory'* (Col) with Orson Welles and *'Hammer-Evergreen'* (Col). *Hammer-Evergreen* (Col) and *'Nanette'* (U). Marvelous come-back for this house after recent slump. Last week, *'Four Mothers'* (WB) and *'Early Carroll'* (Par), poor \$3,700.

Fairfax (Sterling) (1,200; 30-40) — *'Globe'* (Col), plus *'vade'*. *Globe* (Col) and *'Kiddare Home'* (M-G), fair \$1,500.

Holiday (Sterling) (1,800; 30-40) — *'Chad Hanna'* (Par) (2d wk) and *'Charter Pilot'* (20th). Very nice pace. Last week, *'Comrade X'* (RKO) and *'Kiddare Home'* (M-G) (2d wk) and *'vade'*, \$20,000 big.

Meserve (Sterling) (800; 30-40) — *'Bagdad'* (UA) (3d wk), move-over from *Orpheum*. Good enough. Last week, *'How Comes Navy'* (WB) and *'I Can't Stand It'* (WB), big \$18,000, big \$2,400.

Orpheum (Sterling) (900; 16-30) — *'Correspondent'* (UA) and *'Hired Wife'* (U) run. *Orpheum* (Col) and *'Kiddare Home'* (M-G) (2d run), \$2,700, great.

Paramount (WB) (3,000; 35-46-57-88-96) — *'Santa Fe'* (WB). Last week's second and final sessh of *'Four Mothers'* (WB) netted a profitable \$12,000.

Karlon (WB) (1,066; 35-46-57-68-75) — *'Second Chorus'* (Par) (2d run). Last week's first for second run, good \$12,000.

Forrest (WB) (2,422; 35-46-57-68-75) — *'Santa Fe'* (WB). Last week's second and final sessh of *'Four Mothers'* (WB) netted a profit of \$12,000.

Stanley (WB) (2,916; 35-46-57-68-66) — *'North West Mounted Police'* (Par) (3d wk). *Stanley* (WB) was \$10,000 after *'Kiddare'* \$22,000 for opener.

Stanley (WB) (1,457; 35-46-57-75) — *'Chad Hanna'* (20th). Last week, *'Kildare's Crisis'* (M-G), fair \$4,600.

Keith's (WB) (1,970; 35-46-57-68-75) — *'Four Mothers'* (WB) (2d run). Last week, *'Go West'* (M-G) goes a fast \$10,000 for its second run, showing a profit of \$10,000.

Stanley (WB) (2,916; 35-46-57-68-66) — *'North West Mounted Police'* (Par) (3d wk). *Stanley* (WB) was \$10,000 after *'Kiddare'* \$22,000 for opener.

Stanley (WB) (1,457; 35-46-57-75) — *'Chad Hanna'* (20th). Last week, *'Kildare's Crisis'* (M-G), fair \$4,600.

Seattle Peppy

Santa Fe Looking for Top Gross — Rest Strong

Seattle, Jan. 5. Houses changing their sheds for New Year's has a great effect, and over the weekend, *Santa Fe* looks for top gross on this round.

Estimated for Last Week

Blue (WB) (1,600; 35-46-57-68-75) — *'Hammer-Evergreen'* (Col) and *'Kiddare's Crisis'* (M-G) (3d wk). Moved over from the Paramount and showing great returns. Last week, *'The Long Voyage Home'* (Col) and *'vade'*, \$2,600. Wavered on holdover, but was nix.

Coliseum (Hammer-Evergreen) (1,900; 16-32) — *'Zorro'* (20th) and *'Letter'* (Col) (2d run). *Zorro* (Col) and *'vade'*, \$2,600.

Seattle (Col) (300; 35-46-57-68-75) — *'Last Man on Comedy'* (WB) and *'Young People'* (20th) (2d run). fairly good \$3,000.

Fifth Avenue (Hammer-Evergreen) (2,340; 30-40-50-60-70) — *'vade'* opening day then dualled with *'Keeping Company'* (M-G). Looking to big returns.

Seattle (Col) (300; 35-46-57-68-75) — *'vade'* opening day then dualled with *'Keeping Company'* (M-G). Looking to big returns.

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Detroit Houses Turn Away 50,000 On New Year's Eve; 'Chorus'-Vaude Big

Detroit. Jan. 5. Using extended runs to get back to 100 percent, Detroit, after being forced in Wednesday by the holidays, Detroit's picture houses are nicely situated for the longer stretches. Product was backed up for some good offerings for this season, and the public is back enough to support longer than the normal week for the first-runs.

Highlight of the spending spree on which the town seems to have headed in New Year's Eve were every downtown house, with boxes vaulted to \$1.10 or \$1.65, spilled over, with an estimated 50,000 Detroiters rambling around downtown, unable to get in places. Since the holiday, big picture houses, following the box-offices and managers have begun to figure that maybe the war boom has started to make itself felt.

Michigan opened New Year's Day with "Second Chorus" and stage show "Aladdin," and "Lone Wolf" and "In-Ion Spots" which it carries for a week before launching "Santa Fe Trail" and "Life With Henry Aldrich" scheduled to go for nine days to bring the town back to its regular Friday opening.

Fox wound up with a stage show, "Truth and Consequences," New Year's Eve, and "Lone Wolf" keeps date for tonight, while that puts on "Arizona" for another irregular run to get back to Friday.

Two houses were set for the holiday, the Adams going along with the first-runs, and the Michigan, with the United Artists going a third week with "Long Voyage" and "Comrade X."

Palms State, which cashed in on New Year's Eve by buying up Michigan's seats, will look to Fridays with switch-over bills. Currently using "Love Thy Neighbor" and "Kit Carson" from Michigan before picking up on Thursday for eight days, Michigan's "Second Chorus" and continuation of United Artists' "Comrade X" for a fourth week.

Estimates for Last Week.

Adams (Balaban) (1,000), 30-40-55—**"Bagdad"** (UA) and "Sandy Man" (U) (2d wk). Expectations good, following the week's \$6,000, ending with the added show on New Year's Eve at \$1,10.

Fox (Michigan) (1,000), 30-40-55—**"Second Chorus"** (Par) and "Love Thy Land" and one of "Arizona" (Col). Looking like an okay figure. Last week "You'll Find Out" (RKO) and "Truth or Consequences" on stage, five days, and "Lone Wolf" (2d) and "Lone Wolf" (Col), two days, a big \$27,000, counting in midnight show.

Michigan (United Detroit) (4,000), 30-40-55—**"Second Chorus"** (Par) plus "Rosemary Lane" and "In-Ion Spots" (Col) and "Santa Fe Trail" (WB) and "Henry Aldrich" (Par), two days. This looks very big. Last week, "Love Thy Neighbor" (Par) and "Kit Carson" (UA) five days, "Second Chorus" (Par) and "Comrade X" (M-G), two days. Using entirely switch-over bills from other houses of chain, and expectations good, the week's \$6,000, "Flight" (WB) and "Cherokee" (Par) former a mover-over from Michigan, and two days of "Love Thy Neighbor" (Par) and "Kit Carson" (UA), also from Michigan, will be big, bringing Michigan's stage show for midnight, \$12,000.

United Artists (United Detroit) (2,000), 30-40-55—**"Long Voyage"** (UA) and "Comrade X" (M-G) (2d wk). Looks fair after taking up \$12,000 last week with "Flight Command" (M-G) and "Keeping Company" (M-G) specialized for midnight show.

'COMRADE-SAINT' IN FRONT, DENVER GOOD

Denver. Jan. 5. With New Year's Eve a sellout, and New Year's Day 25% above a usual day's biz, first-run theaters are the pick.

Orpheum, with "Comrade X" and "Saint in Palm Springs," looks likely to turn in the best gross this season.

Estimates for Last Week.

Aladdin (Fox) (1,400; 25-40)—**"Bagdad"** (UA), after a week at the Denver, continues, and "Elegy Queen" (Col), after a week at the Denver, good \$4,000.

Broadway (Fox) (1,040; 25-35-40)—**"Santa Fe Trail"** (WB) and "Hullabaloo" (M-G) after a week at the Denver, good \$4,000.

Fair (Paramount) (1,000; 25-35-40)—"Santa Fe Trail" (WB) and "Gallant Sons" (M-G), in

second week here after a week at the Orpheum, fair \$2,500.

Empire (The Neighbor) (Par) (2d wk), fine showing being turned in, after plenty strong \$1,400 last week. Stays for a third round.

Saint (Fox) (2,520; 25-35-40)—"Santa Fe Trail" (WB) and "Gallant Sons" in store. Last week, "Bagdad," (UA), strong \$12,000.

Orpheum (RKO) (2,600; 25-35-40)—

"Comrade X" (M-G) and "Saint in Palm Springs" (RKO) and "Love Thy Neighbor" (Par) and "Hullabaloo" (M-G), poor \$7,000.

Paramount (Fox) (2,200; 25-35-40)—"Bank Dick" (U) and "San Francisco Docks" (U) another strong box, probably due to the popularity of "Giant" and "Get That Girl" (U), nice \$5,000.

Blithe (Fox) (978; 25-40)—"Hired Wife" (U), after a week at each the Denver and Aladdin, and "Phantom Chinatown" (Mono). Will do nicely.

State (Paramount) (1,000; 25-35-40)—"Next Time Love" (U), after a week at each the Denver and Aladdin, fair \$1,800.

41-'42 Trend

Continued from page 6

Marlene Dietrich, Jean Arthur, Jack Benny and several other top non-riding stars in chaps and boots during 1940 will be even more widespread during 1941.

40 Musicals

Of the close to 500 features to be made during the next 12 months, 40% of them will be musicals with two or three, possibly more, of the songs coming from Warners which a year ago emphatically turned thumbs down on further forays into the song-and-dance field. Burbank crowd, last of the holdouts against this current cycle of tuners, will use a remake of "Sally" as its evening wedge.

Exhibitionists for comedies are being headed throughout the village, with studio story editors working under front-office pressure in a race to buy new mirth yarns and race off others that have been laying on the shelves. Even Harold Lloyd, who a year ago announced that he was through with acting forever, and his wife, Dorothy, are getting into his efforts to producing, will shortly start filming on "My Favorite Spy," a conception army comedy, in which he will also star.

Emphasis On Laughs

Another example of the times, as they pertain to comedy, is the scramble by all companies to develop young players in the laughter groove. Because of the part Lou Ostrow, former master of broad comedy, has been playing in the advancement of Mickey Rooney as a b.o. favorite, he has been signed by 20th-Fox in the hope that he can repeat the process on Jane Withers. Warners believes it will accomplish big things with equally youthful sing-sing dancing Joan Leslie. Paramount is building its hopes on Betty Hutton.

Comics, in particular, featuring clattering hoof and marching feet, will be made on all sizes of budgets in spite of the oftentimes costly mistakes the producers have made in the past in trying to bag too much laughter with too little coin. Although the boys were convinced a year ago that they couldn't make a year-round comedy less than \$500,000, they are talking now about the prospects of bringing in much of the new crop below the \$200,000 mark.

Harold Lloyd, who expended \$800,000 on "Professor Beware," his last producer-star job, will cut his outlay for "Spy" to \$400,000. Figures do not allow for any salary for Lloyd; he will depend entirely upon profits.

Comics in particular, in the beginning, will be specialized for the middle of the year, and the prospects of bringing in much of the new crop below the \$200,000 mark.

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Neither will the studios go overboard in their appropriations for army-navy pictures. These, however, can be made at a considerable saving below the cost of the ordinary run of product because of Government cooperation in permitting the use of army and air camps, navy bases and bases used for exterior shots, which are often more expensive than constructing expensive outdoor sets.

While Paramount, Universal and United Artists home office and studio execs have held their preliminary huddle on the 1941-42 schedule, none of the companies will attempt to pencil in definite titles on any new season pictures before the end of February. And even then such stories as they may be positive will be considered popular by the customers when next August and September roll around, will be given the nod.

George M. Cohan

Continued from page 2

JP—Why not?
GC—It's an imposition.
JP—Nothing of the sort. The boys all like you.

GC—Which boys?
JP—at the office. And don't ask me what office.

GC—You were going to say "Post Office," weren't you?

JP—No, I was going to say "Box office."

GC—Now I know it's a gagging act.

JP—Well—

GC—How many gags are needed?

JP—For what?

GC—For a story.

JP—Is it funny?

GC—The gag should be funny.

JP—if they're not funny, they're not gags.

GC—What are they?

JP—Eggs.

GC—who lays the eggs?

JP—the comedians.

GC—I'm too smart.

GC—is a kind word for everybody, eh?

JP—not exactly, but—

GC—you mean you don't tell the truth?

JP—we tell the truth about everything.

GC—including the boxoffice?

JP—Sure?

GC—Excuse me for chuckling.

JP—Why the chuckle?

GC—you printed my receipts all wrong.

JP—you know why, don't you?

GC—Sure. The boys at the office all like me.

JP—That's right.

GC—Ask what office?

JP—What office?

GC—the Shubert office.

JP—Now about the story.

GC—What shall I write about?

JP—People in show business.

GC—Like Winchell?

JP—Certainly not. Use your own style.

GC—I think I'm stylish?

JP—You all right with me.

GC—and the boys at the office really like me?

JP—Very fond of you.

GC—you'll print the story for nothing?

JP—Free of charge.

GC—I still think it's an imposition.

JP—not silly, I'll do it.

JP—Fine, I'll tell the boys.

GC—Tell them something else, will you?

JP—What?

GC—Tell them I'm very fond of them, too.

JP—You tell I will.

GC—I guess you had the right idea begin with.

JP—What idea?

GC—that don't need an idea for a story.

JP—I've always had that idea.

GC—Then you admit that it's an idea for a story?

JP—Are you going to tell me?

GC—Certainly not.

JP—Then what's the idea?

GC—I haven't any idea. I told you that to begin with.

Dept. of Justice

Continued from page 2

not at all to affiliated circuits or partnerships which are owned only in part by the film companies. Another question raised in the trade concerns the elasticity and extent of the portion of the theatre expansion provision of the decree, which is as follows:

"Nothing herein shall prevent any such defendant from acquiring theatres or interests therein to protect its investment or its competitive position or for ordinary purposes of its business."

All legal commitments on theatres in interest, building or acquisition of film houses, any pooling agreements made, changes from leases to ownership and theatres that are disposed must be reported to the Dept. of Justice.

They also must indicate whether it's a protection of investment or competitive position, with details given. D. of J. also reserves the right to ask for further information if sufficient proof is not provided.

Replies must be made for the three years the consent decree is in operation.

Keep your hands up. Don't body move!

"All right, you've had your say. Now I'll have mine. Git goin'!"

With the cloppety-clap of horse's hoofs, the bang of shootin' irons, the bawl of cattle, the thud of fist against flesh, the twang of guitars, the distant mountains, the sage and the chaparral and the hero riding into the sunset—that's the western.

"And I'm still boy enough to love it."

'Neighbor' and 'Comrade' Top Cincy

BIGGEST HOLIDAY SEASON SINCE '29—'SPITFIRE'-STREETS PARIS' GETTING FINE B.O.

Cincinnati, Jan. 5. Burg's biggest New Year's since '29 greeted advanced openings for mainstays. Follow-up trade also has been surprisingly large, giving the new year a promising start.

"Love Thy Neighbor" (Par), and "Comrade X" in the Palace are head-and-head for top money. Grand also has a cage sweetie in "Son Monte Cristo." Combo Shubert, with "Mexican Spitfire" and the "Streets of Paris" unit, is racking up a hefty figure for the second week of its vaudeville season.

In second week of the pop run on "Gone With the Wind" the audience is growing steadily from 9 a.m. on, thus getting in a fourth performance daily. Its take is highly pleasing. Keith's and Lyric are doing fine on second runs of "Santa Fe Trail" and "Philadelphia Story."

ESTIMATES FOR LAST WEEK.

Albee (3,300; 33-40-55)—"Love Thy Neighbor" (Par). Running eight and one-half days, after opening New Year's eve at advanced 47-60-cent scale. Indications are for a big figure. "Love Thy Neighbor" (Col), six and one-half days, flat \$4,000.

Capitol (RKO) (2,000; 30-55-65)—"Gone With Wind" (M-G) (2d wk).

Added a fourth running daily by running continuously from 9 a.m. to 10 p.m. Last week, "Love Thy Neighbor" (Col), six and one-half days, flat \$4,000.

Kodeling Mustangers

The singing-cowboy western isn't so different. It's a phase of the good old formula. And they're serving a grand purpose. The music of the west is being revived, and the clear and clean philosophy of life and rolicking humor, through these westerns, is being revived and popularized.

Such old favorites of "The Chisholm Trail," "Home on the Range," "Git Along Little Dogie," and the rest shouldn't be allowed to perish. They're part and parcel of the tradition of the west.

The "Big" westerns are along the familiar formula, with refinements. "The Covered Wagon," "Giant Trail," "Flaming Frontier," "Oregon Trail," "The Trail of Steel," "Union Pacific," "James J.," "Dodge City," "Clarendon," "Arizona" are all alive with the pound of hoofs, the crack of the sixgun, the adventure, action and the look of the big outdoors. And that's what makes the western a western.

Drawing Room Measile Heroes

Styles in heroes are changing, but within. Within a year, Universal has made a couple introducing an innovation that would have caused the old-time western picture producer to howl a protest at its mere mention. "Kings of the West," decided not the western type, was starred with Marlene Dietrich in "Destry Rides Again." Stewart, in the picture, wore no guns and didn't use them until the going got so tough that it was the only way out. And suave, soft-spoken Franchot Tone is starring, "Trail of the Vigilantes."

The trials of the western-movie-makers have led practically all over the west, from California's Red Rock Canyon and Yerba Buena to Sonoma and the hills of the Mother Lode country; to Arizona's Painted Desert and Blue Canyon; to Wyoming's Jackson Hole country, and to Bryce Canyon in Utah. Every motion picture company has produced westerns and the prop-room arsenals are full of worn-out guns.

Since the crack of the first gun barked along Hollywood's hills, the western has changed much. But the western has changed in minor particulars. It'll remain in its basic form for years to come and unborn generations will thrill when they hear such dialog as this:

"Bill, you and Slim go thataway. Me and Sam'll take the short cut and head 'em off."

"Anderson I'll give you just one chance to get out of town. If I find you hangin' around here after sun-down, we'll reachin'!"

"Keep your hands up. Don't body move!"

"All right, you've had your say. Now I'll have mine. Git goin'!"

With the cloppety-clap of horse's hoofs, the bang of shootin' irons, the bawl of cattle, the thud of fist against flesh, the twang of guitars, the distant mountains, the sage and the chaparral and the hero riding into the sunset—that's the western.

"And I'm still boy enough to love it."

First infringement suit brought by ASCAP as a result of the present controversy involved the Texaco-Fred Allen program on CBS. ASCAP claimed that one of the tunes broadcast last Wednesday (1) included some bars from "Winter Green for President," which the late George Gershwin composed.

Perennial Western

Continued from page 2

that "musky stuff" is the part of their he-men. The girl can love him but mustn't be too demonstrative.

Censorship has imposed a few regulations on the westerns, but now where the degree that has been set, the tone of the films is affected.

"The Horseman Who Rides Like the Wind" (Col) is a good example. It's forbidden to show a horse raced until he perspires. In the old days, we painted them with shaving lather to get over the idea that the horse had been hard-ridden. Today the horse emerges from a 10-mile chase as cool as a 6-year-old miss in a white dimity dress.

In recent years the conventional menace has changed. In the early days, the Indians were the foes. Later there were the rustlers and other violent bad men. Today the setting is more varied, with the bank robber who has unlawful control of the water rights or who is about to foreclose, the villain's father.

Today's "Westerns" are more serious, more dramatic, more sophisticated. The "comics" of yesterday are gone, the "romantic" is dead.

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"And I'm still boy enough to love it."

ASCAP-Radio

Continued from page 3

form and terms that such licenses should take. As for the sitting-back policy, ASCAP strategists have become convinced, after listening to the reactions of program men on the networks, that the listeners are becoming more quiet and that this breakdown of listener habit will occur much sooner than the broadcasters figure. The check is possible, infringements would be maintained but they would be maintained to accumulate.

ASCAP *Own Hits*

ASCAP board meeting also approved the proposal of the society the go on the air with its own "Hit Parade." This is to be a weekly show, tagged "ASCAP On Parade." The recorded programs will include written and performer names and be written with those stations holding ASCAP grants.

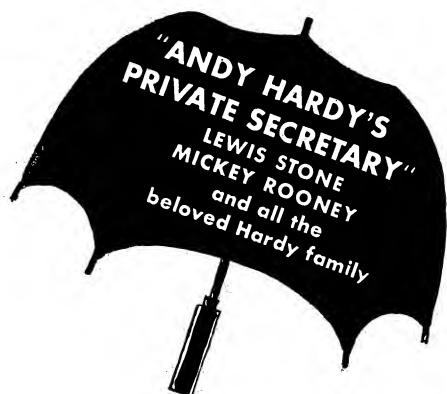
Its announcement on the project, ASCAP stated that the series will consist of the genuine "hit" songs of the day—the real hits that the public actually is buying, singing and dancing to; rather than a group of network-controlled "synthetic" hits." Irving Berlin will be the first guest on the series.

First infringement suit brought by ASCAP as a result of the present controversy involved the Texaco-Fred Allen program on CBS. ASCAP claimed that one of the tunes broadcast last Wednesday (1) included some bars from "Winter Green for President," which the late George Gershwin composed.



**SOMETHING
FOR A
RAINY DAY!**

Let
M-G-M
be
your
umbrella
during
1941
and
there'll
always
be
sunshine
at
your
box-office!
All
the
folks
of
Loew's, Inc.
Metro-
Goldwyn-
Mayer
Pictures
and
Radio
Station
WHN
take
this
means
of
saying
to
friends
the
world
over:
"Friendly
wishes
for
health
success
and
good
cheer
all
year
from
the
Friendly
Company."



MOTION PICTURE INDUSTRY

A \$2,000,000,000 BIZ

[Note: Financial and statistical information for the accompanying article has been obtained from numerous reliable sources. These include the files of VARIETY and Daily Variety, the U. S. Census Bureau, the U. S. Department of Commerce, the U. S. Department of Justice's anti-trust complaint, Carl M. Loeb, Rhodes & Co., and Standard Statistics Co.—ED.]

American motion picture industry is a \$2,000,000,000 enterprise. After-dinner speakers at trade functions for some years have indulged in the habit, among other indulgencies, of referring to the motion picture industry as the "fifth estate." Several operators under the spell of enthusiasm and the sound of their own voices, have even declared it to be the "fifth estate," probably on the theory that it was the "fifth" the last time they mentioned it, so it must be the "fourth" by now. The U. S. Department of Commerce listings place motion pictures as 34th among American industries. But it is still a \$2,000,000,000 attraction, and that's a lot of money—even in show business.

Capital Investments

Sliced into its major branches the capital investment is divided:

Theatres	\$1,900,000,000
Studios	125,000,000
Distribution	25,000,000

In the rest of the world outside of the United States, industry investment is said to one billion, composed of similar three divisions in about the same proportion to the whole as the domestic divisions.

The startling aspect of these figures is not that they are so large, or that they show up so well against industry generally, but that they represent an investment in an amusement field which was unknown at the time of the Chicago World's Fair, in 1893. First commercial exhibition of a mo-

Paramount Annual Earnings, 1935-40

(Note *)

Net profit, except as noted: (+) deficit			
1935	\$3,153,167		
1936	3,069,020		
1937	6,045,103		
1938	2,533,278		
1939	\$2,737,533		
First Second Third Fourth			
Quarter Quarter Quarter Quarter			
\$622,000	\$530,000	\$333,000	\$1,252,533
1940	\$4,810,000 (first three quarters)		
First Second Third Fourth			
Quarter Quarter Quarter Quarter			
\$890,000	\$1,155,000	\$1,726,000	.....

Note.—(*)—Reorganization plan became effective July 1, 1935. In previous five years company operated under different setup or was run under 77-B, hence comparisons with operations in those years do not reflect equitable financial picture.

tion picture was in New York, April 23, 1896. Millions of miles of film have clicked through projection machines since that date. And however generous may be the praise for the industry for its financial achievements, its true greatness has been attained by virtue of its service as an entertainment, educational and expressive art medium. On this basis it may well be called the "fifth estate" standing alongside of the free newspaper press, the "fourth estate" in the British political system.

As a matter of fact it was the late Lord Northcliffe, the British publisher, who first called the "fifth estate" in the course of an address in New York in the World War years. The next speaker misquoted the phrase as the "fifth industry" and thus one of the fallacies of films was born.

There are other fallacies, too, not the least of which is the widespread belief that the motion picture industry makes a lot of money annually which is sprayed around generously—

Columbia Pictures Earnings, 1930-40

Net profit, except as noted: (+) deficit			
1930	\$1,295,958		
1931	560,669		
1932	574,292		
1933	741,414		
1934	1,008,634		
1935	1,151,267		
1936	1,568,816		
1937	1,317,771		
1938	183,393		
1939	\$2,047		
First Second Third Fourth			
Quarter Quarter Quarter Quarter			
\$723,613	\$268,209	\$111,756	\$78,013
1940	\$512,186		

Note: Company's fiscal year ends June 30, making first quarter of 1939 fiscal period fall in Sept. 1938, and second quarter in December, 1938. Figures for company do not break down fiscal year ending in June, 1940, into four separate quarters.

and carelessly—among theatre owners, film company executives, motion picture stars' and stockholders. It is true that there was a time in the early twenties, during the golden days of rapid theatre expansion to meet the public craze for film, when the invested dollar returned fantastic profits. But since the peak years of 1926 and (strangely enough) 1933, there has been a steady, if not uniform, decline. There has been but one year, 1938, in the past 10, when gross income exceeded outgo. Current chapter of 1940, for which the statisticians and stockholders are awaiting full returns, may also be reckoned a winning year.

19,000 Wired, 17,000 Operate All Year

There are approximately 19,000 theatres and halls in the United States wired for sound films of which 17,000 are in year-round operation. Balance are seasonal. It is estimated that 79,500,000 customers attend picture shows weekly 1939, substantially the same number as in the three preceding years and about the same for 1940. With motion pic-

FIFTH ESTATE REFERENCE CREATED MISQUOTATION — IT'S ACTUALLY NO. 34 U.S. BUSINESS

By JOHN C. FLINN

ture theatres giving an average of 2.25 shows daily, and up to four in the case of the large theatres, they are obviously operating at far less than capacity. The result has been ex-

RKO Annual Earnings, 1930-40

Net profit, except as noted: (+) deficit			
1930	\$3,385,628		
1931	5,660,771		
1932	10,695,503		
1933	1,100,000		
1934	310,575		
1935	684,738		
1936	2,485,911		
1937	1,821,166		
1938	18,605		
1939	+ \$186,495		
First Quarter			
Second Quarter			
Third Quarter			
Fourth Quarter			
\$388,622	\$456,692		
1940	\$317,186 (first three quarters)		
First Quarter			
Second Quarter			
Third Quarter			
Fourth Quarter			
\$35,088	\$131,269	\$95,367	

Note.—(+)—before provision for subsidiary corporation preferred dividend.

tremely keen competition, which has kept admission prices at low levels.

Peak of price admission was in 1929 when the average was 30¢. Lowest was during the years 1933-1935 when 20¢ was the national average figure. Past few years have shown a steady upward trend. In 1939, 25¢ was the average and there is an upward in admission prices. A number of films released during the past 12 months have been able to break through the price ceiling. The strong attractions have been "Gone With the Wind," "Boom Town," "The Dictator" and "North West Mounted Police."

Warner Bros. Annual Earnings, 1930-40

Net profit, except as noted: (+) deficit			
1930	\$7,074,621		
1931	7,198,615		
1932	11,405,054		
1933	1,100,000		
1934	2,530,154		
1935	674,150		
1936	3,177,313		
1937	5,876,183		
1938	1,929,721		
1939	\$1,740,908		
First Quarter			
Second Quarter			
Third Quarter			
Fourth Quarter			
\$11,171,278	\$1,246,297	\$1,382,084	\$103,808
1940	\$1,747,472		
First Quarter			
Second Quarter			
Third Quarter			
Fourth Quarter			
\$642,129	\$376,368	\$92,216	\$796,759

Consent Decree an 'X' Quantity

An uncertain trade factor of the new year is the probable effect of the recently signed consent decree, ending the U. S. Government's anti-trust action against major film companies. The companies that are signatories are Paramount, Loew's, RKO, Warner Bros. and 20th Century-Fox. All of these are engaged in the three divisions of producing, distributing and exhibiting. The group of independent companies, 100 or more, are affiliated in the operation of nearly 20% of the total number of theatres in the U. S., and 83% of the theatre revenue by reason of the preferred type of theatre operations in which each company is interested.

Loew's (Metro) Earnings, 1930-40

Net profit, except as noted: (+) deficit			
1930	\$14,600,332		
1931	11,229,993		
1932	7,961,314		
1933	4,034,200		
1934	7,579,744		
1935	11,076,823		
1936	14,426,062		
1937	9,924,934		
1938	\$9,841,531		
First Quarter			
Second Quarter			
Third Quarter			
Fourth Quarter			
\$2,979,943	***\$3,388,504	\$1,804,213	\$1,668,470
1940	\$7,996,394 (first three quarters of company's fiscal year)		
First Quarter			
Second Quarter			
Third Quarter			
Fourth Quarter			
\$1,395,456	***\$5,396,372	\$1,205,506	
			**First 16 weeks ended March 14, 1940

Theatre affiliations of the majors:

Paramount 1,400
20th-Fox (through National Theatres etc.) 686

Warner Bros. 475

Loew's, Inc. 157

RKO 113

In addition there are 350 to 400 unaffiliated circuits controlling some 4,000 theatres. Thus more than half of the theatres in the United States are under individual ownership. But the larger revenue producing units are in the

hands of the majors. In the 400 largest cities in the U. S. there are 1,360 first-run theatres, of which 938 are under circuit management and 522 are operated independently.

9,215 Theatres Have Less Than 500 Seats

Categories of seating capacities are as follows:

Over 3,000 seats, 117 theatres; 1,500 to 3,000 seats, 1,063 theatres; 1,000 to 1,500 seats, 1,646 theatres; 500 to 1,000 seats, 5,500 theatres; 500 seats and less, 9,215 theatres.

The theatre structure of the industry is the front line of operating costs, as well as the source through which revenues reach the studios, by way of distributing companies. Most independent operators are in the New York, Philadelphia, Boston, and Hollywood Center, New York, where overhead salaries, of artists and house staff, taxes, depreciation and amortizations reach the staggering total of \$60,000 weekly. It is illustrative of the theatre situation generally that since the opening of the Music Hall, in 1932, there has not been one other substantial big city first-run house opened in the United States. If the film industry is to thrive in the next decade at a rate to recoup its depression losses of the past 10 years, it follows logically that the theatre, or retailing, division must undergo vast improvement over the existing plant structure.

To supply the American public with film entertainment which is available through the film entertainment production facilities in Hollywood almost as a separate business... Theatre operations have become stabilized and stand-

Universal Annual Earnings, 1930-40

Net profit, except as noted: (+) deficit			
1930	\$1,247,821		
1931	615,786		
1932	1,250,283		
1933	238,792		
1934	877,188		
1935	1,988,524		
1936	1,384,999		
1937	501,178		
1938	\$1,153,321		
First Quarter			
Second Quarter			
Third Quarter			
Fourth Quarter			
\$1,397,990	\$381,587	\$224,418	\$163,326
1939	\$1,771,804		

Note—\$1,771,804 is net after \$390,000 written off for special amortization reserve. (Fiscal year ends approximately on Oct. 31 or Oct. 30)

arized; production is at its best when its creative talent is exploring new fields, attempting new illusions, new effects. That is why show business is such a paradox to many business men experienced in commercial and banking fields. Only showmen have learned the lesson that profit lies in venture loss in playing it safe, taking risks.

Amortization Schedule

To be sure, however, the film industry's unique method of amortizing its production costs against theatre income presents an unusual and interesting study. Pictures are distributed to first-run theatres in metropolitan areas and gradually to the smaller neighborhood houses. Terms of rental vary materially, ranging from large sums paid for films through boxoffice percentages to flat rentals for smaller and distant houses. Out of this complex system accountants have devised an amortization schedule showing the approximate point at which film cost is returned during each week after release. This is the film amortization table.

Prior to the European war it was the practice of most of the American companies to allocate one-third of the negative film costs to the foreign markets. Within the past year

20th-Fox Earnings, 1935-40			
(Note *)			
Net profit, except as noted: (+) deficit			
(Under old Fox Film setup, \$1,674,354 net profit reported in 1933 and \$1,332,459 in 1934)			
1935	\$3,090,195		
1936	7,722,155		
1937	8,617,114		
1938	7,255,467		
1939	46,014		
First Quarter			
Second Quarter			
Third Quarter			
Fourth Quarter			
\$1,224,250	\$1,101,276	\$877,069	\$1,510,414
1940—\$1,075,611 (first three quarters operating loss after \$2,200,000 special reserve written off)			
First Quarter			
Second Quarter			
Third Quarter			
Fourth Quarter			
\$353,376	\$123,163	\$1,192,824	

Note—Incorporation of old Fox Company as 20th-Fox approved by stockholders Aug. 15, 1935. The 1935 statement includes earnings of the old company up to Aug. 15 that year, with those of the new corporation.

most of the companies amortize all film costs within 52 weeks from release. Several others extend the writeoffs for an additional quarterly period, or 65 weeks. Loew's and Paramount, with large first-run houses of their own circuits or affiliations, write off 76.4% in 12 weeks, and 83% in 13 weeks, respectively. Each schedule is based on actual experience, the discrepancies arising mainly as a result of the difference in methods of distribution.

Film company earnings for 1940 are likely to show substantial improvement over 1939, due to the general upswing of the first three quarters and the fact that the last quarter almost consistently is good. Accompanying tables show the current earnings. An exception is 20th Century-Fox.

Experts in such matters are inclined to be a little more cautious in prognosticating the film future than some other industrial fields. Increased Federal taxes, for one thing, offer unknown factors; also the continued hazards of foreign distribution. The industry's annual tax bill was \$100,000,000 to the Federal government, and \$230,000,000 to the state governments in 1939. Taxes will be heavier in 1941.

20TH CENTURY FOX

IN ALL OF ITS

HISTORY HAS

A GREATER ST

THAN

CHAD HANNA

IN TECHNICOLOR!
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LAMOUR · DARNELL
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The greatest story of
the West by the West's
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GREY'S
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with ROBERT YOUNG · RANDOLPH
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Directed by Fritz Lang
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Joe Brown · Screen Play
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THE SENSATIONAL STAGE SUCCESS!
Darryl F. Zanuck's production of

"Tobacco Road"

CHARLEY GRAPEWIN · MARJORIE RAMBEAU · GENE TIERNEY · WILLIAM TRACY and
Elizabeth Patterson · Ward Bond · Slim Summerville · Dana Andrews · Grant Mitchell
Zeffie Tilbury · Associate Producer Nunnally Johnson · Directed by JOHN FORD

CONSENT DECREE'S NEW PROBLEMS

How Production, Distribution and Exhibition Will Be Affected

By ROY CHARTIER

The three principal branches of the film industry—production, distribution and exhibition—are all giving study to the new system of selling and buying provided for by the widely discussed and somewhat controversial code of trade practices known as the consent decree. In line with its adoption, in the merchandising of the 1941-42 product, starting this coming summer, such preparations as are possible this far in advance are being laid or mulled with a view to meeting the revolutionary changeover.

Mostly, these plans are tentative and subject to change. Before the pictures are grouped and the distributors get into action selling in groups of five or less to exhibitor accounts who, under the new order of things may see the films, the consent decree and operation under it are largely theory, however. There is much masterminding and theorizing together with doubt as to what's going to be what, with actual experiences under the decree the only determining factor as to conditions that will prevail.

Feeling their way as they go along, it will probably be a year or more before the manufacturer, the wholesaler, and the retailer get into an established groove. Under the arbitration features of the decree, that first year also doubt will see considerable disturbance of the existing clearance schedules and other policies which have been standard over the years under the old system.

Meanwhile, all arms of the business are virtually in the same boat of speculation except for very broad generalizations, as such basic requirements of the decree mandate screening, packaging pictures in groups of no more than five at a time, making of deals within the exchange territory in which theatres are located, and arbitration rules which are definite although not clear to all hands concerned. No doubt various hardships are going to be experienced, especially for the first year under the decree because of confusion, a lack of standards to go by, etc.

That added overhead will have to be borne by both distributor and exhibitor is unquestioned, but this does not necessarily mean, as implied by the very existence of the decree, that each side will not benefit under the new methods of selling-buying.

More Salesmen?

Distributors are in no position to even estimate roughly what the added "not will be," this also being true of exhibitors. The wholesalers, already beginning to realign their selling forces, creating new divisions and districts, will require more film peddlers to adequately cover the market, but how many is wholly a guess right now. Additional district managers are also likely in all companies, perhaps over and above the few which have recently been set up in preparation for the '41-'42 year. Book departmentals may have to be enlarged, although in some circles it is believed that this will not have to come. More clerical work will be among the burdens for both home offices and exchanges, however.

Still further overhead for the producer-distributing companies which are party to the consent agreement will be the screening of all pictures in the various exchange points where deals are to be made, with all such shewings advertised. Sufficient space for such screenings will have to be provided with the proper equipment, plus added payroll costs for operators. While it's a bridge that's month away, there is some discussion concerning group screening rooms or the rental of a theatre by all the distros for this purpose. Among other things, it is a question just how many exhibitors or buyers will want to attend screenings of all the pictures. It may be a popular practice during the first year of the decree, but die down after that, especially if the cost and inconvenience to the exhibitor become big factors in that connection.

The Exhibitor

The exhibitor may be able to buy more advantageously with the end of blind-selling and bookbooking, showing a better profit, but his overhead is still high. He must pay for the protection of film rental. If he or his buyers see the pictures, that in itself entails extra cost. Also, additional buying manpower is seen, especially where circuits spread over several territories and, because of the consent, deals must be made for the same pictures in several exchanges.

Buying combinations and services at exchange points on behalf of possibly reviewing of pictures are likely to spring up to take care of exhibitors, not in competition with each other, who are unable to spend the rest of their lives at exchanges seeing film, negotiating deals, etc. For the exhib who is distant from the exchange serving his territory, the consent offers a real problem unless he is an account who uses virtually everything available on the shelves of all the distros. It is believed possible that the dawn of the new era in distribution will bring, however, a reduction in the number of changes weekly among various exhibitors so even now have to replace pictures, book reissues, etc., in order to fill out. Double bills may also lessen in number for the same reason, but that, too, is simply a guess right now.

The following points bear on the enforcement of the consent decree and are being discussed in the trade in line with what the future may hold:

The Film-Maker On His Own More Than Ever

More than ever the film-maker is on his own. Unless it so occurs that the distros are able to profitably pass off bad films by throwing them into packages containing product the exhib wants, he will either rise or fall on the basis of value of his merchandise. This should hold true for the associate producers and directors attached to studios as well as outside film-makers obtaining major releases.

More independent producers might come into the field and the majors under the consent are likely to welcome outside-financed pictures in order to hold down their own studio overhead in getting together the desired yearly programs.

On the other hand, while it's probable anyone with a good picture will have a better chance to release it, the question is whether the major distro is going to do much gambling himself until he has seen the completed picture. In the past very often clucks have been palmed off by the distros when they have committed themselves on releasing deals with outsiders before even financing has been set.

Financing Worry

Financing again is a question. Fears are felt that outsiders are going to find it more difficult to get money since the consent decree will tie up negative costs much longer than under the old system. The big major companies themselves are taking stock of this angle and that may mean fewer pictures for the '41-'42 season.

In order that pictures may be grouped for best results in packages of five, the Big Five is planning to produce further ahead, a backlog, in turn, tying up investments longer. Present indications are that most majors will have their first group of pictures ready for screening and sale in July or earlier. No deliveries will be made until Sept. 1, which is specified by the decree at the beginning of the '41-'42 season.

Roadshows

Among the theories provoked by the decree is that there will be more roadshowing of pictures and also that numerous films may be sold singly rather than be placed in groups of five in the event they are of bigtime caliber.

Under the old distribution-exhibition machinery, no picture could be sold singly as a regular release, but some, usually limited under the sea-

sonal contracts, could be taken off the schedule for roadshowing at advanced prices. Often this caused complaints, however, from accounts which had bought the picture and expected it to be delivered on national release when ready.

No picture commanding top money might be considered better off sold singly even if not roadshowed in the strict sense of that term, rather than be packaged with other pictures of inferior quality. Time will tell on that point, also.

Grouping

The decree does not say that the distros must sell in groups of five; it simply says that no more than five pictures at a time, moreover, in one group must not be contingent upon the purchase of another. The Big Five may make up groups as they desire and the same group that is offered in the New York exchange does not have to stand as is for the Philadelphia territory or any other. It may be a group of five in one spot and four in another or three, with the outlook being that film will be packaged in line with sectional appeal, whether the customers are single or double-bill, in accordance with star drawing power in various parts of the country, which differs, etc.

The opinion also is that an exhibitor may look at two different groups of five, or a total of 10, and make deals for a package made up of films selected from both. He cannot demand this, however, but there is nothing in the decree which would prohibit the distributor from permitting that pointed out as well as that he would not be compelled to sell a package of five and permit a cancellation of one, that also might be done.

Shorts and Newsreels

Because of the fact shorts and newsreels may not be forced, this being subject to arbitration and penalty under arbitration, each of the companies is faced with the necessity of special merchandising departments for this product, if continued. It may be that a drastic curtailment in shorts will occur, if not for '41-'42, then for the ensuing season if there is trouble with them.

All of the five companies under the decree produce shorts and, in the newsreel field, the only exception is Warner Bros.

The short subject sales manager is expected to come into far greater importance, where such a head has existed, than up to now and much more attention to both the briefies and the newsreels appears inevitable.

Special H. O. Depts.

Understood that distributors are giving thought to creation of additional home office departments in the handling of sales under the consent decree, keeping tabs on production, etc., and that checking of territories is already being done in line with laying plans for a new mode of selling, including the business of various accounts on the books, records available, the exchanges, pertaining to business, etc.

The belief is that the distros will do everything to move film faster, drive the booking departments harder than in the past and push for quicker payoff and collections, since it will be doubly important during '41-'42 to get money back faster. This may mean more drives on bookings, collections, etc., than has existed, with cash prizes figuring, but campaigns on sales themselves along different lines. No doubt, also, the distros will try to get more out of accessories.

Lavish Spring-Summer Sales Conventions Out

The habit of holding spring and early summer sales conventions on a lavish scale, announcing product for an entire year, looks on the way out. The days of the great salesmen, the great sales conventions, are likely, however, plus more sales huddles among district managers to cover their various exchange territories. Among other things both the district and branch managers assume new importance as the consent approaches. This also goes for the salesmen, who, a distribution sage notes, will have to work harder and be better.

Advertising-Exploitation

It is generally believed that more competition in selling will mean added advertising budgets and that every distributor will intensify exploitation with specialists in the latter likely possibly spotted in each exchange zone. Publicity will also take on new meaning and importance. It is felt, as well, because exhibs may see the films before buying them does not detract from the necessity of advertising and exploitation since the distributor still should be in grosses with the exhibitor on percentage terms. That will not be changed.

Due to the inability of all exhibs to see all pictures that are screened, it is thought in some selling circles that they will rely more in the future on information which they get independently on new product and also lean heavier on dependable trade paper reviews or other data.

Arbitration

Work is going forward rapidly in the organization of machinery to govern arbitration of disputes between distributor or exhibitor or between exhibitors. Local boards, being set up in 31 exchange keys, will be ready to function Feb. 1, by which time it is also expected that the two additional members of the appeals board, of which Van Vechten Vedder is chairman, will be appointed.

Local arbitration panels for the local tribunals are being organized by the American Arbitration Assn., but no sitting film men can have any present connection or have had any past association with the industry. This has created some speculation and discussion in distributor, as well as exhibitor circles on the ground that it would seem someone with film experience is essential to deciding disputes in such a highly-complicated industry as pictures.

Exhibs can arbitrate refusal of some run, discrimination by a distributor, unfair clearance, arbitrary refusal of a distributor's license its features on the run requested, forcing or shorts, violation of selling provisions under the blocks-of-five rule and other points. There is no limitation as to the size of distribution, but complaint under arbitration exception, however, concerns refusal of the run requested. In such cases, the exhib having up to five theaters may file a complaint, but then only where the opposition receiving the product constitutes a chain of more than 15 theaters.

The cost of arbitration is being apportioned among the five companies which signed the decree, based on gross film rentals for the year Aug. 1, 1939, to Aug. 1, 1940, of each. Budget set up is \$400,000 for the '41-'42 season and \$465,000 the following year, plus \$35,000 for the appeals board annually for a period of three years. Any fines levied against distributor for violation of the decree, if it is deemed deserves a penalty, will be applied to the arbitration budget.

The cost of hearings themselves is going to be severely held down under plans of the AAA and cases where an arbiter may be allowed \$50 a day, as specified in the decree, will be rare, it is promised. When cases are heard, the losing party pays the \$10 filing fee and the balance is divided equally between the parties concerned.

The U. S. government suit against all the majors was brought July 20, 1938, and the consent decree negotiated with the Big Five (Metro, Paramount, RKO, Warner Bros. and 20th-Fox) was signed Nov. 20, 1940. Because the other three companies, Columbia, United Artists and Universal, refused to come in, a new complaint was filed against them in November.

Pix Co. Stocks

Hit By War

By MIKE WEAR

While the European war has denied total revenue of many picture companies from 10 to 12%, Wall Street already has discounted possible future decline in the foreign market by dropping the average price of leading film company common shares, about 34%. Even the brisk restoration in the market last fall failed to restore the prices for many picture company issues to anything like their old quotations, though Paramount, common and Universal preferred were outstanding exceptions. This is understandable with both, since Paramount and U. S. earnings were running considerably ahead of the preceding year.

All market shares did drop slightly after the war was declared in September 1939, with picture stocks sold heavily on the theory that the foreign revenue of film companies would be reduced by the European struggle. The quick victory of the Nazis in the lowlands and France, plus the heavy German bombing of England, hit American film company earnings extremely hard.

Through the fall upswing in the market boosted the prices for many picture shares, the lower quotations being cut in half, or even one-half to one-third of former prices, with shares going begging even at the ridiculously low figures. Ability of some companies to better their 1939 profits, or come close to them, plus several favorable domestic factors, contributed greatly to the improved sentiment towards film issues.

20th-Fox Hardest Hit

Harshest hit was 20th-Fox common, which dived from \$17 per share on Aug. 31, 1939, to \$6.12½ on Dec. 31, 1940, a depreciation of 64%. Twentieth's picture common, Technicolor and Warner Bros. common, showed considerably less percentage of decline, last named stock's depreciation being about 30% and Columbia's 27%. Columbia sold from \$7.50 (Aug. 31, 1939) to \$5.50 (Dec. 31, 1940, quotation). Loew's declined from \$13.50 to \$10.25 and Technicolor from \$13.50 to \$10.50. Pathe slipped fractionally, while RKO was about even, though comparison of the old common shares with the new stock is difficult.

Greatest improvement was registered by Universal preferred on the big board, which sprouted from \$57.50 to \$128 per share in the period from just before the war to the last day of December, 1940. This great advance was aided by the company's decision to add tens of thousands of shares to its capital. Paramount common followed last, Paramount common showing 30% improvement, climbing from \$7.75 to \$10.25 on Dec. 31, last.

Radio shares were not affected by the war, Radio Corp. common and Columbia Broadcasting shares varying little from prices quoted in August, 1939. Minor declines by both company stocks reflected only the weakness of the December market.

NO MONO-PRC TIEUP, SAYS RAY JOHNSTON

Minneapolis, Jan. 5.—W. Ray Johnston, president of Monogram, denies that his company would unite with Producers Releasing Corp., with O. Henry Briggs as proxy.

Reported Mono would continue to handle distribution and PRC would turn out product.

Stander's Air Crackup

Spartanburg, S. C., Jan. 5.—Lionel Stander, actor, and three others narrowly escaped injury when their private Fairchild plane crashed at Memorial airport here New Year's eve. En route to Florida, they chartered a ship and continued their trip.

Crash occurred when landing gear collapsed as plane was landing. Pilot and two other passengers in plane with Stander.

HOLLYWOOD TAKES TO THE POLLS

See Higher Admission Prices

By Roy Charter

The average of pic boxoffice scales, which, for some years, has been fluctuating between 20 and 25c, may reach to around 30c in the near future, in the opinion of trade sources. Should this occur, the average admission price will not be far behind the all-time high of the lush prosperity years leading up to the 1929 crash. It was then approximately 32c.

According to the best figures available, the mean average of the country's film theatres stood at around 25c during the past year, but that a climb is more prospective than for several years is presently claimed on a study of situation and the outlook ahead.

HAPPY
WARNER
YEAR!

A BELL-RINGER EVERY WEEK
FOR THE NEXT 12 WEEKS...

The
**FOOTSTEPS IN
STUFF OF HEROES**

(Edw. G. Robinson, Bette Davis, Leo, Brent, Mary

Terrol Flynn, Brenda Marshall, Ralph Bellamy, Alan Hale, Jr.

Leslie Howard, Joan Leslie, Alan Hale, Wm. Lundigan, John Litel

SANTA FE TRAIL

FOUR MOTHERS

STRAWBERRY NIGHT

OUR MOTHERS' STRAWBERRY FAIR

MOTHERS AWBERRY BLONDE

Claude Rains, and the whole Family
James Cagney, Sylvia de Havilland Rita Hayworth, Geo. Tobias, Alan Hale
(Geraldine Fitzgerald Thomas Mitchell, Jeffrey Lynn James Stephenson)
or of the "Caesar" Ida Lupino Humphrey Bogart
Shirk Kennedy Jean Leslie Henry Hull H...

FLIGHT FROM DESTINY

HIGH SIERRA

YMOOR

LIGHT FROM DESTIN

LIGHT FROM D HIGH SIERRA

FROM DESTROYED HIGH SIERRA

HONEYMOON FOR THREE

RANK CAPRA'S PRODUCTION MEET JOHN DOE

HONEYMOON FOR THREE

SON FOLK CAPRA'S PROFEET JOHN DOE

With Charlie Ruggles, Osa Massen, James Cagney, Gary Cooper, Spring Byington, Barbara Stanwyck, Edward Arnold, Walter Brennan, James Gleason and Gene Lockhart. Screen play by Rob't Riskin.

WAGONS ROLL at NIGHT

With Henry Bostock, Sylvia Sidney, Eddie Albert, Joan Leslie, Lupino, John Garfield, Gene Lockhart, Barry Fitzgerald, Doris Lucile Watson, Hollingshead, etc.

THE SEA WOLF

THE GREAT LIE

CAPRA EET JOHN WAGONS ROLL at NIE SEA WOLF GREAT LIE

SEA WOLF

LIE
Nelson, Hattie McDaniell

H'WOOD LABOR RELATIVELY PEACEFUL DURING 1940

Unions and Guilds Control 40,000 Workers, But No Serious Strife Marred Past Year

Hollywood, Jan. 5.

Despite inauguration of a drive by the American Federation of Labor to organize the film industry 100% AFL, the past year was a peaceful one for both the producers and their employees. During a brief strike of employees at Central Casting Corp., there was no serious strife between the companies and the scores of unions and guilds which control the 40,000 workers.

The workers, however, insist that it has been one of their worst years from a financial standpoint. There has been a general tendency on all lots to cut corners and reduce expenses wherever possible. Orders for double checks and expenditure were issued when it became apparent that foreign markets were going to disappear because of war conditions. The extras were hit harder than any other individual unit, but many painters, carpenters, teamsters, technicians and electricians found themselves between pictures more often than at any time in the past five years.

The situation reached a point in December where hundreds of workers were migrating to Government defense program projects to accept offers of steady employment with guaranteed yearly earnings higher than they were making in the picture industry. Those leaving included utility workers, carpenters, electricians and machinists. Many skilled technicians were promised contracts and premium wages by companies handling big Government projects.

Studio heads insist there is little possibility of a labor shortage in the film industry unless the migration becomes heavier. It was hinted that if a labor shortage does threaten, the studios might consider the recommendations of union leaders that certain skilled film workers be placed on a guaranteed yearly basis.

Aubrey Blair, former executive secretary of the Junior Screen Actors Guild, was named by proxy William Green, of the AFL, to direct the Federation drive. Blair had left the SAC to become western director of the American Guild of Variety Artists. He left that post following a disagreement over business. He also served for a brief period as casting official at Central Casting Corp. Although not a member of the American Federation of Office Employees, which organized the Central Workers, Blair walked out when a strike was called and never went back.

Aubrey Blair's First Move

Blair's first move was to straighten out several locals that had been floundering around under the control of George Seals' Building Service Employees International Union. Local 695, which had been split off from the BSEIU and separate charters were secured for them. He completed organization of workers employed by the studio costume manufacturers, and aided in getting the firemen, policemen and watchmen organized. Blair also has been fighting with several of the big indepen-

dent guilds, including the film editors, but so far these conferences have not gone beyond the conversational stage.

When Willis Bixby was yanked back to Chicago to complete a six-month jail sentence for pandering, autonomy was restored to the various studio locals of the International Alliance of Theatrical Stage Employees. Lew C. G. Bixby was dropped as international representative, and Steve B. Newman was placed on an unassigned basis as international representative to work from home. The Coast offices maintained that the double checks and expenditure were issued when it became apparent that foreign markets were going to disappear because of war conditions. The extras were hit harder than any other individual unit, but many painters, carpenters, teamsters, technicians and electricians found themselves between pictures more often than at any time in the past five years.

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With work slack in the studios, most of the unions have been holding back on new negotiations in the hope that general economic conditions will show an upturn when the Government defense program really gets under way. Not the least of the big unions is the Basic Agreement, which is understood to submit demands for February. While none of the IATSE locals have been talking deals, others are sitting back waiting to see what progress the others make before going into the water.

was told to sign a contract or face a general strike. He signed. Much credit for the victory, however, goes to Herbert Sorrell, business representative of Motion Picture Painters, who, when he learned that any painter who crossed the picket line if a strike was ordered would be fined \$50, negotiations with Republic were handled for the Publicists by proxy Lesley Mason, Bill Edwards' attorney. George E. Bodde.

Sorrell, who has developed to a point where he is now recognized as studio labor's No. 1 leader, expanded his organization during the year by taking in the Cartoonists, Theatrical Artists, Advertising Writers and Scenic Artists. The Publicists were given a separate chapter, but the other groups merely affiliated with Local 644. Sorrell is now engaged in negotiating a wage tilt for the Scenic Artists.

White-Collar Studio Workers

The Screen Office Employees Guild was formed during the year and has already been chartered as collective bargaining representatives for the white-collar workers at Central Casting. A proposed contract covering wages, hours and conditions for its 1,700 members is now being prepared and shortly will be presented to Producers. Negotiations will be handled largely by attorney George E. Bodde and Glenn Pratt, recently elected as president of the association.

The Society of Motion Picture Film Editors

The Society of Motion Picture Film Editors was the first unit to announce its desire to cooperate with the producers in their move to curtail expenses. The Society announced it was indefinitely shelving its demands for improved conditions and wages. Edmund D. Hannan was reelected president of the Society, and was given a vote of confidence when he offered to resign. Walter F. Peleg, president of business representatives of the Society, accepted a similar position with the downtown retail clerks, an affiliate of the AFL.

Central Casting's Strike

The strike at Central Casting was called when the producers refused to recognize the American Federation of Office Employees. Pat Casey, bargaining agent for the workers, Fred Pelton, who was slated to take over labor negotiations, tried to settle the walkout, but Pat Casey had to be called back from the east before the workers would agree to return to their jobs. Casey quickly negotiated a deal with the employees to return to work and then quit. Peleg, who was slated to take over labor negotiations, has been drafted as is now in the rounds of union representatives for their approval.

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scriveners to sign contracts carrying a contract rider known as Exhibit X. This provided that in event there is no contract between Producers and writers, the Producer will have final say on allocation of screen credits when the writers themselves are unable to agree.

Bolters' Clause

The SWG immediately took the position that Exhibit X was a violation of the current agreement and of the collective bargaining provision of the International Federation Agreement. The claimant and defendant argued the point, and that the Producers had no right to approach individual scriveners. The Guild instructed its members to sign such contracts under protest, and offered to negotiate a new contract immediately if there was any apprehension on the part of the film executive that the agreement would not be renewed. Representatives of both groups are at present trying to

reach an amicable settlement of controversy.

The current agreement is a minimum wage, but gives the Guild the right to arbitrate disputes on screen credits. It also provides Producers must advise scriveners of the names of other writers employed on the same picture, to which they have been assigned.

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(Continued on page 49)

N. Y.'s Solid Front

By Roy Chartier

Well organized in the east, unions are now approaching the point where solidifying strength is being seriously projected through the Combined Theatrical Amusement Crafts, objective of which is to group a total of 48 labor units, directly and indirectly affiliated with show business, into a council through which the problems of each may be faced more effectively.

While this does not indicate greater power for any of the unions involved under the plan, it does suggest a concentration of power for the various New York labor bodies collectively. In the sense that under the new organization each will contribute more to the other in any battles that are waged. Vincent Jacobi, business agent of the Theatrical Protective Union, No. 1 (New York stagewhands), is president.

The Combined Theatrical Amusement Crafts will serve as a sort of Central Trades for the many unions that are scattered throughout the area in show business, the same as similar councils do for other workers, men, including the printing trade. It will become a place of convenience at which all of the unions may discuss their problems openly on common grounds and for common good, with the underlying thought being that the assistance of one may render the other, if possible, in the event of trouble.

In the past, working agreements have been in force between various unions, a strong tie in this connection always having existed between the International Alliance of Theatrical Stage Employees and the American Federation of Musicians. This gentleman's understanding has concerned so-called "sympathetic strikes" by one or the other when such drastic action on the part of either is necessary or expedient.

Quicker Action

The new council envisages a quicker and more effective "stand-by" arrangement in the event any one of them is run up a tree by theatre interests. Included are all the important locals chartered by the IATSE, plus numerous outside affiliates of the American Federation of Labor, such as the teamsters.

According to the latest reports the union front on the Atlantic seaboard offers nothing more ominous than the threat that a walking delegate or business agent will come around if the proper overtime is not paid according to contract.

The New York operators, Local 306, headed by one of the most respected officials in the whole AFL, President Joe Basson, has now, and during the past year sought to increase their dividends among Greater New York independent operators who still do not use 300 men, but if they are never brought in the loss will be infinitesimal. Otherwise, the operators are more solidly entrenched in N. Y., Brooklyn and the surrounding territory over which it has greater jurisdiction than ever were under other administrations.

Under a long-term recognition contract with the New York theatres which runs to 1945, with negotiations for wages and conditions to be made each year, Local 306 last summer obtained a renewal which included a slight raise in scale and an extra week's vacation with pay for a total of two weeks.

The stagewhands, not so many of whom are working now, for another year to next September, but the scale remains the same. Theatres with stage shows or vaudeville, however, granted the deckhands a week's vacation at their regular scale, something they never had before.

The porters union was given a very nominal increase (many of the larger theatres pay over the scale anyway), plus a vacation of one week in the smaller houses which heretofore worked them 52 weeks. The big Broadway houses have always given the porters, cleaners, maids, etc., 14 days off with pay.

Candy concessionaires, many of whom are employed in the Greater N. Y. area, got a two-year deal this past summer, with a boost of \$1 in their paychecks.

There is no contract with Local 802, AFM, except for such houses

as the Music Hall, State and Roxy which have house orchestras. Pact runs from year to year at the prescribed scales. For the other theatres stage shows are played, the understanding is that Local 802 is that standards are provided, where orchestras are not members of 802, this including the Broadway Paramount and Strand.

The 802 scale for theatres during stage shows is at a set figure, based upon the number of weeks the policy is in effect. It varies according to the number of weeks, being broken down to 13, 26 and 52-week periods.

Clarks

The Office Employees union, affiliated with the CIO, which has a contract with Universal covering its home office and N. Y. exchange, was certified several months ago as a bargaining agency for clerical and other help in exchanges, hotel and warehousemen, but no industrial headway has been made although the new year may see action on this front. All the exchange "backroom" help is organized through the Exchange Workers Union, of which Ben Johnson, of Metro, is president and which is affiliated with the IATSE. A new contract was voted this union early last spring, to run two years, and there is no trouble on that front. Most of the shipping help has been sadly underpaid for years anyway.

The blur artists who turn out scenes of publicity and the advertising departments which tell the trade about every epic on the general release charts form the arena in which still another eastern union is in action. This is the Screen Publicists Guild, which claims a majority membership in each of the major home offices and has applied to the National Labor Relations Board for a bargaining agent for these workers. The publicity and advertising men are organized on the Coast and have a contract with the studios as an independent union, affiliated neither with the AFL or the CIO, but in the east the move is somewhat different in that all members of art departments, including so-called production men, are eligible. This may be ultimately held contested by the Pictures and Pictures Plan of the eastern SPG, however, is to consolidate with the Hollywood SPG for the formation of a national organization.

Browne Re-elected

George E. Browne, president of the International Alliance of Theatrical Stage Employees, who is reelected each year in a somewhat automatic fashion, remains with the AFL as vice president and member of the executive committee. There are 17 v.p.'s in the AFL and despite the future raised over racketeering in the union at the AFL convention in New Orleans, Browne was reelected to the high post he has held in the federation for many years.

Renovation by Browne by the AFL was also virtually automatic, but the International Ladies Garment Workers union, headed by the midgley but fighting David Dubinsky, who introduced the resolution against racketeering in the AFL, refused to cast a ballot for Browne, making it a point to be recorded as "present but not voting."

On considerable significance for Local 306 was the court decision which upheld the validity of the contract negotiated with the Independent Theatre Owners Assn. of New York, a little over a year ago so far as eight theatres, then members of the ITOA, are concerned. The houses sought to evade payment of a 10% increase and granting of a week's vacation to operators, the ground that they were pulling out of the ITOA.

In the test case brought in the name of the Taft, Flushing, L. I., operated by the Kassena Amusement Corp., the court ruled that the ITOA contract was binding and that the operators must have paid \$729 in back pay under it, plus interest. The other seven theatres were automatically affected.

LEVEY'S ADDITIONS

San Francisco, Jan. 5.

Ellis Levey, Telenews manager, will spend three months commuting between here, Detroit and Cleveland, where he will open two new houses for the newsreel chain. A third situation in the deep south now being

Guilds Set Hollywood Pace

By Rod Roddy

Hollywood, Jan. 5. The three big talent guilds—Actors, Writers and Directors—set the pace for other studio groups in 1940. With an air-tight basic agreement, the Screen Directors' Guild devoted most of the time to consolidating its position and policing its studio contract. On the contrary, the Screen Writers Guild and Screen Actors Guild were engaged in some kind of skirmish most of the time, but both finished on top.

The SWG, after battling for 19 years for the right of writers to organize and bargain collectively, finally talked the Producers Assn. into signing a six-month contract that expires April 10, 1941. The ink had hardly dried on the pact, however, before the two groups became embroiled in a fight over screenplay rights. The producers asked the

scriveners to sign contracts carrying a contract rider known as Exhibit X. This provided that in event there is no contract between Producers and writers, the Producer will have final say on allocation of screen credits when the writers themselves are unable to agree.

Bolters' Clause

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reach an amicable settlement of controversy.

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U. S. Became the Last Stand For Creative Writing in 1940

By Hobe Morrison

Although American writers made some slight advances in improving the working conditions in their craft during 1940, the field of authorship throughout the world had probably its worst year in modern history. For creative authorship flourishes only under conditions of peace, and more than the other arts depends on political and individual freedom.

In most of the world, creative writing was non-existent last year.

The greater intellectual freedom already dead in Germany, Italy, Russia, Austria, Czechoslovakia and Poland, also flickered out in Denmark, Holland, Belgium and most of France as those nations came under dictator oppression. Even in England and the British Empire creative authorship became dormant as writers and the public concentrated all their intellectual, physical and material effort on the war.

So America became not only the common goal of people from all lands seeking sanctuary from war and intolerance, but also virtually the only country where artists of all kinds may work in freedom and where artistic effort hasn't been sacrificed to military activity. Also other lands

longer absorbed literary output from outside. So, besides giving shelter to artists from dictator-controlled nations, the U. S. also lost its foreign markets for books, magazines and films. Most of the South American countries remain a material factor.

The problem of helping the refugee artists to adapt themselves to the new country and its language is a huge subject in itself. It is obviously a much more difficult problem for the refugee writer than for fellow-artists—painters, sculptors, architects and designers. For the language is the very tool of his craft to the writer. He must not only understand it, he must master it completely.

War Also Affects American Writing

While the U. S. is almost the only land where there remains any active creative authorship, even here the war has greatly influenced the type and quality of writing. It has also affected the conditions under which writers work. That is true in all fields of authorship—literary, dramatic, films and radio. Nevertheless, in the field as a whole, writers have made some advances during the year. In their ceaseless effort to improve conditions in their craft, National, the Authors Guild, the League (with its subsidiary Authors Guild; Dramatists Guild, Radio Writers Guild and Screen Writers Guild), the only writer organization concerned with craft problems, has been the major spearhead in that campaign.

In a broad sense, one of the ultimate aims of the League has been and continues to be a League-shop in the entire author field. Probably a complete League-shop is neither practicable nor desirable, but there should always be a provision for non-League members to write single books on specialized subjects—such as autobiographies, memoirs, textbooks, reference books, collected and edited letters and the like. But some degree of League-shop is desired and steady progress has continued to be made toward that goal.

What amounts to a League-shop is almost inevitable. It is steadily being fought about as writers in one field try to impose their standards on another.

Almost a complete League-shop already exists in the dramatic field, where every U. S. play produced on Broadway must be by a member of the Dramatists Guild. A big step toward the League-shop was also made in Hollywood during the year, when the Screen Writers Guild obtained a contract with the major studios. Some progress is also being made by the Radio Writers Guild. But the Authors Guild, covering the book and magazine field, still seems far from a similar stage.

Copyright Rights

At the base of all Authors League moves is the matter of copyright, since it is through copyright that all written material is controlled. When the League was formed, the copyright of virtually all written material was held by the publisher, producer or whoever corresponded to the employer in the particular

field. As a result, writers tended to be merely employees. Because their writings were copyrighted in the publisher's name, they received little income beyond the original sale, so they were mostly dependent on maintaining a current output of work.

That condition has been, and is gradually changing. Authors of stage plays now hold the copyright in their own names, although some are careless about taking out copyright. Some of the leading novelists and magazine holding copyright in their own names, however, are gradually making progress toward establishing that as standard practice in both the book and magazine fields. Authors of original film and radio plays frequently copyright their scripts in their own names, particularly when such material is free-

publishers and booksellers are to send representatives to a joint conference to consider the matter and draft plans.

Screen Rights

Book publishers have one bee against the Authors Guild. That is over the sale of screen rights to books. There is no standard practice in sharing the proceeds of such sales, but the Guild, in advising on its members' individual contracts with publishers, has generally succeeded in inserting clauses giving the author the entire income from film or other subsidiary rights. On the other hand, publishers have frequently been able to draw concessions with regard to split rights for a 50-50 split of such proceeds. "Gone With the Wind" was such a case, Margaret Mitchell (a non-member) and the publisher sharing the film price evenly. It is argued by the publishers that their publication of a manuscript in book form greatly enhances its value as screen material, thus entitling them to a portion of the proceeds from that source. But until the publishers and the Guild get together on a minimum basic agreement no standard practice in the matter is likely.

During 1940 the Guild instituted a rule setting up an arbiter to pass on all contracts for the sale of the screen rights of literary material. This would be a procedure similar to that of the Dramatists Guild, for which Simon Flagg, president, has approved all sales. However, the rule has not been put into effect by the Authors Guild. Probably it will be enforced gradually, beginning this year and with Fleischer acting as arbiter.

Screen Writers Guild In Producer Accord

After more than two years of bitter controversy, the Screen Writers Guild finally succeeded during 1940 in signing an agreement with the Hollywood producers. Because the international situation, which affects the film business so greatly, is uncertain, the contract is for only one month. It also provides for only 80% Guild-shop, which would give the studios ample latitude for undermining the Guild by showing favoritism to non-member writers, if the producers decided to do so. However, getting any kind of a contract was considered a major prestige victory for the Guild. It is expected that the pact will be renewed from time to time as it expires, and the terms will probably be improved gradually for the writers.

The principal flaw in the contract, it is felt, is not the 80% shop provision, but the fact that it applies only to the regular staff writers instead of also covering the free-lancers as well. The latter group, who make original scripts, are not included in the shop deal, and the term picture deals, admittedly need protection more than the staff members. Nevertheless, it is doubted that the Guild will be able to extend the contract to cover the free-lancers for some time.

The provisions of the consent decree entered into by five major studios and the Government, is expected to improve the lot of the screen writer, at least in an artistic way. But the studios are compelled to sell pictures to set up pictures in lots of no more than five instead of the former method of a whole season's schedule at once. It is believed that each picture will tend to be sold and resold on its own merits. Therefore, the Guild believes, the writers of hit pictures will tend to get more credit for their work. It is anticipated that this will ultimately result in higher artist standards, wider recognition and increased salaries for writers. On the other hand, it is feared, that the terms of the decree may tend to decrease the number of pictures produced, thereby shrinking employment.

Loss of Hollywood's foreign market is likewise expected to bring about improved artistic standards, if possibly less production. It is also believed that if the studios make pictures for the domestic market alone, they can have a wider choice of subject and treatment. It is also figured likely that literary standards of screen writing may improve, since American audiences, presumably, have better appreciation of the language and of domestic themes than foreign audiences would. But the under-standing is that all the groups involved, including authors, agents,

(Actor, Author and Humorist whose Autobiography, "It's a Great Life," has just been published. A regular contributor to VARIETY in former years, Mr. Nugent wrote this in the Dec. 11, 1939, issue.)

'MY ROOM'

By J. C. Nugent

In one of my sketches, "The Room," after which that is meant for comedy and is frequently so received, the "switch" is necessary. As

I do not dance

or carry a

"break-a-way"

scenic effect, I

must, for contrast, spill a

moment of

pathos, which

makes me say, in answer to her

scornful call:

"Little woman, pity the man

drunks—and—laughers."

His heart is hungry for his kind, and he

has no kindred. He laughs sometimes

to keep from crying; and he

drinks—weak foot—because he is

alone. Afraid of the four walls of

his room; mocked by the dream of a

home; in love with shadow women;

until some real woman crosses his path, makes him remember his manhood.

Many a "souse" has begged me for

those lines, as for seven years I have

almost constantly delivered them to

the unsuspecting from ocean to

ocean. Sad-eyed traveling men and

women and lower pay for writers and

others in their profession.

Legislation

In one aspect the Dramatists Guild lost ground during 1940. Although the organization presumably helped playwrights by instituting an alternate set of requirements for film-backing of legit production, thus improving the prospects of authors getting their plays produced, the actual financial gain was not a concession by the dramatists. The alternate plan permits the financing of plays with the backer given an advance option to purchase the screen rights at a price determined by the gross and length of run of the legit engagement.

It is this matter of option that involves the Guild's concession; since under a previous plan, the backer would not be obliged to buy the screen rights. Having given up his right to bargain for the price of a hit show, the author thus has no assurance that the film backer will purchase if the play is a flop.

Present five-year minimum basic agreement with the legit managers; governing production of all plays, is due to Emanuel Adler and the Guild. The guild served notice that it will not renew under the old terms, the two groups are preparing to negotiate a new pact. Guild has proposed several changes, the most important being twofold. One would plug the non-member loopholes by requiring anyone involved in the authorship of any Broadway show to be a Guild member. Thus there would be exceptions for foreign plays, translations, adaptations etc. The original author, translator, adaptor, anyone doing rewrite of a foreign play, any novel, story, article, or book or other material, would have to belong to the Guild.

Balancing that, the Guild is offering the managers a concession in the matter of subsidiary rights. The split on film rights would remain, but the backer would be allowed to share in the amateur and radio rights for five years after the original Broadway production. Under the present rules, he shares for three years. Other changes would involve strict guild requirements for management and would alter the method of paying advance royalties for musicals.

Radio Writers Guild, the youngest of the League, "ranks," was expected to sign its first contracts this week.

Deals are with NBC and CBS and cover the staff dramatic and continuity writers in New York. Organization, their home, will be continuing with the networks for other writer classifications, including free-lance, with advertising agencies for both staff and free-lance authors; for all employers for transcriptions and for various kinds of spot contracts. Matter of subsidiary rights, particularly for serial shows, is another objective.

But the Guild is still not deeply entrenched; so progress is likely to be slow. The organization's leaders believe a number of important victories are on the verge, however.

clubmen and plain loafers, each staying with a couple of "the booze bums," that they liked the blunt because they knew how it was. The "four walls" of the lonesome room had often chased them to the bar. That and nothing else.

The married man who lives at home laughs at the comedy, alleged or otherwise, but he doesn't care for the "four walls" speech. He doesn't understand the lonesome fellow's kick. It's the company at home that chases him to the bar. "Boozie" has an argument for any case that may come up.

But the lonesome room idea, like the tired-but-still-singing-and-lightning-in-the-head, has little foundation in fact. For when I leave the stage each night I hurry to my room as to a friend. My room is an enchanted place.

It is a changeful thing, this sanc-tum of mine, with sometimes many windows, looking out on the tropical beauty of the Pacific Coast or Florida; something eastern roofs and chimneys; something on New England snows; something on a bright, mad, changing street. Sometimes its own window flush against a brick wall.

Sometimes it is cheerful with white curtains and soft carpets; again there are bleak walls and a scented rug, and a gas jet instead of the brilliant bulbs which chase gloom from the smokeless gas jet, with its grim suggestion of incendie.

And it is empty. No one waits me there except the vague but living presence of my thought world. It seems as if I had been waiting for myself to get back. It seems as if we were glad to get back and meet myself.

Sanctuary

There is personal recognition in the pipes, and pencils, and sheets of white paper, the slippers and old magazines, the books and magazines on the dresser. And sweet security in the bolt which shuts out the commercial bore of the hotel office. It is haven from the gaping gawks or self-absorbed laymen who see only the clown, and can never know the man who walks always alone among crowds.

It is the land of dreams, where my own pen could go to, to my room. The bright children come to my imagination; the people of the world of books, and as the smoke curls, God's great gift of memory brings back the golden hours, scattered here and there when congenital companions broke the drear way of the trouper's life, and the friends we have known came trooping in.

Then I leave their faults behind. Then the bright children come to me—and the kind words or brave thoughts they have dropped, now and then, amongst their jargon—thoughts which turn the course of one's trend—gems of which we have unconsciously built, gathering a nugget here and there; a mosaic of philosophy we have come to fondly think our own.

On the other side alone! Their faces come between me and the page I write or on the page I read, each connected with some pleasant hour or thought, some time, some place.

Actors, artists, priests, poets, scribes—mighty men of business whom we saw when relaxed and found them human—even tender, almost as our own.

See them fit and mingle, and as the night touches the dark mutes of the world, awakening again, see them smile their benediction, and fade—what other life could know such congruous mingling?

Golden! Balzac! Shields! Shelley! Dolan! Ruskin! Byron! Dicky! Dick! Cookie! Dixie! Beck! Chesterfield! Jo Paige! Sime! Ornan! Haskell! Mac Hart! Milton! Leslie! Nyle! Ah, no other room would hold them but mine.

Strange, but the people we play to never come. That vast, impersonal throng that we see each night through the yellow haze of the footlights. The people who see us and whom we see, but whom we never meet. For the real people are our shadows and the shadows our real people.

So waste no pity on the Trouper, even when you find him dead in some room—alone. For, be sure, he died right, royal company, until the lights went out.

Continuance of Universal's
1940-41 season is featured
by the following produc-
tions which will be released
within the next few months.



UNIVERSAL PICTURES presents

Deanna DURBIN

"LOVE AT LAST"

with

Franchot TONE • Walter BRENNAN • Robert STACK • Robert BENCHLEY

Helen Broderick • Ann Gillis • Anne Gwynne • Elisabeth Risdon • Nana Bryant

Directed by WILLIAM A. SEITER A JOE PASTERNAK Production

FRANK LLOYD PRODUCTIONS, INC. presents

Loretta YOUNG
in

"THE LADY
FROM CHEYENNE"

with ROBERT PRESTON

Produced and Directed by FRANK LLOYD

Associate Producer JACK SKIRBALL

A UNIVERSAL PICTURE





UNIVERSAL PICTURES presents

*Marlene DIETRICH***"FLAME OF NEW ORLEANS"**Directed by
RENE CLAIR• JOE PASTERNAK
Production

UNIVERSAL PICTURES presents

Charles BOYER and Margaret SULLAVAN
"BACK STREET"with:
RICHARD CARLSON • FRANK McHUGH • FRANK JENKS • PEGGY STEWART

BASED ON THE NOVEL BY FANNIE HURST

Directed by
ROBERT STEVENSON.Produced by
BRUCE MANNING

UNIVERSAL PICTURES presents

Brian AHERNE and Kay FRANCIS
In
"THE MAN WHO LOST HIMSELF"

Based on the Novel by H. de Vere Stacpole

Directed by EDWARD LUDWIG

Associate Producer
Ben HershProduced by
LAWRENCE W. FOX, JR.

UNIVERSAL PICTURES presents

Irene DUNNE
"UNFINISHED BUSINESS"

Produced and Directed by

GREGORY LA CAVA

War Creates Lecture Boom For the News Experts

By Herb Golden

This is the newspaperman's year on the lecture platform. Never before has the public appetite been so whetted for knowledge of international affairs. And never before have there been so many foreign correspondents, ex-foreign correspondents, Washington columnists, radio news commentators and refugee European writers to give them the lowdown.

Political things from behind podiums at one time or another this season will be more than 40, newsmen-topnotchers among them earning up to \$400 a speech. There will be in addition at least 100 other qualified speakers on world affairs, ranging from Secretary of the Interior Harold Ickes to the former Russian revolutionary leader, Alexei Kerensky.

First, one-third of all lecture bookings this season will be on international affairs, while another 20% will be serious appraisals of events at home.

Development and fulfillment of this demand for information is the outstanding feature of the 1940-41 lecture season. Only to a small degree less important, particularly to show business in general, is the growing demand for personalities who can provide literature plus straight entertainment, or even entertainment alone. This phase of the platform business is thought now only to be at its beginning and promises plenty of well-paid engagements for talent of all kinds in years to come.

George Jessel is one of those considering a combination of Chautauquaspiel and vaudeville. He is touring the country this season, but other activities will restrict him to a few dates. He hopes to go at it on a large scale in 1941-42. Sheila Barrett, on the other hand, is hitting on high in a flock of dates giving scrubbed-up versions of the impersonations that used to confine exclusively to niteties and stage.

Stage Names Lecturing

Other show business names mounting platforms for good return this season are Jane Cowl, Eddie Dowling, Ann Enters, Maurice Evans, Walter Hampden, Helen Howe, Elsa Maxwell, Charlotte Otis, Skinner, Margaret Webster, Orson Welles and Reinold Werenhahn. All of them, of course, aren't available all the time, stage and film work swelling the number of dates that can take.

Demand for newspapers not only is greater this year than it has been in any past season, but the supply is also greater. War in Europe, Asia and Africa, instead of increasing the number of correspondents abroad, has upped the number at home who can talk about it.

Correspondents have forcibly ejected from their countries because of what they have written. Still, other writers have frankly returned to the United States because lecturing is a lot more profitable than foreign corresponding—and cocktails, good food and bright lights are preferable to bullets, bombs and blackouts.

A natural sequel to the demand for garrulous international affairs has been the rise of a crop of gabbers of dubious vintage, top-for-bracketers, whose words, after years of experience, Europe, have real meaning; there are the more-or-less phonies. Virtually everyone who ever spent two months in France during college days and mailed "dispatches to the Hometown Bugle" is now anxiously explaining the world to his fellow-Americans.

Top Newsmen-Lecturers

Real grade-A foreign newsmen giving the ins-and-outs of things in Europe from lecture platforms this season include Leland Stowe, H. R. Knickerbocker, Helen Kirkpatrick, Vincent Shean, James R. Young, Edgar Ansell Mowrer, Lillian T. Moore, M. W. Fodor and William E. Lyon.

In a slightly different classification are men with foreign newspaper backgrounds, but who haven't been out of the country for some time and are better known as interpreters. They include Eugene Lyons, former Moscow correspondent for United Press and VARIETY and now editor of the American Mercury; Johannes Steel, Edna Lee Booker, Wythe Williams and Quincy Howe. Their per-

sonal earnings are less than those who daily by-lined dispatches from abroad give them a more adventurous flavor.

Still another category includes ex-writers, either voluntarily or forcibly, formerly serving on papers in foreign countries. One of the best known is Andre Geraud (Pertinax) and another Mrs. Genevieve Tabouis, both of whom were analysts for the Paris daily Pertinax. She also wrote for the *New York Times*.

In addition to these are the theatrical interpreters and columnists from the home front, including Raymond Clapper, Drew Pearson, Oswald Garrison Villard, Stanley High, Bruce Bliven, Stuart Chase, Jay Franklin, Gen. Hugh Johnson, Herbert Agar, Jay Allen, George Sokolsky, Carl Crow, Frederic Sondern, Jr., Ernest K. Lindquist, Louis F. Marston, Raymond Molier, J. Frederick Essary, Kenneth Brown, Collings and Arthur Train, Jr.

From Radio

Then come the radio oracles, Fulton Lewis, Jr., Bob Conter, Elmer Davis, Howard Pierce Davis and Albert Warner. And newspaper mil-

tary strategists, Major George Fielding Eliot, Major Leonard Nelson and Fletcher Pratt.

In the \$400 class among newsmen are Knickerbocker, Shean and Stowe. Knickerbocker has most dates, between 85 and 100, Shean about 60 and Stowe, about 50. Stowe could probably get up to 100 if he wanted them. Desire to stay in Europe covering the war, however, is limiting his tour.

Helen Kirkpatrick, London correspondent for the Chicago Daily News Syndicate, also has about 50 dates, while Lillian Mowrer has 45 and Mme. Tabouis about 35. Latner could also have more if she wanted 'em. Like the foreign correspondents, she is in demand because Americans think they have not been told the whole truth about Europe due to censorship and they desire to get their info first hand.

H. G. Wells' 30G 'Gress'

H. G. Wells is top draw and top coin-grabber for himself among all lecturers, with the single exception, possibly, of Mrs. Franklin D. Roosevelt. Wells recently completed a tour that ran about a month-and-a-half and he grossed more than \$30,000. He had about 15 dates at from \$2,000 to \$2,500 each.

Wells holds the mark for top fees in recent times. He could have considerably more dates, too, although not at such lofty prices. Only a limited number of organizations are able to pay Wells such coin, there-

(Continued on page 38)

Films' Technical Advances in '40

Highlight of Hollywood's Developments Was Improved Sound

The sound engineers, in both the research laboratories and studios, distinguished the technical advancement division of the industry in 1940. They broke out with so-called multi-channel sound recording and reproduction apparatus that promises the next major step in improving motion pictures for greater public reaction and, it is hoped, an upsurge in theatre grosses—especially in the larger houses.

When Bell Telephone Laboratories developed its stereophonic sound system early in year at Carnegie Hall, New York, and later in Hollywood, industry leaders agreed that the multi-channel method provided unmechanical and faithful reproduction far superior to recordings possible on the monaural track. But the three-channel recording and reproduction, with resultant difficulty for the three sound reproducer to handle this type of recording, was too expensive a proposition for the industry to tackle at the moment. Disney will route 12 roadshow equipments through the country, with cost of one projection layout stated to be around \$30,000. Permanent installations of Erpi stereophonic in regular theatres on a fairly large scale might get the price down to around \$20,000 a theatre—or even lower. Warner claims that its control track combo with the present monaural system can be installed for around \$1,500, and may put that equipment in motion picture larger WB circuit first runs after the trials in New York and Hollywood.

At the turn of the year, indications point to some intensive work by sound engineers of all major studios to adapt the stereophonic system in some way for general use—with a good chance that a partial utilization will be devised and used generally by nearly all the major plants. Although it is too early to disclose in detail, one studio sound department is already conducting exhaustive tests that—if found practical from the theories advanced—can easily provide Erpi stereophonic type sound recording and reproduction on the present track-width and with relatively small investments by theatres to change their projection apparatus over to a new system.

Diamond's Fan-sound

Studio ignored the multi-channel sound method, however, until release of Walt Disney's "Fantasia" in New York in November. The widespread popularity of the musical reaction to Disney's multi-channel sound system, Fan-sound, developed in association with RCA, and the hefty b.o. reaction accorded the picture, jogged the major companies into activity to see what could be done with adapting the stereophonic type of recording and reproduction for at least the big productions and musicals on their coming programs.

Warner's Improvements

Warners had been quietly working on the problem, with Major Nathan Johnson, head of the WB sound department, utilizing the control track of stereophonic sound. With the present monaural sound track, The Warner improvement, first available on prints of "Santa Fe Trail" for New York and Hollywood runs, is an inexpensive adoption of the idea. In addition to the regular reproducing horn, two side horns are added, the extra pair of horns when added voice, from metal plates, mabs, shout, sound effect of storms, etc., is required. In piping the extra's volume through the two added reproducers, greater volume is obtained without an overload of power through the usual one source—and eliminating chance of distortion.

Studies Devise Cost-Cutters

Technical departments of the studios, continually faced with front office prodding to cut costs in every

a print used in houses where the tri-horn setup has been installed, can later be routed through the regular bookings, without difficulty.

Cost of theatre equipment for projection still seems to be a stumbling block at the moment. Disney will route 12 roadshow equipments through the country, with cost of one projection layout stated to be around \$30,000. Permanent installations of Erpi stereophonic in regular theatres on a fairly large scale might get the price down to around \$20,000 a theatre—or even lower. Warner claims that its control track combo with the present monaural system can be installed for around \$1,500, and may put that equipment in motion picture larger WB circuit first runs after the trials in New York and Hollywood.

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Fine Glass Films

Both Eastman Kodak and DuPont continued to improve their negative and positive raw films; introducing finer grain materials that have enabled increased quality of work by sound engineers in re-recording and dubbing of sound tracks. Early in the year, Paramount used the DuPont fine grain positive for a number of release prints of "Geronimo" and "Victory". The general adoption of this stock for release prints is restricted due to necessity of special handling in the laboratories, particularly in the determination of correct printing densities for either picture or sound track.

Major improvement of color quality apparent in Technicolor prints—especially the last several releases, including "Thief of Bagdad," "Down Argentine Way," "Chad Hanna" and "No Way Out"—is due to the introduction of a new laboratory processing of the Technicolor plant. Engineers of the company have made extensive and important strides in processing procedure for continual improvement of quality—which is apparent if a print of a year ago can be compared with one turned out today.

Studies Devise Cost-Cutters

Technical departments of the studios, continually faced with front office prodding to cut costs in every

RATING THE CAMERAMEN

Hollywood, Jan. 5.

For the second consecutive year, the artistic efforts of cameramen were sidetracked generally in favor of greater production speed and economical shooting schedules. Requirement of cutting negative costs to conform with restricted grosses from the foreign market has been fully impressed on the executive producers of all the major lots, and the photographic qualities of productions have necessarily suffered to a considerable extent.

But the directors of photography, with their several camera crews, are still turning out most acceptable quality in their departments in view of the required speedup. The fots are continually making personal sac-

ifics in regular rotation on production requirements to keep the program pictures as often as the big A's.

Of the first 10, Gregg Toland, contract cameraman for Samuel Goldwyn, secured trio of the outstanding photographic assignments of the year in "Grapes of Wrath," "The Westerner" and "Long Voyage Home." Latter work will undoubtedly rate him among the finalists for the Academy award handicap. George Barnes, with credits for "Rebecca," "Maryland" and "Return of Frank James," also drew three juicy plums to rate attention for the year.

Robert Planck, of the Metro camera staff, made fast progress for 1940 by olpping off "Strange Cargo," "Susan and God" and "Escape." These

First 10 Cameramen (Listed Alphabetically)

George Barnes
H. G. Gaudio
Merritt Gerstd
Robert Planck
Sol Polito

Joseph Ruttener
Theodor Sparkuh!
Ted Tetzlaff
Greg Toland
Joseph Valentine

SECOND TEN

William Daniels
George Foley
Albert Graton
Ernest Haller
James Wong Howe

Rudolph Mate
Arthur Miller
Charles Rosher
Karl Struss
Joseph Walker

THIRD TEN

Joseph August
Karl Freund
Leo Tover
Peverell Marley
Oliver Marsh

Rudolph Mate
Arthur Miller
Charles Rosher
Karl Struss
Joseph Walker

riests of their stock-in-trade—high standard of artistic photography—in cooperating in the cost-cutting department. As in 1938, most of the top cameramen accepted assignments

possible direction, have come up with many economical and time-saving devices and methods.

Most important, on the whole, of cost-cutting on a wide scale, is the widened scope of the process, and especially departments. Their work has brought into the studio many shots and even sequences that previously required expensive location trips and time-consuming set-ups. In many instances, a troupe never gets out of the studio, with the process stage taking care of all exterior and running shots required in a picture.

To save time in lining up synchronism of camera and projector for process "takes," Paramount devised an automatic motor system which lines up the shutters of both the camera and projector for a shot, saving as much as an hour a day over the former method of manual adjustment.

Century-Fox completed a more compact and silent unit of cameras and projectors which will be made available to all other studios, while John Arnold of Metro devised a new mobile camera crane.

New Equipment

Steady flow of new apparatus and equipment continues from the various suppliers and manufacturers: one of the most valuable for production-use made available during the year being "coated" lenses in cameras to reduce reflection at the glass-surfaces.

RCA continued to develop various improvements for sound recording and reproduction, in addition to collaborating with Disney engineers on the Fan-sound system. Erpi's bid of the year—aside from introduction of stereophonic sound—was a newly designed electrical densitometer for reading film densities in sound departments and film surfaces.

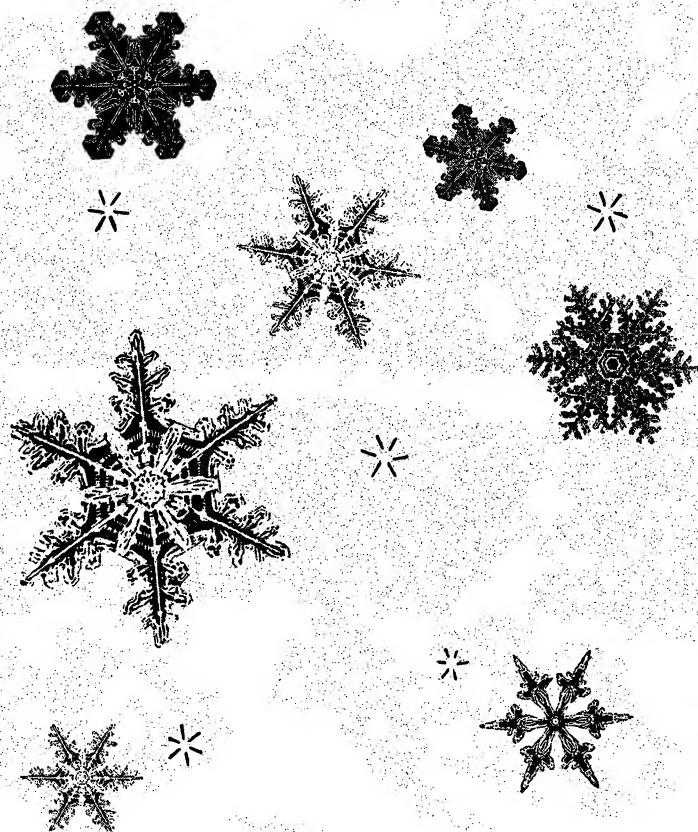
Warners' cameras will be available for peak production loads. Warners and Paramount carry staffs of contract and non-contract men of 14, each, while 20th-Fox has total of 14; RKO eight, and Columbia, six.

Staff Clipped

Cameramen holding term contracts with the majors showed a decline for the year, with most of the big plants clipping their carrying staffs and firing that good cameramen finding niches up from the far-lance ranks when required for peak production. In the nine major studios, 89 first cameramen were on the payroll as of the last week in December; but average over a yearly stretch will hit about 110 weekly. The Metro first cameramen's staff still leads the majors, with 13 men on regular contract and seven others called in sufficient to fill the quota for availability for peak production loads. Warners and Paramount carry staffs of contract and non-contract men of 14; each, while 20th-Fox has total of 14; RKO eight, and Columbia, six.

Speedup requirements of production is swinging most of the top cameramen away from ultra soft-focus lighting effects and over to higher contrast photography—providing greater definition and sharpness. The new developments in this field adds to this factor, as all of the major laboratories are attempting to supply standardized prints for the theatres to allow latter to project the best picture possible before audiences.

The past year saw more and more of the big shot photographers assigned to handle Technicolor production, in line with policies of studio heads to get as many of their top men as possible familiar with the color method and practices.



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HAPPY NEW YEAR!

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CHARLIE CHAPLIN

in **"THE GREAT DICTATOR"**

Alexander Korda
presents

"THE THIEF OF BAGDAD"

In Magic Technicolor

Edward Small
presents

"THE SON OF

MONTE CRISTO"

starring Louis Hayward and
Joan Bennett

Hal Roach
presents

"ROAD SHOW"

1941's hilarity hit

David L. Loew and Albert Lewin
present

Fredric March, Margaret Sullivan
and Frances Dee

"SO ENDS OUR NIGHT"

Richard Rowland
presents

"CHEERS FOR MISS BISHOP"

with Martha Scott, William Gargan

Hal Roach
presents

"TOPPER RETURNS"

starring
Joan Blondell, Roland Young
Billie Burke and Carole Landis

Sol Lesser
presents

An Ernst Lubitsch Production
"THAT UNCERTAIN FEELING"

starring
Merle Oberon and Melvyn Douglas

Alexander Korda
presents

Vivien Leigh and Laurence Olivier
in **"LADY HAMILTON"**

Hal Roach
presents

"BROADWAY LIMITED"

with an All-Star Cast

Gabriel Pascal
presents

GEORGE BERNARD SHAW'S

"MAJOR BARBARA"

with Wendy Hiller, Rex Harrison
and Robert Morley

James Roosevelt
presents

James Stewart and Paulette Goddard
in

"POT O' GOLD"

with Horace Heidt and his Orchestra

All released thru United Artists

Academy of Motion Picture Arts and Sciences

By John C. Flinn

The annual awards of the gold statuettes, called "Oscars," which look for all the world like the little man who wasn't there, have become the most eagerly sought prizes for recognition of outstanding contribution to the production end of the motion picture industry. They stand for meritocratic achievement in Hollywood. Recipients are chosen by the studio workers, under sponsorship of the Academy of Motion Picture Arts and Sciences.

The Academy, organized in 1927, and its first president and chief enthusiast was the late Douglas Fairbanks, whose support of the idea through his early involvement years carried the institution through a series of difficulties. Now in its 13th year, with its place in the industry clearly defined in keeping with the original plan of its chief proponent, the Academy grows in strength and importance. The awards dinner, which is usually held in February, and at which the selections for best performances during the previous calendar year are announced in Hollywood,

The method of choosing by secret ballot the winners of each division of awards classification has evolved from the votes of a few (in the early days) to the dimensions of a vast numerical canvas. More than 10,000 film workers expressed their choices last year, and the number seems at least to have met all requirements of past and previous objections.

As at present organized, the voting plan begins well in advance of the awards dinner by sending a nominating ballot to every person regularly engaged in production work in Hollywood. This includes all players, directors, writers, production executives and their staffs. In this way, each member of the active division selects representatives of its own field. Leaders so selected then become candidates for the awards. In a few classes of endeavor, chiefly in the technical branches of the industry, nominations are made by a committee.

Secret Ballot

All voting is done through the mails and the ballots are tabulated by an accountancy agency which does not make its report until an hour before the announcements at the award dinner. It is the custom that the previous year's winner of an award shall present the Oscar trophy to her or his successor. Thus it came about at last year's dinner in the Cocoanut Grove that Fay Bainter made her memorable comments on the universality of art when she presented the award for best supporting actress performance of the year to Hattie McDaniel, colored player, for the latter's characterization in "Gone With the Wind." It has been the practice to extend the number of awards each year beyond the established groups of best production, best direction, actor, actress, supporting players and writers, for original and adaptations. Recognition has been given to persons who have contributed unusual service in charitable work in the industry, and for singular technical contributions.

Since the earlier years of the Academy, added divisions include art direction, special camera and sound effects, colored pictures, music scoring and original compositions, best song, best short subject, best educational and travel films and cartoons.

Nothing could better exemplify the wide range of film production endeavor than the diversity of subject matter of both feature films and short subjects which have won awards. There is clearly no formula or pattern in the year-by-year production record. Outstanding productions have ranged from tense dramatic themes ("All Quiet on the Western Front" 1930) to farce ("You Can't Take It With You" 1938).

Three-Time Winner

In the 13 selections of "best director" Frank Capra has been three times selected as winner; Frank Lloyd and Lewis Milestone, each twice. As best actress' Bette Davis and Luise Rainer are double winners, while only Spencer Tracy has led the actors for two years. Frances Mar-

ion has been twice winner as writer of best original stories.

Listings of the major division awards follow:

Outstanding Productions

- 1927-28—"Wings" (Par) and "Sunrise" (Fox).
- 1928-29—"Theodora Goes Wild" (M-G).
- 1929-30—"All Quiet on the Western Front" (U).
- 1930-31—"Cimarron" (RKO).
- 1931-32—"Grand Hotel" (M-G).
- 1932-33—"Cavalcade" (Fox).
- 1933-34—"It Happened One Night" (Col).
- 1934-35—"Mutiny on the Bounty" (M-G).
- 1935-36—"The Great Ziegfeld" (M-G).
- 1936-37—"The Life of Emile Zola" (WB).
- 1937-38—"You Can't Take It With You" (Col).
- 1938-39—"Gone With the Wind" (Selznick).

Best Direction

- 1927-28—Frank Borzage, "Seventh Heaven" (Fox), and "Lewis Milestone, Two Arabian Knights" (UA).
- 1928-29—Frank Lloyd, "Weary River," "Divine Lady," "Drag" (Fox).
- 1929-30—Lewis Milestone, "All Quiet on the Western Front" (U).
- 1930-31—Norman Taurog, "Skippy" (Par).
- 1931-32—Frank Borzage, "Bad Girl" (Fox).
- 1932-33—Frank Lloyd, "Cavalcade" (Fox).
- 1933-34—Frank Capra, "It Happened One Night" (Col).
- 1934-35—John Ford, "The Informer" (RKO).
- 1935-36—Frank Capra, "Mr. Deeds Goes to Town" (Col).
- 1936-37—Lee MacCay, "The Awful Truth" (Col).
- 1937-38—Frank Capra, "You Can't Take It With You" (Col).
- 1938-39—Victor Fleming, "Gone With the Wind" (Selznick).

Writers

- 1927-28—Ben Hecht, "Underworld" (Par), Benjamin Glazer, "Seventh Heaven" (Fox).
- 1928-29—Hans Kraly, "The Patriot" (RKO).
- 1929-30—Frances Marion, "The Big House" (M-G).
- 1930-31—John Monk Saunders, "Dawn Patrol" (WB) orig.; Howard Estabrook, "Climaron" (RKO) adapt.
- 1931-32—Frances Marion, "The Champ" (M-G) orig., Edwin "Bad Girl" (Fox) adapt.
- 1932-33—Robert Lord, "One Way Passage" (WB) orig.; Sarah Y. Mason and Victor Heerman, "Little Women" (RKO) adapt.
- 1933-34—Arthur Caesar, "Manhattan Melodrama" (M-G) orig.; Robert Riskin, "It Happened One Night" (Col) adapt.
- 1934-35—John Huston, Charles MacArthur, "The Scoundrel" (Par) orig.; Dudley Nichols, "The Informer" (RKO) adapt.

BALLYHOOT MUST PAY B.O. DIVIDENDS

By BOB MOAK

Hollywood, Jan. 5

The Hollywood studio bally bureaus, during the last year, have undergone the heaviest personnel turnover they ever have known, and the end is not yet in sight. While the pay is up, thanks to the Screen Directors Guild, things aren't what they used to be. For one and all, it's a case of get results—or else.

Most thorough house-cleaning game "about at Paramount" where George Brown, former Columbia studio advertising-publicity director, succeeded Cliff Lewis as ad-blurb chief, taking with him, Blake

- 1935-36—Sheridan Gibney and Pierre Collings, "The Story of Louis Pasteur" (WB) orig.; same, adapt.
- 1936-37—William A. Wellman and Robert Carson, "A Star Is Born" (Selznick) orig.; Norman Reilly Raine, Heinz Harald and Geza Herzog, "Life of Emile Zola" (WB) adapt.

- 1937-38—Dore Schary and Elassore Griffen, "Boys Town" (M-G) orig.; George Bernard Shaw, "Pygmalion" screenplay; W. P. Lipscomb, Cecil Lewis, Ian Dalrymple, "Pygmalion" adapt.

- 1938-39—Lewis R. Foster, "Mr. Smith Goes to Washington," orig.; Sidney Howard, "Gone With the Wind," adapt.

Best Actress

- 1927-28—Janet Gaynor, "Seventh Heaven," "Street Singer," "Sunrise" (Fox).
- 1928-29—Mary Pickford, "Coquette" (UA).
- 1929-30—Ingrid Bergman, "The Divorcee" (RKO).
- 1930-31—Marie Dressler, "Min and Bill" (M-G).
- 1931-32—Helen Hayes, "The Sin of Madelon Claudet" (M-G).
- 1932-33—Katherine Hepburn, "Morning Glory" (RKO).
- 1933-34—Claudette Colbert, "It Happened One Night" (Col).
- 1934-35—Bette Davis, "Dangerous" (WB).
- 1935-36—Luise Rainer, "The Great Ziegfeld" (M-G).
- 1936-37—Luise Rainer, "The Good Earth" (M-G).
- 1937-38—Bette Davis, "Jezebel" (WB).
- 1938-39—Vivien Leigh, "Gone With the Wind" (Selznick).

Supporting Actress

- 1935-36—Gale Sondergaard, "Anthony Adverse" (WB).
- 1936-37—Alice Brady, "Old Chicago" (20th-Fox).
- 1937-38—Fay Bainter, "Jezebel" (WB).
- 1938-39—Hattie McDaniel, "Gone With the Wind" (Selznick).

Best Actor

- 1927-28—Emil Jannings, "The Way of All Flesh," "Last Command" (Par).
- 1928-29—Warner Baxter, "In Old Arizona" (Fox).
- 1929-30—George Arliss, "Disraeli" (WB).
- 1930-31—Lionel Barrymore, "A Free Soul" (Par).
- 1931-32—Bodie March, "Dr. Jekyll and Mr. Hyde" (Par).
- 1932-33—Charles Laughton, "Henry VIII" (Brit).
- 1933-34—Clark Gable, "It Happened One Night" (Col).
- 1934-35—Victor McLaglen, "The Informer" (RKO).
- 1935-36—Paul Muni, "The Story of Louis Pasteur" (Par).
- 1937-38—Spencer Tracy, "Boys Town" (M-G).
- 1938-39—Robert Donat, "Goodbye Mr. Chips" (M-G).

Supporting Actor

- 1935-36—Walter Brennan, "Come and Get It" (Goldwyn).
- 1936-37—Joseph Schildkraut, "The Man Who Came to Dinner" (WB).
- 1937-38—Walter Brennan, "Kentucky" (20th-Fox).
- 1938-39—Thomas Mitchell, "Stagecoach" (Wanger).

FEWER SHORTS

Consent Decree's Taboo on Forcing 'Em—Cues Cut To 400 Briefies

Hollywood, Jan. 5

Shorts' producers are scanning their rosters preparatory to applying the pruning shears before the start of lensing on their 1941-42 slates. That clause in the consent decree forbidding the cramming of briefies down the throats of exhibitors as part of the prints under which they are permitted to buy feature films has the minnie makers worried.

While the number of one and two-spoilers to be turned out by each outfit for next season will not be fixed until Jan. 15, or later, one thing is certain—the lists will be cut considerably below the more than 500 subjects ground out for 1940-41. Most of the pruning will be done in the longer, more classifiable shorts.

With the aid of entertainment and production values of some shorts series have been boosted during the last two years, with Hollywood hopeful that more potent briefies would serve as a weapon in the war on double bills, even the producers are now willing to admit that there's been too much plain tripe tossed into the mix. On the other hand, one who was merely trying to grab an honest penny from exhibits willing to pay for the sour along with the sweet, even though they had to store the former on their shelves.

Survey of the Coast shorts makers indicates that the total U.S. output for briefies for the coming stanza will not pass the 400 mark, and may even fall noticeably below that figure.

The trend will be to make both live action and cartoon divisions.

Hollywood is aware, after studying the agreement that ended the Government's suit against the "Big Five," that the shorts' production realm is due to a complete overwhelming. As output is decreased, financial allotments on the survivors will be further upset, due to the return of competition within the sales end of the briefie outlets.

Weighs the Short Face

Setting the pace for the new deal about to dawn will be Warners, which will decide the size of its 1941-42 shorts contribution around Jan. 15. Norman Moray, briefs sales head for the Burbank outfit, came here from New York late in November for preliminary confabs with Jack Lasky and Gordon Hollingshead. Warner shorts' production and returns the middle of this month when the final draft of next year's sked will be formulated.

Shorts sales chiefs of the other companies will follow him west during the ensuing two months for similar huddles with briefie producers of their respective organizations.

Study of the shorts situation during 1940 has convinced the Hollywood crowd that the marqueeing of certain better-class one and two-reelers actually tends to drag into theaters patrons who otherwise would decline to until their purse strings. They cite RKO's March of Time and Information Please releases, Metro's Crime Does Not Pay and Petey's Circus, Warner's Cartoons, and Universal's musicals as examples of what they consider cut-building fare.

During the year just closed, two shorts producing concerns were awarded signal recognition for subjects benefiting the nation's welfare. They were Metro, which won the enthusiastic endorsement of the Federal Bureau of Investigation, police departments and courts of justice for its anti-crimes, and Warners, which was decorated for its aid in Americanization work via the briefie route.

Slash Next Season

While it is still too early to make any forecasts as to the actual numerical strength of the various companies' 1941-42 listings, talk is that Warners, which is making \$6 for the current season, will cut to around \$6 for the following 12 months. Columbia, which promised close to 100 for 1940-41, is expected to drop to not more than 70 for 1941-42.

Parmount, which has also been among the more active distributors of the shorts, is understood to be talking of, not more than, 65-70, which would mean a reduction of around 25. Universal will continue with about 12 musicals and an equal number of cartoons. While its lineup has not reached the conversational stage, feeling on the Westwood lot is that it, too, will cut in its horns.

Among the shorts-marking develop-

ments during the calendar year of 1940 was Fox's acquisition of George Pal, European puppetoon creator-producer, and Robert Benchley, the wode, who moved over from Metro, where he started his shorts writer-actor career. Republic took its first step into the feature-length horizon when it signed Harriet Parsons to produce 12 shorts for a group with Columbia's Screen Stories, which she had been guiding for four years. Ralph Straub, who founded Col's Snaps 20 years ago, has turned to the fold to resume the reel's direction after a whirl at feature piloting. Universal is definitely in the market for any outside shorts, placing its bid with the "Cross and Crown" gang, which carried narration by Andy Devine and which was distributed as a 1940-41 "special." Warners, which switched its patriotic from historical to modern backgrounds, will continue to weave two-timers around the various arms of Uncle Sam's military service.

With the investment of more than \$20,000 a drawing room, a short was considered a risky move as late as 1938. Hollywood's attitude is undergoing a change. Producers now estimate, that in view of the condensed output that looms, \$35,000 will not be too great a gamble for a two-spoiler, providing, of course, that the finished subject is a strong, story top performances and worthwhile direction.

Lecture Boom

Continued from page 36

fore he prefers to ask more and more only for a lecture.

Miss Roosevelt, as in past years, is available for only a very limited number of lectures. She has no set fee, adjusting the figure to the ability of the group to pay—if she's partial to the aims of the organization and it's unable to pay, taking the date without compensation at all. Her trips, from which a choice may be made by the sponsors, are "Relationships of the Individual to the Community," "Problems of Youth," "Peace," "A Typical Day at the White House" and "The Mail of a President's Wife."

New group of platform spouters who have come into demand with the increasing seriousness of the war are the professional soldiers and sailors, retired Army and Navy officers, who can explain strategy and tactics. These include General Henry J. Royal, Admiral H. E. Yarnell, Commander Edward Ellsworth, Major Eliot, and Major Nason.

Two others whose talks have been pointed for timeliness are Leon G. Tarrour, former G-man who smashed the Nazi spy ring in New York, and Edmund Taylor, French correspondent for CBS and author of the best-selling "Strategy of Terror." Taylor's tour schedule includes "American's Fifth Column" and Taylor's "How We Can Fight It."

Government Officials

Large numbers of interpreters of world affairs have backgrounds in Government service. There are, in addition to Ikes, mentioned above, Frances Perkins, Secretary of Labor; Ruth Bryan Owen, first woman to serve the U.S. diplomatic service in a foreign country; Josephine Roche, former assistant secretary of the Treasury; Ruth Johnson, another Ikes; John T. Wilson, Senator Clark; Senator Robert La Follette of Wisconsin; Senator Philip La Follette of Wisconsin; Senator Gerald P. Nye; Senator Burton K. Wheeler; Rexford Guy Tugwell, former brain trustee, and Raymond Moley, another ex-cranium man.

All past or present Government people, most wanted now, is Rep. Martin Dies, whose tactical ability to speak headlines by the use of his committee to investigate subversive activity has long kept him in the public eye.

Interest in South America recently has also built up. Little clique of experts on subjects south of the Rio Grande. They include Rene Dussaq, an Argentinian, who talks on "A South American's View of South America"; Edward Tolson, who speaks on "Argentina's Foreign Policy"; Julian Bryan, who has gained an excellent reputation for his films in the past and last summer covered Mexico, Argentina and Brazil.

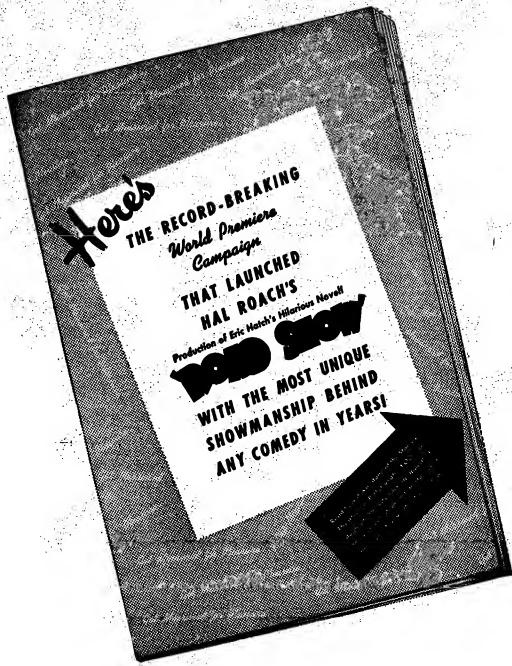
McVeigh, Warners' former boss planter, as his No. 1 lieutenant. Pay shakeup followed on the heels of the departure from the lot of several of its better unit men and planters, including Ed Churchill and Bob Spears.

Perry Lieber, moving from as assistant to publicity-advertising head at RKO when Howard Benedict was elevated to a producership, made wide revisions in his payroll, including a 10% cut in his salary, and the hiring of Vincent Tom Petty, former Hayes office public relations head; Whitney Bolton, the N.Y. morning Telegraph's correspondent here, and Duke Wales.

(Continued on page 66)

ARE YOUR PATRONS

LIBIDOLUNES, VOLUPTALUNES, PROCRUSTALUNES?



Hal Roach scoops the greatest idea ever devised to sell an uproarious comedy as the public gets "measured for pleasure" in America's first Humor Analysis Clinic! Pittsburgh went for it head over heels! How Pittsburgh did it is told in this Showman's Supplement, hot off the press and ready for you **TODAY** at all United Artists exchanges!

**ADS?**

You bell Your whole special campaign ready to go right to work.

**TIE-UPS?**

Yes! Illustrated and explained so you can duplicate them exactly. Gimbel's Department Store, Radio Station KDKA and scores of others.

**SPECIAL PAPER?**

Absolutely! Ideas for three 24-sheets, 40x60's and everything else you need!

**ACCESSORIES?**

You said it! Questionnaires and certificates for the tests, special radio scripts, ballyhoo records and countless other aids!

HAL ROACH presents

ROAD SHOW

starring

Adolphe MENJOU • Carole LANDIS • John HUBBARD
with Charles Butterworth • Patsy Kelly • George E. Stone • Willie Best

AS WE GO TO PRESS . . . Warner's Ritz Theatre, Albany, uses the same sensational campaign with the same sensational results. And hundreds of showmen everywhere are setting early playdates because they're alert to the value of something new and different!

From the novel by ERIC HATCH • Directed by Hal Roach • Hit tunes by Hoagy Carmichael featuring The Charloteers, Stars of "Hellzapoppin."

RELEASED THRU UNITED ARTISTS

Kitty Foyle

**THE BIG ATTRACTION
EVERYWHERE NOW!**

Foyle

"A showman's natural."
—MOTION PICTURE DAILY

"A cinch hit."
—HOLLYWOOD REPORTER

"Will break records."
—SHOWMEN'S TRADE REVIEW

"A strong grosser."
—VARIETY

"Should score decisively."
—FILM DAILY

"Among season's tops."
—BOX OFFICE

"Should turn in top gross."
—JAY EHMANUEL

"Academy Award contender."
—HOLLYWOOD VARIETY

"The kind of a picture that built this business."
—MOTION PICTURE HERALD

RKO
RADIO

PICTURES

GINGER ROGERS

In the First Great Romance of the White Collar Girl

"KITTY FOYLE"

Christopher Morley's *Natural History of a Woman*

With

DENNIS MORGAN • JAMES CRAIG

Eduardo Ciannelli Ernest Cossart Gladys Cooper

Directed by SAM WOOD

Who Made "Goodby, Mr. Chips"

Produced by David Hemptead • Harry E. Edington, Exec. Prod.

Screen Play by Dalton Trumbo Additional Dialogue by Donald Ogden Stewart

While
WALT DISNEY'S
 "FANTASIA" keeps
 playing in New
 York to capacity
 and 3 additional
WALT DISNEY
 full-length produc-
 tions near
 completion



© W.D.P.

The Great Parade of

WALT DISNEY

SINGLE-REEL FEATURES

Continues to swing triumphantly
 through the theatres of the land!

Play Them, but **PLAY THEM UP!**

NO NAME DRAWS
 BETTER THAN
DISNEY!

DISTRIBUTED BY RKO RADIO

In TECHNICOLOR

Hollywood's \$4,500,000 Facelift By Majors

This Brings Total Value of Film Properties Up to \$130,000,000

Hollywood, Jan. 5. Although it was only last January that talkie industry toppers supposedly called a halt on further outlays for studio expansion and rehabilitation until such a time as back taxes moved upward, the sum of the Coast lots reveals that \$4,500,000 went into the acquisition of additional land, buildings and equipment during 1940. The year's expenditures for permanent improvements to the film plants bring the total value of the properties up to an estimated \$130,000,000.

Expenditure for the stanzas came within \$500,000 of matching bankroll was considerably larger, bankroll peeling for similar purposes in 1939, which the big boys in New York feel should be sufficient to take care of production needs for some time to come. Eastern execs, however, seem to have figured without consideration for two important factors—the march of progress, which has run the picture business a close race ever since its inception, and the ravages worked on roads and walls by California's summer sun.

Dizzy's Big Investment

Biggest spender during 1940 was Walt Disney, who, after putting out \$1,000,000 for his new Burbank studio the year before, spent an added \$1,500,000 since last Jan. 1 to bring about completion of the project. Disney's plunge in the face of a revenue slump, though meant more than the mere need of real property, made possible the slashing of production costs in a telling way, for Disney is now in a position to turn out for \$1,000,000 a feature cartoon that formerly cost him \$2,000,000 or better. Comparative savings have also been brought about in his shorts making.

Taking second place only to Disney's check-signing is Warners' Warner, dispensed \$700,000 for the broadening and modernization of its main Burbank lot, its so-called "30 Acres" tract and its Calabasas ranch. Of this sum, \$400,000 went into the erection of a new marine stage fitted with tank and hydraulic apparatus for rocking ships, while another \$125,000 was put into the construction of two all-weather stages for use in films like "The Sea Hawk," but which were disguised through alterations for "The Sea Wolf" and which will undergo further revamping for "Captain Hornblower" and John Paul Jones. Warner expects the marine stage and two vessels will pay for themselves within the next three years through rentals to other film companies.

RKO Also Improved A Lot

RKO, trailing close behind the two leaders, remodeling its home studio on Gower street and its Encino location ranch to the tune of \$225,000, besides dishing out \$225,000 for the enlargement and dolling up of its RKO-Pathe overflow and rental plant in Culver City.

Improvements on the Gower street property were highlighted by the addition of a massive basement store room for electrical and other equipment beneath Stages 8 and 9, a difficult engineering feat that was carried on while picture units toiled uninterruptedly on the floors above, and the overhauling of all executive office buildings. Four more projection rooms were attached to the 24 already in operation, and the general dressing room and service building were built, art department quarters were increased in size, and the whole plant was given paint, inside and out.

Out at the RKO ranch, permanent sets were revamped and new ones constructed. The New York street, widely used by RKO and rival companies, was extended to eight blocks in length. New sets included a half-mile-long midwest street, a northern residential thoroughfare, Paris Notre Dame Square, a Moroccan street-end and an Algerian fortress. Two large tanks for process and miniature shots were provided, as well as four bungalows to house ranch caretakers and their families, a year-round cage, two scenery docks, a six-plane har, and corrals and stages for 100 horses.

Expansion of RKO-Pathe facilities included construction of a \$200,000 sound stage.

Metro cut loose \$450,000 to take care of overcrowded conditions in certain departments within its Culver City establishment. Of the total

\$150,000, went for a new cartoon building and equipment, while another \$150,000 was charged off to rehabilitation of sound stages and the reconditioning of the projection equipment. Other monies were expended on the future development of abutting lot No. 3, including construction of western and other types of streets.

Twentieth-Fox, where any treasury nicking these days almost requires a board meeting, peeled \$325,000 for new buildings; general repairs and the purchase of equipment for its Westwood lot. Included in the modernization move was the acquisition of a motion picture splicer and a camera. Approximately \$60,000 went into a grip building, while a scenery dock cost another \$25,000. Modern residential street, with completely walled and roofed houses, curbs, paving and landscaping set the outfit back \$75,000. An early mid-city block cost \$55,000. Remodeling of the New York street took \$15,000. Two new greenhouses replaced old ones for \$6,000.

Twentieth-Fox also parted with \$25,000 for improvements at its Westwood avenue auxiliary plant.

With plans for the construction of a complete new studio on its Overland avenue property, shelves until peace is restored in Europe, Paramount invested \$290,000 in new buildings and other improvements for its Marathon avenue lot. Much of the coin was for more modern equipment for its camera and sound departments.

Republic joined the procession going on the road for \$200,000. This sound stage accounted for \$150,000. Around \$75,000 went into a Writers' building. Paving of studio streets ran up a bill of \$20,000. Make-up and still departments were enlarged. Additional projection rooms were erected and equipped.

Universal, which in the first nine months of 1939 did an \$800,000 job of stage, dressing-room and hospital construction, besides repairing and repainting all standing buildings and sets, completed a maintenance shed this year for shooting \$80,000 into new office buildings and road-building into corners of its vast acreage that has heretofore been inaccessible.

Columbia improved its Gower street studio and its Burbank location ranch through the expenditure of \$100,000.

Hal Roach, Talcison, Like's, International General Services and Fine Arts studios also went in for enlargement and rehabilitation, their joint expenditure amounting to some \$200,000.

H'wood Polls

Continued from page 22

will give a black eye to the entire scheme.

Film producers have probably been the slowest of any major industry in the country to turn to research. While steel, electrical manufacturers, automobiles and others have long maintained staffs to devise means for their present and new markets, films are only taking toddling steps in this direction.

Amazing is how little the industry even knows about the number of its patrons. For years it went on blindly assuming that 85,000,000 persons a week were attending pictures. Hays office gave as the source of this figure the motion picture division of the U. S. Dept. of Commerce. The Dept. of Commerce cited the Hays office. When it got down to cases, both sources readily admitted it was all a surmise and that anyone's guess might be as good.

Then Dr. Gallup's double-feature poll came out, and only incidentally, revealed that for the week ending July 19, 1940, only \$4,000,000 worth of tickets had been sold. This was midsummer, but the figures were misleading, since they were based on 31,000,000 fewer patrons than the industry had been counting itself into believing. If Dr. Gallup's figures are correct—and no one has challenged them—producers were gearing themselves to an audience 40% larger than existed. Which is serious.

Figure by Gallup which most rocked Hollywood, however, was

that 32,000,000 persons in the United States financially and physically able to attend films went to theaters less than once a week. Scrambled, of course, to find what was even Varsity went into the slot business. It discovered four principal reasons:

1. There aren't enough good pictures.
2. Audiences object to double features.
3. Preference by the public for sports, both participating and spectator.
4. Preference for radio listening.

Gallup results on double features poll, incidentally, were 57% against and 43% in favor of them. That pretty well killed agitation against the duals, exhibitors figuring that if 43% wanted them they must have something. It was expected in many quarters that the slot bill would be greater than the twin bills would be greater, for Varsity, in its research among patrons and exhibitors who tried one feature programs, quickly discovered that the customers talk singles but buy doubles.

Seek Stewart for 'Reap'

Hollywood, Jan. 5. Cecil B. DeMille is signing for one of the top names in the silent picture, "Reap the Wild Wind." Others signed for the Paramount whirlwind are Robert Preston and Lynne Overman.

May serial is being done in Technicolor, with adaptation by Charles LeMay, Charles Bennett and Jesse Lasky, Jr.

DeMille is debating whether to shoot the underwater scenes in Florida or California.

Jukeboxers' 1941 Outlook

Hollywood, Jan. 5. This town, concretely established as the talkie production capital of the world, appears destined to occupy a similar niche in the newborn slot-film realm. With eight outfit already manufacturing automatic projector boxes here and half a dozen others preparing to get started soon after the first of the year, any one and everyone able to garner even the semblance of a bankroll is moving in on the soundies production end of the business.

With a dire shortage of 16 mm product about the only obstacle left in the way of mass marketing of the jukers, it looks like great chance to the smart lads who were shoe-stringing their way through 35 mm picture making in the pre-Guild and union era. Class A slotties require an outlay of around \$2,000 to \$2,500 per three-minute subject, but a B highly acceptable in these times of scarcity, can be ground out for as little as \$550 to \$750, which is some whittling in view of the fact that the soundies producers are forced to adapt to the same way and make scales for talent and technicians that are maintained in the major film studios.

It took the Hollywood crowd quite a while to wake up to the profit possibilities of the slotties after the first machine pushed its way across the horizon. It was two years ago, almost to a day, that Jack Evans, designer of several mechanical vending gadgets, worked out the projector box and separate projectors that bear the name "Phonodim," and placed his invention in a small shop in a village cafe, where it has been collecting dimes ever since.

But it wasn't until James Roosevelt, acting on inducements from Mills Novelty Co., developer of Panoram, actually tossed his hat into the arena as a soundies producer, that Coast bankrollers took real notice. From that moment on, Hollywood lawmen started racing westward by drafting every outfit incorporation for outfit readying to crash the box-hunting film production and the distribution and exhibition ends of the slot-film industry.

While it requires little in the way of actual cash to become a soundies producer, it costs even less to join

the ranks of the box makers, who, in the main, are merely assemblers. And certain makers can turn out the boxes. The major ones, however, whose metal parts are carried in stock elsewhere, making it possible to throw the whole thing together for approximately \$100 to \$150, with the outer diminishing when parts are purchased in quantity lots.

With Roosevelt blazing the trail, other film-industry figures were quick to follow. CECIL B. DeMille and William H. Pine, his Paramount assistant, launched Hollywood Talkietone Corp. for both box manufacture and soundies production. Film directors, like George Stevens and Henry King Schuster, and their Jerry Colonna and Frank Albertson set up Musical Movies Corp. of America, also to play both ends of the slotto game. Sam Sax, former Warners producer, and Frank Orratt, talent czar, got behind Phonovision, which is turning out machines, but which, for a while at least, will not fit into a slot. In the same way, and with similar success, Neil McGuire, former 35 mm director, has decided to go deeper into the slot biz, and will build boxes as well.

Other Indies

Frank Shea, former Fox Film and Paramount sales exec, and Floyd Bolton, 35 mm production manager, have formed Bolton-Shea, Inc., which is not only making soundies on its own, but is in distribution as well. Peter Ratoff, brother of director Gregory Ratoff, is in charge of a new company for the slotties, as is Neil McGuire, former 35 mm director. Latest entry in the production arm of the new field is Edgar Bergen, who is starring himself and Charlie McCarthy in a series of 15 "action" subjects.

Other box builders include Donald and Jimmie Film, Inc., who are making Metamovies and Filmstone, Inc., which is sponsoring a box trade-tagged with the same name.

While the majority of the box makers are using slots sized to draw in the dimes, Musical Movies Corp. and Filmstone, Inc., have equipped their machines on a 16 mm basis. Others believe the 16 mm fee will prevail everywhere within six months to a year, but argue that a dime is necessary at this time to cover the costs of machine maintenance and the supplying of quality films.

Although most of the outfits have ironed out the mechanical kinks that plagued the early slotting efforts in recent months, they are still being confronted by an even greater hurdle in the form of the International Alliance of Theatrical Stage Employes, which is forcing slotto exhibitors to hire IA projectionists at \$110 for a six-hour, six-day week to service the film loops in the automatic projectors. In addition to the IA men, exhibitors must call on their "house" general service men to run other parts of the boxes.

First city to feel the IA pinch is San Francisco, where the owner of 10 machines has been forced to put on three IA projectors in order to keep his projectors pumping on an 18-hour daily basis. Add to this \$500 weekly expense for each machine, and the bill totals \$800 each seven days for maintenance alone. Even the unionists admit that IA will have to make some concessions if the slotties are to dot the nation.

CROSSROADS

By Joe Whitehead

Hollywood, Jan. 5. Every spot on the map has its crossroad, why they call it that I'm at a loss.

But the crossroad that ends other crossroads, is the old Hollywood double-cross.

Where the people you meet all seem friendly, but it's brother can you spare a smile?

And for the poor guy who's skidding, a tough spot, no kidding, the crossroad's at Holly and Vine;

The half hollow well met, will turn out all wet, if you ask for the price of a meal,

And from the so-called good guy, you'll get a forte goodbye, it's the sunshine that brings out the heel;

And they come from all over, from Paris and Dover, from Sweden, from Ireland and Wales;

Some are bat dies, some boozers, and some two-time losers, excuse me I'm thinking of jails.

On they come, the poor dopes, nothing crushed but their hopes, then they flirt with that junk they call wine;

They stumble and fall, alongside the eight ball, and that eight ball is Holly at Vine.

Still they come all the masses, all shades and all classes, all shapes and all sizes and creeds;

Stars and brothers, and gobs of stage mothers, by auto, train, airplane and steeds.

They wind up on the Boulevard, at the corner of Vine, the Rialto, a place to see sights,

The once great and small, and the curse of it all, some are day ships that pass lonely nights.

You'll see actors aplenty, from the old 10 and 20, and 30 and 40 and 50; Extras and bit men, flop guys and hit men, and what have you, to make up a show;

You'll see men with their hands out, gals with their chests out, guys with their seat's out, so what?

Babes, shot protectors and movie directors, don't stop me now, boy am I hot;

You'll see cowboys and ranchers, and drugstores with branches, and freaks you once saw for a dime;

Character women, and squabs dressed for swimming, at the crossroads on Holly and Vine.

You'll see tall guys and midgets, that give you the fidgets; fat men and short men and lean;

Dog men and horse men, a lot of divorced men, all hoping to get on the screen.

There are acrobats, litterbugs, dancers galore, singers and comic plus hokum.

Some sitting pretty, some not, what a pity, the poor mug so bent that he's broke;

You'll see bears of all color, faces the same, 10-gallon hats that look fine;

Slacks on old kittens that should be home knitting, instead of on Holly and Vine.

You'll see cameramen, grippers, pancies in slippers, sweater gals doing their stuff;

Short story writers, back-slappers, back-biters, will I go on or have we

You'll see good cars and bad cars, sloppy and sad cars, newsboys who run in between;

Messengers, nurses, and villains with curses, and layoffs all letting off steam.

Hoores, Nijinsky types, a la Minsky's, agents with prospects in line.

Producers, first-nighters, wrestlers and fighters, the crossroads at Holly and Vine.

You'll see gals that are filling, refugees milling, trail, that are willing to strut;

Radio announcers, and cabaret bouncers, and the pinhead half shy in the nude.

You'll see autograph flappers, and of course handicappers, bartenders, barbers and so.

Now don't get this wrong, it's a rhyme, not a song, and if a cop shows it's my cue to blow.

FIRST IN FUN for '41!

JANUARY

FEBRUARY

MARCH

Sun.

5
12
19
26

"ROAD SHOW"

Starring

Adolphe MENJOU • Carole LANDIS
 John HUBBARD • Charles BUTTERWORTH
 Patsy KELLY • George E. STONE
 Willie BEST

*Hit Tunes by Hoagy Carmichael
 Sung by the Charioteers
 Directed by HAL ROACH*

1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31
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JULY

AUG

Sun.

Mon. Tue. Wed. Thu. Fri. Sat.

6
13
20
27

"BROADWAY LIMITED"

Starring

Victor MCLAGLEN • Marjorie WOODWORTH
 Dennis O'KEEFE • Patsy KELLY • Zasu PITTS
 Leonid KINSKEY • George E. STONE

*Directed by Gordon Douglas
 Story by Gordon Douglas and Rian James*

5	16	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31
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Books Bought for Films in 1940

COLUMBIA

'Edge of Running Water,' by William Sloane.....	\$2,500
'Penny Serenade,' by Martha Cheavens.....	12,000
'A Cool Million,' by Nathaniel West.....	12,000
'Storm Over Louisiana,' by Louis Bromfield.....	50,000
(Bought before written)	
'The Smoky Years,' by Alan LeMay.....	5,000
'The Morning Is Near Us,' by Susan Glaspell.....	10,000
'Navy Spy,' by George Fielding Eliot.....	1,000
'And Now Goodbye,' by James Hilton.....	35,000
'Seven Men Die,' by James Warner Bellah.....	7,500
'Legacy,' by Charles Bonner.....	15,000
(Bought and made by Robert Sherman unit)	

METRO

'Vanishing Virginian,' by Rebecca Yancey Williams.....	\$25,000
'Mrs. Miniver,' by Jan Struther.....	40,000
'Bolivar,' by T. R. X. Yarrow.....	12,500
'Whispering Camps,' Mabel Sesler.....	7,000
'The Young Professionals,' by Lillian Day.....	8,000
'Reign of Soapy Smith,' by E. W. Westrate and W. R. Collier.....	5,000
'Doctors on Horseback,' by James Flexner.....	7,500
'Viva Zapata,' by Edgcomb Pinchon.....	5,000
'Random Harvest,' by James Hilton.....	85,000

PARAMOUNT

'For Whom the Bell Tolls,' by Ernest Hemingway.....	\$100,000
(\$10,000 probable figure) paid is \$100,000 plus 10c. for each copy sent to the studios.	
'Country Lawyer,' by Bellamy Partridge.....	25,000
'Dido Day,' by Nelson Hayes.....	10,000
'Food of the Gods,' by H. G. Wells.....	15,000
'Captain from Connecticut,' by C. S. Forester.....	45,000
(Purchased before written)	

'Reap the Wild Winds,' by Thelma Strabel.....	25,000
'Sunrise in My Pocket,' by Constance Rourke.....	35,000
(Also includes rights to unproduced dramatization by Ed- win J. Knobly Noyer)	
'Hold Back the Dawn,' by Estelle Weinzimer.....	10,000
'Botany Bay,' by Charles Nordhoff and J. N. Hall.....	50,000
(Bought before written)	

'The Remarkable Andrew,' by Dalton Trumbo.....	80,000
(Bought before written)	
'Secrets of the Wasteland,' by Bliss Lomax.....	1,500
(Bought by Harry Sherman unit)	

REPUBLIC

'Dark Command,' by W. R. Burnett.....	\$8,500
'Wagons Westward,' by Armstrong Ferry.....	12,000
'Drums of Fu Manchu,' by Sax Rohmer.....	12,000
'Border Legion,' by Zane Grey.....	5,000
'Colorado,' by Edwin Westrate.....	3,500
'False Witness,' by Irving Stone.....	20,000
'Who Killed Aunt Maggie?' by Madora Field.....	3,500
'Ex-Love,' by Mated Howe Farnham.....	2,000
'Jungle Girl,' by Edgar Rice Burroughs.....	3,500

RKO-RADIO

'Water Cypresses,' by A. P. Herbert.....	\$19,500
'Unbreakable Mrs. Doll,' by Grace Perkins.....	25,000
'Sanda Mata,' by Maurice Collins.....	15,000
'Valley of the Sun,' by C. B. Kelland.....	25,000
'Sister Carrie,' by Theodore Dreiser.....	40,000

20TH CENTURY-FOX

'Bucharest Ballerina Murder,' by Van Wyck Mason.....	\$17,000
'Silent East,' by Fletcher Haze.....	5,000
'My Life and Hard Times,' by James T. Farrell.....	10,000
'Wild Geese Calling,' by Stewart E. White.....	27,500
'Rogue Male,' (Man Hunt), by Geoffrey Household.....	12,500
'Chad Hanna,' by Walter D. Edmonds.....	50,000
'How Green Was My Valley,' by Richard Llewellyn.....	50,000
'Private Practice of Michael Shayne,' by Brett Halliday.....	2,750
'Western Union,' by Zane Grey.....	35,000
'The Golden Touch,' by Stephen Longstreet.....	20,000
'The Dead Take No bows,' by Richard Burke.....	5,000
'Sioux City,' by J. Hyatt Downey.....	7,500
'Flight Surgeon,' by Cameron Rogers and H. E. Holland.....	12,500
'Green Entry,' by F. Ruth Howard.....	20,000
'Attack,' by Leland Jamison.....	

UNITED ARTISTS

'Landfall,' by Nevil Shute (Loew-Lewin).....	\$25,000
'Strange Victory,' by Frank Meloney (Lesser).....	25,000
'Columbus Sails,' by C. Walter Hodges (Edward Small).....	60,000
'Bethel Merriday,' by Sinclair Lewis (Korda).....	3,000
'Woman Hunt,' by Mary Webb (Korda).....	

UNIVERSAL

'When the Daltons Rode,' (Emmett Dalton's autobiography, collaborated on by Jack Jung- meier).....	\$6,000

WARNER BROS.

'City for Conquest,' by Alton Kandel.....	\$15,000
'Lost Battalion,' by T. M. Johnson and Fletcher Haze.....	5,000
'Mr. Skeffington,' by Elizabeth....	40,000
'High Sierra,' by W. R. Burnett.....	15,000
'King's Row,' by Henry Bellamann.....	35,000
'Villa on the Hill,' by Somersett Maugham.....	25,000
'Quietly My Captain Waits,' by Evelyn Eaton.....	40,000
'They Died With Their Boots On,' by Thomas Ripley.....	6,000
'War of the Copper Kings,' by C. B. Glasscock.....	2,500
'Flesh in Manhattan,' by Charles Kaufman.....	1,500
'Frontier Doctor,' by Karl G. Ulrich.....	5,000
'One Foot in Heaven,' by Harold Sturz.....	20,000
'Long Hail,' by A. L. Berzerides.....	5,000
(Became 'They Drive by Night')	

'Calamity Jane,' by Bret Hart.....	4,000
'Calamity Jane of Deadwood Gulch,' by Ethel Hueston.....	3,000
'Lady with Red Hair,' by Mrs. Leslie Carter.....	12,000
'The Damned Don't Cry,' by Harry Hervey.....	3,500

INDEPENDENTS

'His Majesty the King,' by Cosmo Hamilton (Douglas Fairbanks, Jr.).....	\$3,000
(English play published as book in U. S.)	

The Red Pony,' by John Steinbeck (Lewis Milestone).....	Percentage
'Bambi's Children,' by Felix Salten ('Disney').....	5,000
'Ivanhoe,' by Phil Stong (PCA).....	Percentage
'Oklahoma Ending,' by Edward Donahue (Clarence Brown).....	7,500
'Ralston's Ring,' by Geo. D. Lyman (Geo. Stevens).....	3,000
'The Wedding Guest Sat on a Stone,' by Richard Shattuck.....	7,500
'Gone With the Wind,' by Margaret Mitchell.....	3,500
'High Frontier,' by Leland Jamison (Howard Hughes).....	3,500
'Ballerina,' by Lady Eleanor Smith (Gregory Ratoff).....	Percentage
'The Boy Grows Older,' by Heywood Broun (John M. Stahl).....	3,500

National Defense

And the B. O.

Billions for defense should begin to be reflected shortly in business at film bookstores, with showmen anticipating that the cost will be an improvement indirectly traceable to the Government's spending program.

1941 rolls along. It is predicted, in this connection, that the financial statements of the film companies will be higher for the first quarter of the new year than for the corresponding period in 1940.

This is held to be very probable in view of the vast amount of money being spent by the U. S. in the building of ships, planes, tanks and other war material, some of it for export abroad. Additionally, industry generally is stimulated through other exports in giving aid nations at war with the Axis countries.

National defense also entails the building of army camps throughout the U.S. and the requisition of the necessary supplies to maintain them in the soldier's job in training and the theaters. Pointed to also is the fact that unemployment will be very appreciably reduced by the added labor required in industry as result of the War. Added to enlarged payrolls is the possibility of an increase in the level of earnings by virtue of a likely boom that will be felt everywhere in the boxoffice because of the exception. This may have an influence on admission prices.

Not discounted by showmen, however, is the fact that increased taxation must be borne by industry and individuals in defraying the cost of the national defense program. As a beginner under the five-year plan for defense, the Government will spend \$10,000,000,000 or over the first year. This much has already been appropriated among the various states and territories, and the cost of other defense planning and armament, with the probability held not remote that ultimately somewhere between \$40,000,000,000 and \$50,000,000,000 will be laid out by the U. S. Treasury.

In accordance with preparedness, the national statutory debt limit was raised from \$45,000,000,000 to \$49,000,000,000 last summer, at which time some increased taxation was imposed. The tax on admissions, on amusements and sports having been lowered from 40c to 20c. Subsequently the debt limit was raised to \$65,000,000,000 and during 1940 income and corporation taxes, together with higher excess profits taxes, will be paid.

Theaters located in cities where army camps are built or in the vicinity of them, have to benefit the armed forces in other ways, too. Some of some proportions have begun, with new theaters being constructed, plus hotels, restaurants, night clubs, etc., which hope to prosper from the patronage of the soldiers. Theaters or auditoriums where entertainments will be given within the grounds of the camps themselves will be able to operate the arm's length, however. Cities in comparative lure that are not too distant from training quarters are also expecting to get a certain amount of business when furloughs, making such trips possible, are granted.

Encouraging Report
In line with national defense, what it may mean for 1941 is the highly encouraging report of the Department of Commerce in Washington concerning income payments to individuals throughout the U.S. toward the end of 1940.

It was estimated as a Christmas cheerer that, with the final quarter of 1940 showing a healthy increase due to business activity and expansion, the total in income payments for the whole year would amount to slightly more than \$74,000,000,000. This would compare with \$70,000,000 for 1939. The 1940 total would be only slightly below the 1939 total.

The sharp increase in payment of income started in October, when a gain of more than \$280,000,000 over September was recorded. The up-

H'wood Spent Over \$3,500,000

For Books, Plays, Etc., In 1940

By Herb Golden

Hollywood during 1940 spent well over \$3,500,000 for published material and plays on which to base its films. This included about \$1,650,000 for scripts from the legitimate stage, more than \$1,375,000 for books, \$225,000 for comic strips, \$50,000 or so for such miscellaneous items as comic strips and radio serials.

There was, in addition, slightly more than \$1,000,000 spent for original story material (not yet written), unproduced plays, and in inter-company trades and purchases of published and original properties and remake rights. No complete compilation of these latter types of material, except in a general sort of way, is possible, as there are too often other factors involved to give an accurate picture of coin paid.

Spent for Books, Plays, Mag. Stories in '40

	Produced	Published	Total
Columbia.....	\$16,800	\$61,500	\$78,300
Metro.....	\$18,800	250,000	\$238,800
Paramount.....	398,500	7,500	406,000
Republic.....	54,000	5,000	59,000
RKO-Radio.....	124,500	150,000	\$1,314,500
20th-Fox.....	276,750	225,000*	\$501,750*
United Artists.....	103,750	120,000	\$223,750*
Universal.....	6,000	200,000*	206,750*
Warner Bros.....	244,700	550,500*	\$806,200*
Independents.....	33,500*	6,000	45,500*
			\$1,555,700*
			\$1,575,500*
			\$215,500*
			\$3,046,700*

* Plus percentage deals.

Plays Bought for Films in '40

COLUMBIA

'Ladies in Retirement,' (Lester Cowan).....	\$40,000
'June Mad' (produced on Coast).....	7,500
'Every Man for Himself'.....	4,000
'Ode to Liberty'.....	10,000

METRO

'Bittersweet'.....	\$50,000
'Lover's Last Kiss'.....	20,000
'Philadelphia Story'.....	\$150,000
'Five O'Clock Shadow'.....	10,000
'A Woman's Face'.....	20,000

(French play from which Swedish picture was made)

PARAMOUNT

'Accidents Don't Happen' (produced in London).....	\$7,500
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REPUBLIC

'Moon Over Mulberry Street'.....	\$5,000
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RKO-RADIO

'Too Many Girls'.....	\$100,000
'Two on an Island'.....	50,000

20TH CENTURY-FOX

'The Light of Heart' (produced in London).....	\$25,000
'Tobacco Road'.....	200,000 and %

UNITED ARTISTS

'The Little Foxes' (Goldwyn).....	\$100,000 guarantee against 25% of net
'Night Music' (Loew-Lewin).....	20,000
'Long Voyage Home' (Wanger).....	Percentage

UNIVERSAL

'Hellzapoppin' (Jules Lievey).....	\$200,000 plus 40% of net
(Includes Olsen and Johnson services)	

WARNER BROS.

'The Gentle People'.....	\$7,000

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More Cash for Pix Tyros

Continued from page 3

and actresses whose forte is character roles. Unworried by the wage slump, however, are those proportionately few top personalities whose names continue to serve as surefire b.o. draws, and who at the moment are enjoying the fullest protection of the law of supply and demand.

Completely illustrative of the financial situation now existing in the studios is the case of Ellen Drew, whose pictures grace Paramount's star list, but whose weekly check still totals only \$750. It was early in 1938 that Miss Drew was plucked from the extra ranks and made a leading woman at \$75 for each seven days of camera toil. Had she begun her upward zoom 24 months earlier, her initial contract would have called for at least \$150, while options would have boosted the figure by this time to twice what she is presently being paid.

\$3,500 As Against 35G, Case of Martha Scott

Then, too, there's Martha Scott, who, in spite of Broadway and radio buildups, drew down only \$350 per week as top-line in the Sol Lesser "Our Town," which marked her screen debut. The chore, a few years earlier, would have been considered worth at least \$15,000 following with legit and other followings such as are commanded by Miss Scott.

That she earned \$35,000 for her second screen portrayal, the co-starring spot opposite Cary Grant in the Frank Lloyd-Columbia "The How of It," is fitting, since it is on the part of the producer, but was made possible only because of Joan Fontaine's collapse on the eve of the feature's skewed getaway, plus the fact that Grant, signed for \$125,000, could not be kept waiting any longer.

Miss Fontaine's price is understood to be \$50,000 per picture, since she scored in David O. Selznick's "Rebecca." That she earned \$35,000 for her second screen portrayal, the co-starring spot opposite Cary Grant in the Frank Lloyd-Columbia "The How of It," is fitting, since it is on the part of the producer, but was made possible only because of Joan Fontaine's collapse on the eve of the feature's skewed getaway, plus the fact that Grant, signed for \$125,000, could not be kept waiting any longer. Miss Fontaine's price is understood to be \$50,000 per picture, since she scored in David O. Selznick's "Rebecca."

Behind the drive to shave acting talent paychecks is the serious intent of all film production heads to shrink negative costs to a point where they will match domestic takes. Now unqualifiedly committed to the conclusion that it will be years before peace is eventually established between England and Germany before there will be any letdown of the barbed wire against money exported by those far-flung money-making American-made films are still being screened, the top boys have made detailed surveys of the production-expenditure situation and decided that the only way to effect immediate savings is via reduced player salaries.

The public, accustomed to the present-day high production values given Hollywood output, will not stand for any whitening of the angle. The less impressive sets and location backgrounds, the company execs are convinced. Really capable producers, writers and directors do not grow on bushes, so the limited supply of manpower in these three fields will continue to demand—and receive—what they are now earning. Guild and labor agreements setting definite wage scales stand in the way of any sharp cutout for either artistic and craft division within the plants, so it is on the actors that any hope for economies rests.

Gable's \$7,000 a Week, Garbo's \$325 Per Pic

An audit of fees paid a few of Hollywood better marquee names reveals some startling figures. There's Clark Gable's \$7,000, which Metro turns over weekly for 49 weeks of the year; Garbo's \$25,000-\$125,000 per camera start; Irene Dunne's \$100,000 per vehicle, and Madeleine Carroll's \$75,000. Brian Aherne is paid \$65,000 per film. Victor McLaglen's wage is \$50,000. Adolphe Menjou is a solid \$35,000 a rate, Edward Small has been paying Louis Hayward \$35,000 per role, but Hayward garners \$50,000 for each one he does for RKO. Paramount settles \$80,000 per talker on Allan Jones, with his contract providing for three assignments annually.

Bill Holden's \$100 a Week

But the incomes of these upper-bracket folks tell only one side of the story: There's young Bill Holden, whose ticket called for only \$100 weekly when he filled the title niche in Columbia's high-budget "Golden Boy," recently threatened a sitdown strike on Paramount when the latter concern cast him in a top-line of T

Martha O'Driscoll, Warner player, who has been climbing for two years, only a few weeks ago was handed a new pact under which she now receives \$200.

Trick Contract, However, Gives Actors An Edge

The trick contract is nowadays gaining a heavy play from the studios, especially in the case of character types. Brian Donlevy was on the 20th-Fox roster a long while for salary boost from \$100 to \$200. She was an extra two and a half years ago when the Burbank studio gave him out of those \$50-per-week stock contracts, binding her for seven years with annual increases. She had been hiked to \$100 weekly by the time the "Gone With the Wind" campaign was launched.

Opposite the \$750 weekly of Miss Drew in Paramount's "The Monster and the Girl," "D.O.A." is Rod Cameron, whose weekly envelope contains a mere \$150. Little Betty Brewer, who has been doing well, especially while she was collecting pennies for a street dance with her six brothers and sisters, started her screen career at \$75, and now, after clicking in "Rangers of Fortune" and "The Roundup," she's been upped to \$100.

Linda Darnell, pride of the 20th-Fox lot, where she has soared into stardom in less than two years, was first hired at \$50 weekly and was claiming only \$125 when she shared co-star billing with Tyrone Power in "Daylight Robbery." She now receives \$200.

Paramount obtained Suzanne Foster at \$75, but now pays her \$200. She, too, has shared co-star listing. The trick contract, in other words, softens costs to the lot writing it, but makes it rather expensive for the studio calling the player on one-picture pacts. Argument used by studio heads in buying up players on the so-called "trick" basis is that the agreed-upon, even though a minimum wage, assures the signature a meal ticket, at the same time leaving him free to scoop up the gravy from other plants.

Gable, Garbo 1-2 In B.O.

Continued from page 3

vey. Also the tendency currently is of audiences throughout the British Empire to follow the mother country virtually results in English-speaking nations deciding these foreign listings. Thus, the screen players are a draw in Great Britain and elsewhere in the British colonies and in foreign classification.

Sixteen boxoffice leaders were chosen for 1940 (instead of the usual 10) because of various cross-currents of sentiment towards screen favorites and the shifting markets during the year. For example, American pictures continued going into all centers of the British market. That cannot be said of U.S. distributors about mid-year.

Changing Ratings

Even with foreign rating hinging on what the American product did in Great Britain and Australia, the continued air strafing of cities in England represents a shift in popular appeal as shown in business figures. There are lots of foreign pictures in motion, though by several leading circuits might show certain stars, the shuttering of cinemas in key cities might well dim their lustre.

On one such list submitted five months ago, Clark Gable, Spencer Tracy, Mickey Rooney, Greta Garbo, Gary Cooper, Robert Taylor, Verda Shear, Dorothy Lamour, Vivien Leigh, Fred Astaire and Gracie Fields showed up as fan favorites.

The amazing feature about star ratings outside the U.S.-Canadian market is the way Greta Garbo sticks near the top of the heap and Deanna Durbin's increased popularity. In fact, the University of London's recent compilation of international boxoffice shows the Swedish star for second position, several companies considering her continued succession of hits as moving her close to Gable as the top b.o.

On the other hand, two foreign sales chiefs placed Garbo as the outstanding boxoffice favorite in the foreign market. Aside from "Ninotchka" and "Madame Bovary," enjoyed by well over a year ago, Garbo depended on the reissue of "Camille" to pile up the terrific grosses listed by Metro. Tipoff on her continued appeal in the foreign trade is the fact that her pictures are purported to gross sometimes twice as much as the average U. S. pix in foreign territories.

Clark Gable remains the No. 1 man, as he was two years ago, with his "Gone With the Wind," a sensational grosser through the foreign market, and "Boom Town," giving him the added impetus to put him over the top.

Deanna Durbin, a big b.o. fixture in Anzak territory for several years, extended her tremendous appeal to Great Britain and elsewhere during

the last 18 months. Fact that she is a singing star also boosted her status, since this market likes singers.

Errol Flynn outdistances Gary Cooper for two reasons, one being that he is a star in the West, More "Adventures of the Heroic Police" and "The Westerner" got only scattered early bookings in foreign lands before the close of the year. Consequently, Cooper had to depend largely on pictures released in the previous year for his rating.

Flynn has been steadily climbing as a boxoffice draw in the past two seasons and in 1940 he will be a major draw. Stories of his outdoor epic which he has been starred always has gone well in the British Empire. Flynn's personal appearance tour through the Latin-American cities also proved a substantial boost.

Bette Davis, Foreign Enigma

Bette Davis is an enigma outside the domestic market, failing to duplicate her admitted appeal with American audiences. This prevented her from climbing higher in the foreign market to the point where the theaters is the admission by a rival company sales chief that he rates her as his favorite screen actress, but that she hasn't the essential pop appeal to get big grosses in the theaters of his company all over the world. He cited figures done by Durbin and Davis to prove his point.

Claudette Colbert moved up three positions on the popularity list, her hefty audience enjoyed by "Artie Love My Love" and other previous entries being responsible.

Jeanette MacDonald stayed in the first 10 because patrons' foreign market always have gone for her looks, with her singing ability an added asset not to be overlooked.

Tracy, too, despite his high rating in the domestic field because the Hardy family series only recently was pushed in the foreign market. Metro hesitated for months before launching a concerted drive to put this vastly profitable series across in the foreign territory. But since being pushed, the Hardy series and Rooney now give promise of duplicating their U. S. success.

Paul Muni still remains potent boxoffice, but suffered slightly from dearth of screen vehicles. Tyrone Power just missed getting into the first 10 grouping his "Rains Came" and "Suez" helping materially. Dorothy Lamour moved ahead on her singing and beauty. Ginger Rogers, closer to the higher on the list, won dancing and Astaire's musicals are regaining her stature at the boxoffice as a comedienne. Spencer Tracy now is given credit for part of the draw generated by Gable-Tracy starlets; where in the past it was a case of strictly Gable. Clark Gable's work in "Gunga Din" and subsequent screen activity in many other films boosted his stock. Gene Autry rode into the first 10

New Film Faces

Continued from page 11

performance in the Hal Roach-Lewis Milestone production, "Of Mice and Men," and going ahead through Paramount's "Victory" and "Sheriff of the Hills." She will be much in demand during the coming year.

The Cinderella of 1940

Betty Brewer was the sensational Cinderella of the year. This 13-year-old Ohio girl's initial role in Paramount's "Rangers of Fortune" won her a ten-month contract at Paramount and made her the talk of the studios for her skillful and mature characterization. Director Sam Wood found her singing on the street for pennies to help support her large family which had followed Route 66 to Hollywood without even a definite hope of livelihood. The astonishing juve followed "Rangers" with a good role in Harry Sherman's production, "The Roundup," and is to be used importantly by Paramount.

Mary Beth Hughes of 20th-Fox contributed fresh, youthful appeal to the 1940 entries for important attention. She was with John Barrymore in "The Great Profile," and was prominent in "Four Sons."

Colombia groomed Glenn Ford as its best young male bet of the season, using him in "Lady in Question," then sending him on loanout for the role opposite Margaret Sullavan in the David L. Loew-Albert Lewin production, "Pleasure."

Tim Holt, not exactly a newcomer, was moved into the star bracket at RKO to head its series of westerns, replacing George O'Brien. He had previously made excellent showing with Ginger Rogers in "Fifth Avenue Girl." Company intends to hold him exclusively in westerns for some time.

William T. Orr, outstanding among several talented youngsters in the original long-run Hollywood legit revue, "Meet the People," was signed by Warners and is being groomed for important roles, following his first film excursions in "My Love Came Back" and in Metro's "Mortal Storm." He has a fair start for mimicry.

Richard Carlson reached leading man status this year opposite Anna Neagle in RKO's "No, Nanette" and "Too Many Girls." He was to have been given top male spot in Harold Lloyd's "A Girl, a Guy and a Gob," but couldn't wish "Nanette" in time. Carlson seems solidly entrenched, especially in the lead of "The Howards of Victoria."

Arthur Kennedy made his transition from Broadway stage to films in "James Cagney's brother in Warners' City for Conquest" and "line for principal assignments.

A Veteran New Face

Albert Basserman, entrant of all the newcomers, is an old and respected name in Europe. A refugee, he came to Warners and began resuming of his career here in "Dr. Ehrlich's Magic Bullet" and in Walter Wanger's "Foreign Correspondent."

Rita Hayworth, although beyond the novice stage before this year, got professional impetus for attention among the newcomers as the female lead in "The Lady in Question" with Brian Aherne, as lead opposite Douglas Fairbanks, Jr., in "Ben Hecht's Angels Over Broadway" at Columbia, and in a substantial role in Metro's "Susan and God."

Gene Tierney came to 20th-Fox from the legit, "The Male Animal," on term contract and demonstrated her mettle in "The Return of Frank James" and as you can see, came to claim "Hiserson's Baby."

Tom North is another promising young thespian at 20th-Fox. He was used in five pictures in six months at that studio, including a lead in "Chad Hanna," "The Bride Wore Crutches," "For Beauty's Sake" and "Yesterday's Heroes." Robert Sterling and John Sutton also are regarded by 20th as newcomers of proved ability.

Carole Landis, brought from Warners stock company, and having been in films without prominence for several years, was featured by Hal Roach in "1,000,000 B.C." "Turnabout" and "Road Show."

Doris Davenport went on cold to make an interesting showing with Gary Cooper in Samuel Goldwyn's "The Westerner."

Warner's Juvenile Stable

Claiming attention among Warner's newer players are Joan Leslie, 16, whose break in "High Sierra" (and yet to come at this writing) excited the studio to predict great things for her this year, and who will be seen later in "Carnival"; Elia Kazan, from New York Group Theatre, and scoring in "City for Conquest"; Lucile Fairbanks, niece of Douglas Fairbanks, who had her first lead in "Calling All Husbands"; Suzanne Carahan, second female lead in "Santa Fe Trail"; Mildred Coles, Lucia Carroll, George Reeves and Cornel Wilde, the last named recruited from the Laurence Olivier-Vivien Leigh stage production of "Romeo and Juliet".

Metro's entries include John Shelton, with previous stage and vaude training who was seen in "I Take This Woman" and "The Ghost Comes Home"; Dan Dailey, Jr., in "Mortal Storm," "Duel" and "Flight Command"; Edward Ashley, Australian, in "Pride and Prejudice"; Larry Nunn, 13, in "Strike Up the Band," after training on Irene Rich's air show, and then in "Studio 2000." Nunn, with a variety of talents, seems a natural for films.

Tony Curtis also had a short stay at Metro, having appeared in "Another Thin Man," "Out West With the Hardys," "Courageous Dr. Christian" and in the Crime Does Not Pay shorts.

Paramount's Young Hopefuls

Paramount's pictures have touted Robert Paige, being groomed as leading man and seen in "Dancing on a Dame" and the Jack Moss production, "The Monster and the Girl"; Virginia Dale, in a substantial role in the Jack Benny-Fred Allen starrer, "Love Thy Neighbor"; Veronica Lake, an eye-popper to be seen prominently in "I Wanted Wings"; little Cordell Hickman, gifted Negro boy, who made a hit in "The Biscuit Eater" and who is to have more opportunity to show his fine talent.

At RKO Maureen O'Hara in "A Bill of Divorcement" and "Dance, Girl, Dance," carried on the promise she gave in "The Hunchback of Notre Dame," again in "Laddie." She had a crack in the Broadway stage musical, "Panama Hat," with Ethel Merman.

Moving ahead at Universal, especially, were a number of young female players. Peggy Moran made marked progress under consistent grooming, delivering her easiest performance and indicating comedienne powers in "Trial of the Vigilantes." Augmenting its contract roster this year, Universal also put promotional pressure behind Nell O'Day, Ann Gwynne, Kathryn Adams, Carol Bruce, Kay Leslie, Maria Montez, Nina Orla, 18-year-old Mexican girl from New York night clubs, and Anna Lee, making her American debut with Marlene Dietrich in "Seven Sinners." Robert Stack and Lewis Howard, both starting in Deanna Durbin pictures, carried the honors in the male division of comer-uppers. Some of U. S. N. Y. girls have yet to make their film debuts.

Republic's entry in the advancing rank by Don Barry, star of western merrily, Rufe Davis and Bob Steele, and the newest members of the Three Mesquiteer series; Lois Ranson, Mary Lee, June Storey, in addition to the already-mentioned top name, Judy Canova.

Because of the new valuation placed on talent of any considerable consequence, as the industry meets its current problems, the majority of the players above enumerated probably have a better chance for survival and profitable permanence than any class of film newcomers in many years. And they will be used to the limit of their capacities during 1941.

class via warbling and a trip to mainly on her work in "Gone With the Wind," Norma England. He's rated the No. 1 cow. Shearer, because of "Dr. Martin and the Foreign Exhibitors," Cooper tootie, though it was a question no longer getting this classification.

Whether the picture or the actress

Among the honorable mention was responsible for its big boxoffice: players who barely missed the list Shirley Temple, Fred Astaire, Robert and Myrna Loy, who fell back when Taylor, Charles Boyer, Charles Powell; Irene Dunne; Paulette Goddard and Sonja Henie.

London Show Biz Under Blitz

Continued from page 3

house dwellers, cheering the boys on in any air fervor.

Yes, up-in-the-air all right were the Londoners. Then the bombs came. They're down to earth now. But driven there, shooed, underground by the devastating blitz. And what befall a show business totally unprepared for those long bomb-smacked nites is a tale of no light and all shades. Vaudeville, radio, pictures, legit. Take them in that order.

No Act Sharzine Now

Position held by the first named, can be had by the fact there's no shortage of acts for the first time in years. Some European imports and with only a handful of Yank talent, this simply means the demand has shrunk. Vaudeleites here today have more aches than dates. That goes for topliners—with very few exceptions—medium priced acts and smallies alike.

London, the star's Mecca, keeping big names employed monthly at a whirl, is minus vaude entertainment for the first time, within memory of the oldest of old-timers. General managers, like Stalls, are abuzz. The several indie spots in and around town are gradually folding; picture houses like Hyams Bros. and Syd Bernstein chains now rake in their few (very few) nickels and dimes without help of stage entertainment. That's what the blitz has done for London vaudeville.

What the big city lost though, has in many instances been taken up by the hinterland. Glasgow used to do around \$2,800 weekly. It's now averaging \$4,000, or provincial towns across Britain, has leapt from \$2,800-\$3,200 to \$5,600-\$6,000. This town had a six-month season, now it's an all-year-round moneymaker. With a similar jump, if in a smaller way, is Morecambe, up from \$2,400 to \$4,000, another seasonal spot in pre-war of eight weeks. Spots like Oxford, Reading, Cambridge, Stratford-on-Avon, have upped their takes nearly 50%. Before the war, these towns grew big around the chest of classical, historical attractions.

The Blitz Comes

Bristol, Birmingham, Coventry and Brighton did even better business

the first nine months of war, but took it on the chin via heavy air attacks. Birmingham biz dropped so, GTC has been compelled to put up shutters. Liverpool, a city which suffered considerably, still remains a good spot, enticing them out of the shelters to the tune of \$6,000 grosses weekly.

North country towns whose localities were wide open, during days like Battle of Britain, Wigan etc., have jumped into the money now, created by citizen war-workers with plenty coin plus evanescence from blitzed houses. They're playing headliners in these spots—bigtime talent the locals never dreamed of seeing close to the native hearth.

Towns prudently unaffected thus far by war are Nottingham, Leeds, Leicester, Newcastle, Bradford, Edinburgh and Sunderland. These maintain a steady, healthy intake.

But don't let these facts and figures paint too rosy a picture. It's terrible to look for vaude, especially n.s.h. Medium priced acts previously getting half-around \$400 are now glad to take half, sometimes even less.

There are still a few agents, along with other promoters, working to keep the biz going. Most consistent percenter is Leslie Macdonnell. His units, mainly headed by a name orchestra, are rarely less than five a week, upped some periods to seven. A. Macdonnell has been doing it for the last three years, were most busy in it. Jack Hyams, another high on the list, Balloon Impression shows camouflaged shows sprinkled with vaude name. At present he has only three on the road, but is expected to shortly have five.

Arnold's 16 Xmas Shows

Tom Arnold, with generally six or so revue-vaude productions, lately concentrated on provincial pantomimes for Xmas. He's said to have reached a new high in 16 shows. For the first time in years, though, not one of these has a London date. The Arts offers are and a godsend to him, a sort of comic and the mass of chorines.

No one is in a position to tell what the future actually holds for

vaudeville. If you believe in optimism, here are a couple, GTC and Moss Hart, who have given their booking offices from London to the country; quite a few agents have quit the metropolis like geese a'winging.

Eddie's Colossal Legit

Radio, too, to colossal on the opposite side. From the outbreak of hostilities authorities played a game with show business, confident BBC was there snug and snug behind the eight-ball and labelled "Entertainment for Cave-dwelling Citizenship". Confidence is one of those things. The boys there had time enough, scope enough, real enough. Showmanship alone was missing at a peak when air-lanes cried for it and topline talent available to a degree hitherto beyond radio's pocket or call.

Production crew's method of handling the stellar-rated pros for advertising was something like this: Go to it! That's a national slogan here for warworkers—with BBC options. When these ace performers grew dizzy from the glide, the buck was passed from one to the other with a speed rivaling the bounce of a dud check. The only ones to come through were those mico-wised by sessions of commercial radio—Continental setup mixed by war. Their numbers, though, can be covered by rights 1, 2, 3 and 4 resulting a result of the one's experience and material. None was forthcoming from the production end.

In Broadcasting House joy over a name flop outdistanced the grief of listeners who'd expected something. C. B. Cochran's quick and super skip down the air lanes had the regular station crew putting on its own show ribbing the hide off that so-called debut. All in good clean fun, of course, the kind you dig with a harpoon end.

Prior to the war, listeners had two main channels, National and Regional, keyed for a fair September '39, tags were switched to Forces and Home Service—"Satisfying" and "Loveliness"—former being grooved for the troops, lightweight material strong on cheer. Its alter ego looked after the a.k.'s and well-demeanored folk.

Economic angle of radio's now come into play. The financial situation must occasion some pain to BBC, maintaining a costly dual setup with only one end functioning nightly. Expensive shows are framed and rehearsed, but never tickle an outside ear, a condition existing week after week. Performer angle is taken care of by an emergency clause in the contract whereby they don't get paid if a show fails to air, but are guaranteed a later playing date. Actual takes can be only one end, it's nothing for the listener who goes right on waiting for fare-free entertainment, needing at a particular hour. Waxing bigtime shows ahead have been a recent effort to meet that need, but a poor effort since the radiating end goes off the air, not just the studio.

Wistful thinking governs the whole setup; hope that inclement weather or an early raid-passed signal will clear the airplanes for ethering of the night's brightest side. If it just doesn't happen thataway, then there'll another time, maybe Little Chamber of Film.

Prospects of an upswing in London's cinema and legit trade are governed chiefly by the one factor—will they come out and pay? At the moment—No! Not until super boredom of the patrons invests screen and stage with that heavenly look. Adage of the home being a castle has taken on deep meaning for the city's dwellers. They beat it home, with dusk and the metropolis doesn't see them again till stores and offices open with morning.

Not enough credit can be expressed for the exhibs and their staffs, who went right on screening while bombs were out there screaming. No heinie chimera made them quit; the public just stopped coming. In the early September chaos a nabe house had 20 inside some nights. Send 'em home? Nothing doing. The manager stood out front and the operators stuck to their box, grinding right on. The Government had called for entertainment.

Legit. Quit. Too. Quickly.

Legit had showed some of that same spirit it wouldn't look as sick as it does today. Managers will squawk that they had production overheads. All right. There's a short curtain. What about the cost of a film? Any production it must be done in magic. West End houses shattered of their own accord with the first raids; Equity pleased and the press howled for reopening. Two months it took to put on this bit rehash

of "Mortal Storm" also seemed to change the situation.

Since there were official changes,

Followed, a cabinet shift was made and several strongly pro-Allied ministers appointed. Lastly, Mayor Arturo Goenecchea, who had banned the film, died and in his place was appointed Carlos A. Pueyrredon, head of the unofficial Pro-Allied Commission and long one of the strongest battlers for democracy.

Surprising Rejection

With these facts, local Warner office got their prints out of the safe and asked for an okay. Much to their surprise, Pueyrredon refused. Officially, he gave the same reason as his predecessor—but, unofficially, Pueyrredon feared he would be charged with using his position to further his personal political beliefs. That he had learned from backyards.

"Soy" incident broke Dec. 26. Later a decree that "Dictator" would be permitted to open. While this seemed inconsistent, it can easily be explained. First, "Dictator" does not mention the country it hits, although the fact is as obvious as possible. Secondly, Pueyrredon chalked up "Dictator" as a satire, not a serious piece of art, and was always liberal with his reviews, and the amount of liberty is often mentioned. They think all South American countries are half dictatorships. Reviews lambasting the government and everything else run regularly in several B.A. houses, and the papers—on both sides—can say almost anything.

Italian Move In

No sooner was the OK on "Dictator" made known than the German and Italian Embassies got started. The German Ambassador, Edmund Von Neurath, was the first to do it. He figured that sending a charge d'affaires around wouldn't be enough.

So the Italian Ambassador was called in to go around to Minister of Foreign Affairs, Julio A. Roca. He happens to be very pro-Ally, but apparently felt himself up the well-known tree. So he carried the protest to Minister of the Interior Miguel Canclini, and Culicano passed the task to Pueyrredon with his approval. The word reaches read:

"The municipality, having been advised of the friendly request regarding the film, 'The Great Dictator,' made to the Ministry of Foreign Affairs by H. E. the Italian Ambassador, who considers that the picture is derogatory to the national sentiments of a people whose government maintains friendly relations with this country, has decided to prohibit the showing of the film in the city of B.A. hereby prohibited."

Although in this case the ban was only made on city showings, it was taken generally to mean that no exhib in the country would be permitted to show the film—and United Artists had no intention of trying. Guy P. Morgan, UA managing director here, said that he had called upon U. S. Ambassador, Nelson A. Trujillo, to advise him, but had been informed word would first have to come from Washington. Unofficially, it's not expected much will be done save to possibly make a protest on purely commercial grounds.

In other words, the pic represents a business investment which is endangered. Felt that the U. S. State Department doesn't want to get into the row on any other basis.

Reactions were mixed last afternoon papers next day came out with B-column head, "Critica," leading, daily, owned by Natalio Botana, owner of the new B-ries Film Studio (and "the Hearst of South America"), splashed it over page one and took two full pages inside to tell the story with pix.

British Embassy indicated it was interested because Chaplin is British, besides it's good British propaganda.

Betting as of today is two to one that the ban will be lifted. But the theatres involved, Opera (2,000 seats), Suipacha (1,000) and Normandie (1,700) weren't too sure, and had plans for other pix. Unusual feature of the opening was that it had been sold out to charity and patriotic groups, among them an organization which is trying to raise \$100,000 to train 5,000 persons. Wife of the mayor and of vice-president of the nation, Ramon S. Castillo, had been selling ducats.

Pic had been booked for one week at the Opera, four at the Normandie and eight at the Suipacha. Also unusual was the fact that the shows were to be single feature (doubles and triples are the rule here, even in first run houses) and there each house three full shows, in other words, four on Sundays. No special Spanish version—just the usual English with Spanish subtitles.

New York Theatres

The Rivoli Theatre

NEW YORK

Ace Run Time
of the Country
Presents Its
Best Wishes
to Variety
for the New Year

KITTY FOYLE

An RKO Picture

Opened Today (8)

UNITED ARTISTS

RIVOLI

Broadway at 49th St.

Doors Open 6:30 A.M.

MIDNIGHT SHOWS

FANTASIA

The DISNEY-STOKOWSKI HIT
In Technicolor and R.R. Feature
Takes Body 285 R.R. All Seats Reserved
THEATRE
BROADWAY

RKO PALACE

Week Beginning January 9th
ANNA NEAGLE
in
"NO, NO, NANETTE"
BOLAND YOUNG - ZASU PITTS
— and —
"Case of The Black Parrot"
William Lundigan - Eddie Foy Jr.

Capitol

Rolling along
THIRD WEEK Broadway at 48th Street
CLARK GABLE HEDY LAMARR
"COMRADE X"
A Metro-Goldwyn-Mayer Picture

MUSIC HALL

Starts Thur. Jan. 9
MYRA BRECKINRIDGE
"3rd FINGER LEFT HAND"
"BITTER SWEET"
In Person Johnny "Gent" Davis
BIG PAGE SHOW Harry Belafonte
Glen Van

PHILADELPHIA STORY
Spectacular Stage Production

Beg. Friday, Jan. 10th
The Four Daughters Are Now
'FOUR MOTHERS'

Frances JANE Rosemary LANE
Lois LANE Gale PAGE
A. Warner Ill.

PERSON Swing and SWAY With
SAMMY KAYE AND HIS
STRAND B-way & 47 St.

PARAMOUNT

HELD OVER
Jack BENNY
Bette DAVIS
Allen DALE
"LOVING MY
NEIGHBOR"
Middle Beres

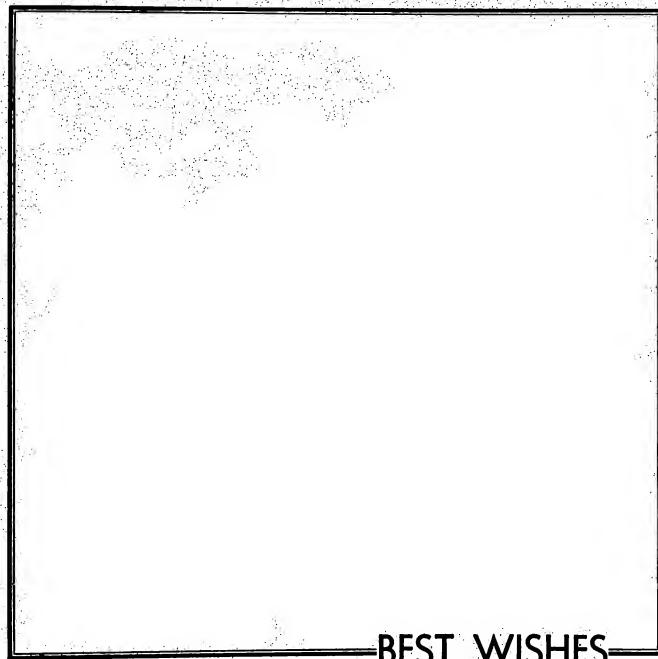
Now

Now

In Person TOM DIXON
DORSEY
Band Nicholas
JORDAN

"LOVING MY
NEIGHBOR"
Middle Beres

Now



BEST WISHES

Jimmy Berlin

A handwritten signature in cursive script, reading "Jimmy Berlin". The signature is written in black ink on a textured background. A small arrow points from the "J" towards the "B" in "Berlin".

Season's Greetings

WESLEY RUGGLES

PRODUCER .. DIRECTOR

"ARIZONA"

Now in Preparation

"THE DOCTOR'S HUSBAND"

COLUMBIA

Season's Greetings

EUGENE J. ZUKOR

ASSOCIATE PRODUCER



In Preparation

"TWO BAD ANGELS"

Season's Greetings from

NORMAN TAUROG

DIRECTOR

"MEN OF BOY'S TOWN"
Just Completed

"LITTLE NELLIE KELLY"
Current Release

METRO-GOLDWYN-MAYER

CONGRATULATIONS *VARIETY*

AH, WOULD THAT I WERE 35!

BOB HOPE

MARLENE DIETRICH

LUBITSCH—LESSER
"THAT UNCERTAIN FEELING" "STRANGE VICTORY"
(Tentative Title)

Starring

MERLE OBERON
MELVYN DOUGLAS

With

BURGESS MEREDITH

Produced and Directed by

ERNST LUBITSCH

From the Hit Novel by
ROSE FRANKEN
and

WILLIAM BROWN MELONEY

Produced by

SOL LESSER

RELEASED THROUGH UNITED ARTISTS

Congratulations **VARIETY**

ON YOUR 35TH ANNIVERSARY

MERVYN LEROY

METRO-GOLDWYN-MAYER STUDIOS

Congratulations **VARIETY**

I am 35 Too—

B E R T W H E E L E R

Management
LEO FITZGERALD

★★★★★ 1940--*The Two Prize Pictures of the Year*

John Ford's ARGOSY PRODUCTION

"THE LONG VOYAGE
HOME"

Alfred Hitchcock's

"FOREIGN
CORRESPONDENT"

1941--*Two More Spectacular Attractions*

(AN ARGOSY PRODUCTION) "THE EAGLE SQUADRON" and "SO GALLANTLY GLEAMING"

WALTER WANGER Productions, Inc.

RELEASING THRU
UNITED ARTISTS

★★★★★

Congratulations

Congratulations

HENRY HATHAWAY

GARY COOPER

MAINE AND NEW HAMPSHIRE THEATRES CO.

WE ARE STILL STRONG
FOR *VARIETY*

NEW YORK
Leo Morrison, Inc. & Jack Curtis
1776 Broadway

LEO MORRISON, INC.

BEVERLY HILLS
204 South Beverly Drive

SEASON'S
GREETINGS

FABIAN THEATRES
CORPORATION

Suite 2101 1501 Broadway
NEW YORK, N. Y.

GREETINGS

RUSSELL MARKERT
OF
RADIO CITY MUSIC HALL
NEW YORK CITY

Holiday Greetings
Westchester County Operators,
Local 650

Making this
New Year happier
for millions!...

BORIS MORROS'
"SECOND CHORUS"

"THE ROUNDUP"

PARAMOUNT

HARRY SHERMAN



Bing

ARTHUR HORNBLOW, JR.

Producing for Paramount

JUST COMPLETED

"I WANTED WINGS"

Current Release

"ARISE MY LOVE"

In Preparation

"HOLD BACK THE DAWN"

NORMA SHEARER



DAVID L. LOEW—ALBERT LEWIN, Inc.

presents

"SO ENDS OUR NIGHT"*

FREDRIC MARCH, MARGARET SULLAVAN, FRANCES DEE

with

GLENN FORD, ANNA STEN, ERICH VON STROHEIM

Directed by JOHN CROMWELL

* From the novel "Flotsam" by Erich Maria Remarque

RELEASER THRU UNITED ARTISTS

ALEXANDER KORDA

PRESENTS

CURRENT

"THE THIEF OF BAGDAD"

In Magic Technicolor

With CONRAD VEIDT, SABU, JUNE DUPREZ, JOHN JUSTIN

FOR EARLY RELEASE

VIVIEN LEIGH and LAURENCE OLIVIER

- IN -

"LADY HAMILTON"

RELEASED THRU UNITED ARTISTS

SEE HISTORY
IN THE MAKING
AT THE
EMBASSY
NEWSREEL THEATRES

46th ST. and BROADWAY
72nd ST. and BROADWAY
50th ST., RADIO CITY.
BROAD ST., NEWARK, N. J.

One Hour of Sparkling Entertainment

GRAND CENTRAL

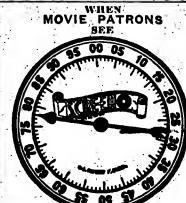
THEATRE

(In Grand Central Terminal,
Opposite Track 17)

Your Trip to N. Y. Is Not Complete Without Visiting the Most Charming Little Theatre in the World — Where You Can Spend a Pleasant Hour.

All Newsreels

Travel Pictures, Sports
Reviews, Famous Cartoons
Continuous Performance.



They instantly know it is
"THE GAME THAT CANNOT
BE CONTROLLED"
SCREENO
was the first screen amusement, and
exhibition, and is the most popular.
See Your Nearest Distributor
SCREENO AMUSEMENT CO.
322 West Huron Street, Chicago

ROBERT SHERWOOD'S

"ADAM HAD FOUR SONS"

STARRING

INGRID BERGMAN and WARNER BAXTER

for

COLUMBIA PICTURES RELEASE

My Sincere Thanks
To Motion Picture Exhibitors
Everywhere

GENE AUTRY
And Champ

COLUMBIA RECORDS

Sunday Afternoons
CBS — DOUBLEMINT GUM

Season's Greetings—

★
**CHICO
HARPO
GROUCHO**



SEASON'S GREETINGS

UNA MERKEL



CONGRATULATIONS TO VARIETY

FROM

HORACE Mac MAHON

STAGE

SCREEN

RADIO

SEASON'S GREETINGS

HENRY KING
DIRECTOR

20TH CENTURY FOX

Hope you like

John Doe

When you meet him

Frank Capra
Robert Riskin

HOLIDAY GREETINGS

JULES LEVEY

EDMUND GWENN

CURRENT ASSIGNMENT

"THE DEVIL AND MISS JONES"

FRANK ROSS—NORMAN KRASNA, Inc.

Ready for Release

"CHEERS FOR MISS BISHOP"
RICHARD ROWLAND

Just Completed

"SCOTLAND YARD"

Management
HAYWARD-DEVERICH, INC.

HE'S COMING ‘THE OUTLAW’

ARTISTS
MANAGERS
GUILD

CONGRATULATIONS ON YOUR 35th ANNIVERSARY

JOHN M. STAHL

SEASON'S GREETINGS



Paramount Theatres Service Corporation



PARAMOUNT BUILDING
NEW YORK

Famous Players
Canadian Corporation Limited.

ROYAL BANK BUILDING
Toronto.
CANADA

N. L. Nathanson and all the executives and managers of Famous Players Canadian Corporation Limited extend heartiest congratulations to "Variety" on its 35th birthday.

Sincerely,

J. J. Fitzgibbons,
Vice-President.

Season's Greetings

GEORGE RAFT

35—Years Continuous Service—35

IN

1905 MICHIGAN 1940

W. S. BUTTERFIELD

THEATRES, INC.

A MICHIGAN INSTITUTION

Bally Must Pay

Continued from page 35

Hollywood rep for the Detroit Free Press, as unit men.

Lawrence for Petty

Jock Lawrence, leaving Samuel Goldwyn after six years as bally generalissimo, stepped into Petty's place with the Hays crowd. Gabe Yorke, who followed him to Gold-

wyn, went out when Goldwyn shuttered his offices pending outcome of his suit against Universal. David Lipman, assigned as assistant to John Joseph, Universal publicity-advertising director, to take command of Columbia's home office ad-blurb department. Jerry Hoffman, erstwhile columnist, who turned 20th-Fox associate producer for a while, inherited McVeigh's planting desk at Warners. Lou Smith, former Par-ballyer and later production aide to

producer-director Frank Lloyd, assumed the Columbia advertising-advertising directorship vacated by Brown, taking with him as his assistant Lance Heath, former Par-unit flack. John Miles left Frank Lloyd Productions to go with James Roosevelt's Globe as chief flack. Russell Birdwell, freelance, took over as accounts the Alexander Korda, Loew-Lewin and Howard Hughes production outfits. Bill Pierce resigned as Monogram's stu-

die blubber when the company shifted its home offices to the Coast, bringing along Lou Lifton.

What Really Counts

And while the swivel chairs have been undergoing shifts in occupants, a new modus operandi has been developed. It used to be that a blubber who could, during a work day, grind out 15 to 20 yarns ranging in length from two lines to five or six paragraphs was considered an ace. But no more. Momentarily it's what he gets into print and on the radio that counts.

And in a frantic effort to make good, the flacks are now reaching to the sky for anything and everything that will pass muster with editors and radio commentators. Phoney or legit, it doesn't matter, just so long as the stuff finds an outlet.

There has been attached in recent months a string that formerly didn't exist. That is that getting a story printed on broadcast can consider a mark well down only when the name of the picture being exploited is carried all the way to the ultimate consumer—the prospective ticket buyer. That's not always easy, either.

Illustrative of the trend was the strip-tease stunt Birdwell framed to exploit Loew-Lewin's "So Ends Our Night," nee "Flotsam." Flack hired Greta Rosenthal, European actress who worked in the picture, to stand on the sidewalk in front of the Loew-Lewin offices, where each day

she removed a couple pieces of apparel, threatening to do the route, unless the producer lifted her face off the cutting-room floor and restored it to the key negative.

Gave It A Ride

Wire services and L.A. dailies gave the affair a ride, increasing the play as each separate garment disappeared. When the third day arrived she was down to brassiere and lace panties, whereupon producers rescued her with a blanket and the press went for column-length tales. But at no time did they mention the film which had made it almost so much wasted effort.

Standing out in contrast was the Harry Brand stunt to bally 20th-Fox's "Tin Pan Alley," for which he temporarily established Hollywood and Vine as the village's tin pan alley by planting 20 thoroughly-battered pianos with a male pianist for each, at the busy intersection. The tune-boxed ground out music from the feature for more than two hours, grabbing off a big clurk splash from the news-wire outfit, with almost every printed piece containing the title of the picture.

While the flacks are on their toes to an extent that sets a new high mark, their reach is only half what it will be during the 12 months to come. Company bigs, from prexies down, have their eyes closely glued on the clurk stiffs, and, bigger and better exploitation is in the offing—or else.

BOB BURNS

If I have a good season in '41 I might run this space up to a half-page next year.

TO ALL MY FRIENDS EVERYWHERE

Season's Greetings

CHAS. W. KOERNER

West Coast Divisional Manager RKO Theatres

RKO HILL STREET THEATRE
LOS ANGELES, CALIF.

Season's Greetings

FOX WEST COAST AGENCY
CORPORATION
CHARLES P. SKOURAS

FOX WEST COAST
THEATRES of Northern California
A. M. BOWLES

FOX Wisconsin THEATRES, INC.
HAROLD J. FITZGERALD

NATIONAL
THEATRES AMUSEMENT
CO., INC.

Spyros Skouras

EVERGREEN STATE
Amusement CORPORATION
FRANK L. NEWMAN

FOX Inter-Mountain
THEATRES, INC.
FRANK H. RICKETSON

FOX Midwest
THEATRES, INC.
ELMER C. RHODEN



RADIO CITY MUSIC HALL

SHOW PLACE OF THE NATION

ROCKEFELLER CENTER

NEW YORK CITY

Polling Public on Choice Hours For 'A' Pix Depreciated By Others

A position taken against the clamor of various exhibitors in the film industry over the scheduling of the No. 1 feature on double bills at more convenient hours, plus experiments to test the public on the matter, that the theatre operator makes a bad admission by interfering with the issue. Either the change should be made without fanfare and polls avoided to determine which is best, or present policies should be continued, it is maintained.

Held that the supporting or No. 2 features are properly spotted around 7:30 or 9:30 so as to give them the break on what usually are peak hours, regardless of whether the public may dislike waiting until 10:30 or 11 for the main picture they particularly desire to see. On the other hand, it is pointed out that a goodly slice of trade must be considered which wants both pictures—resistant, if not for the success of duals—ever if it often the No. 2 film may be a 'dog.'

A representative of one of the largest circuits in the country, talking not for quotation, takes the

stand that it is poor policy to poll the public to see what they want the No. 1 feature becomes thus inclined to admitting that the other picture isn't worth seeing by the majority of fans. This operating executive thinks also it is the same as discouraging business for the No. 2 features, thus hurting them unnecessarily.

While few in the business are not in accord with getting rid of duals if the same gross pace can be maintained without them, it is contended, however, that fooling around with the issue on scheduling disturbs the public so far as the doubles policy itself is concerned.

For a couple months now RKO has been experimenting with the main feature at around 7:30 and 9:30 instead of the poorer hours with a view to determining the effect with the public. Business is said to have increased, though this may have been due also to the product. Policy has not been tried in any other RKO house.

Loew's, feeling around on the matter, is polling its patrons at the newly-opened American in the Bronx.

Zanuck's Quickie Trip

Due to press of production work on the Coast, Darryl Zanuck did not remain east long enough to do any important huddling at the 20th-Fox

Coming in Saturday (4) for the annual awards affair of the N. Y. Film Critics, on Sunday (5), he returned west Monday (6). The Film Critics voted 'Grapes of Wrath' (20th) as the best for the year.

Hays Office Co-op With M-G in Plugging Short

Hays office public relations division is assisting Metro in exploitation of 'Land of Liberty,' industry historical feature, which is set for national release, Jan. 24, after several premiére playdates throughout the nation. This is the reedited edition of the feature which had been shown years at the N. Y. World's Fair as the film business' contribution to the exposition. Nearly every screen star of the last decade appears in the production.

Metro is merely handling the physical distribution; all profits realized from film rentals being split among worthy charities. Hays organization exploiting consists of interesting public groups to boost the picture.

Poor's Optimistic Survey on Pix

Industry-Investment Report Sees a Considerable Upbeat in 1941

Improved Operations for the Film Business in the Early Months of 1941

are forecast by Poor's industry-investment survey, being based on the expectation that theater attendance in U.S. would rise enough to offset reduced revenues from European markets. Additional factors contributing to this, as outlined in its recent report, are holding production costs at a minimum and concentration of efforts in developing the domestic market.

Poor's report claims that demand for American films from South American countries is improving and that the blackout of British Isles theaters over recent months means that probably the worst development of the year has been behind. The survey's contention is that lack of German competition in South America will enable U.S. film producers to foster showing of their products in South American theatres. Claiming that prospects appear as a whole favorable, report admits there are unsatisfactory foreign exchange conditions in many countries.

With the Poor's summary claiming that 1940 seems assured of domestic theater attendance and receipts far surpassing 1940, it relates the prospect that the coming year's improvement at home will offset any losses suffered in the foreign market. It also estimates that a rise of less than 7% in total U.S. film rentals would be compensatory even if foreign film rentals suffer as much as a 50% decline.

The report states that foreign shipments, representing the declared value of exports, declined in value in 1940 from those in the corresponding period of 1939. This does not show actual losses from many countries since U.S. distributors only send in a couple of purple prints for

each nation, making duplicate prints for the numerous theatres in each country. Thus, shown in each country pictures shown in Britain might be \$2,000,000, but imports shipped there during a year be \$200,000. It also does not show the loss in boxoffice receipts, frozen currency or increased operating costs in many foreign nations.

Indie Pitt Manager Refutes Col.'s Blast On Salacious Ads

Pittsburgh, Jan. 5.

In his own defense, Mannie Greenwald, manager of indie-owned Barry theatre here, has pointed to Columbia's pressbook on 'Glamour For Sale' to refute charges made in New York by Jack Cohn that he (Greenwald) was 'harming the industry with this type of malicious advertising.' For the local showing of flicker, Greenwald changed the title to 'Girls On Call' but chief criticism against him was not this so much as the catch-lines which he used in his newspaper ads and lobby displays.

Couple of them that P. which refused to accept the ad, objected to were a gal saying, 'Lonesome Stranger? I'm Selling Companionship—for Cash'; and another display of female legs and the caption reading, 'Men Hungry for Companionship...and Women Who Sell Them Friendship for a Few Pennies' in rebuttal could be found in newspapers last week. Col. Cohn's pressbook on 'Glamour' and ear-marked those catch lines, which he says, were the studio's and not his.

Now Ready for Release—

Feature Production

"CAVALCADE OF FAITH"

IN FOUR LANGUAGES

English — Spanish — Polish — Italian

The World's Most Powerful Drama

*Stressing the Importance of Faith
Man's Most Valuable Heritage*

WRITE — WIRE — PHONE

JEFFREY PICTURES CORPORATION

1270 SIXTH AVE. Telephone: Circle 7-3473 NEW YORK, N. Y.

Greater New York Distributors — Fortune Film Exchange, 630 Ninth Ave.

Season's Greetings

PRUDENTIAL PLAYHOUSES, INC.

NEW YORK

HOLIDAY GREETINGS

HARRY A. GOURFAIN

WARNER BROS. NEW YORK STRAND

Congratulations to **VARIETY**

and

Season's Greetings to the Nation's Theatre Owners

DOROTHY LAMOUR

Note: In Variety's 1940 Annual Survey of the Box Office Top
Grosser Dorothy Lamour rates as Number One among
Paramount's feminine stars.

Season's Greetings

Comerford-Publix Theatres Corp.

EDWARD EVERETT HORTON

**CONGRATULATIONS
TO VARIETY ON ITS 35TH!**

**AND WHENEVER
CONGRATULATIONS
ARE IN ORDER—**

**Call Postal Telegraph For
Speedy, Inexpensive Service!**

When a show opens on Broadway—when Hollywood premieres a picture—when a new program goes on the air, it's *traditional* in the entertainment world to telegraph congratulations. And it's *smart* to send them via Postal Telegraph.

For Postal Telegraph offers faster, friendlier service. Postal congratulatory telegrams are sent on special, colorful blanks.

And look at these low rates! — Ready-written messages, sent anywhere throughout the nationwide Postal Telegraph system — only 25¢. Locally — only 20¢. Messages of your own composition — 15 words for 35¢, nationally. 10 words for 20¢ — locally.

Just call or phone Postal Telegraph. Charges will appear on your telephone bill.

**"FIRST WHEN
SECONDS COUNT!"**



Postal Telegraph

GREETINGS!

CHARLOTTE GREENWOOD



LEON LEONIDOFF

DIRECTOR OF PRODUCTION
RADIO CITY MUSIC HALL, NEW YORK

8th Year

1940 Productions
"AMERICAN JUBILEE"
World's Fair

"IT HAPPENED ON ICE"
Center Theatre, New York

"HOLLYWOOD ICE REVUE"
Starring Sonja Henie

SEASON'S GREETINGS

NICHOLAS BROS.

Dancing Stars of 20th Century-Fox's

**'DOWN ARGENTINE WAY'
and
'TIN PAN ALLEY'**

FLORENCE ROGGE

ASSOCIATE PRODUCER
and BALLET DIRECTOR

RADIO CITY MUSIC HALL—NEW YORK

B E S T W I S H E S
from
CHARLES CHAPLIN

Charlie Chaplin
in his new comedy
The Great DICTATOR

Produced, written and directed by CHARLIE CHAPLIN

with PAULETTE GODDARD

JACK OAKIE • HENRY DANIELL • REGINALD GARDINER

BILLY GILBERT • MAURICE MOSCOVITCH

Released thru United Artists



pat casey

SEASON'S GREETINGS
AND
MY SINCERE THANKS TO
THE NATION'S THEATRE OWNERS

WILLIAM BOYD

(Hopalong Cassidy)

Note:—

In Variety's Annual Box Office Survey for 1940
William Boyd Rates as One of the Top Money
Grossers Among Paramount's Stars.

UNIVERSAL'S TENDER PLAN LOOKS SET

With Jan. 6 the final date on which Universal will accept or reject all or all tender offers on outstanding first preferred shares, the tender plan which the directors approved early in December apparently is assured of success judging from the number of tender offers made and deemed worthy of acceptance. Last Dec. 30 was the final day for submitting tenders under the plan.

Understood that U officials have

decided on how many tenders are acceptable, more reasonably priced ones naturally having the edge. No figures are available on the total tenders received but it is intimated that a highly satisfactory number has come in. There are 15,330 shares of this Universal preferred outstanding prior to the offer to buy by the directorate, but it seems likely that nearly 10,000 shares would be bought in by the company. Such action would leave around 5,000 shares still outstanding.

Big Savings

While this would represent only a saving of about \$40,000 per year for the present, it would wipe out heavy arrears due on the 10,000 shares. First preferred is callable at \$10 plus about \$68 in dividend arrears at the regular \$8 divvy rate. Only tip on what the average price paid tenders is the quotation near the end of the year which ranged from

\$117 to \$128 a share. Tender plan was made possible via a bank loan with banking house naturally approving setup.

Ultimately U is understood to hope for retirement of all outstanding first preferred. When this is accomplished, it will conclude corporate setup simplification for the time being. Company has been working on the recap for nearly a year. With the first preferred situation cleared up, the principal interest-bearing obligations remaining are \$4,000,000 in debt and preferred stock. Universal holds some 20,000 shares of second preferred in the treasury.

Market in the first preferred shares reflected Wall Street's belief that U would call in remaining shares not taken in the tender plan as soon as finances permitted. Stock soared 25½ points from Dec. 30 to Jan. 3, after making a new high at \$140 or two points above the Jan. 3

close. Realization that \$176 is due per share if called, and that fewer shares will remain on the market after the tender plan is completed, brought in the astonishing spurt.

Outside of the debentures, once all first preferred is brought in, the old common and certificate for new common shares would be in line to receive any divvy distribution. Both classes of shares climbed higher in sympathy with the preferred's sensational action.

Gillham to Coast

Hollywood, Jan. 5.

New Paramount publicity staff under George Brown at Paramount will go into confabs with Robert Gillham, public-relations head, upon his arrival here this week.

Campaigns on forthcoming releases will be mapped.

SCHENCK-MOSKOWITZ TRIAL UP FOR FEB. 10

Trial of Joseph M. Schenck, chairman of the board of 20th-Fox, and Joseph H. Moskowitz, his eastern representative, for alleged income tax errors will begin Feb. 10 in N. Y. federal court. An announcement to this effect was made Friday (3) by John T. Cahill, U. S. attorney for the Southern District of N. Y.

It is understood there are no objections to the date from the defendants' counsel. Trial is expected to take two or three months.

Both Schenck and Moskowitz have repeatedly maintained their innocence of any wrongdoing, and indicate that any error in filing returns are bookkeeping ones, rather than deliberate attempts to defraud the Government.

EDWARD LUDWIG

NOW DIRECTING

"The Man Who Lost Himself"

UNIVERSAL

SEASON'S GREETINGS

LEONARD SPIGELGASS

War Doesn't Discourage Australian Film-Going

By ERIC GORRICK

Sydney, Dec. 15. Though their Empire cousins in Britain had their hands full in maintaining some semblance of film theatre business, cinema boxoffices in Australia during the past year weren't affected appreciably by the Nazi blitz in far-off Europe. The distance from the actual scene of combat was, of course, a major factor for the new Aussie b.o., but more important was the fact that Australian film audiences didn't permit the apparent upper hand of the Germans to relegate their spirits to the extent of morbidity and the possible lessening of their amusement interest.

Relaxation for Aussie workers comes emphatically in the pic houses. Favoured are U.S. pix. Into around 1,550 theatres flow a constant stream of pix from the U.S. Without doubt there would be no pic biz in Australia. Good British pix are popular in this zone, but a regular stream of Britishers is doubtful during 1941; hence, it can be said that Aussie marques will be mostly Yankee. Popularity of pix as entertainment for the masses may be judged by the fact that two of the major chains, Hoyts and Greater Union Theatres, recorded their highest profits during the year just ended, gotten, in the main, with U.S. product.

Showmanship Factor

Smart showmanship has kept the public highly pic-minded during the recent past. Aussie showmen look to Hollywood to do its part by producing product that can be sold, not canned. And so local screens must carry plenty comic, musical, romantic fare, etc.

A lot of money was lost during the year with Continental pix as the tempo of the war changed. The collapse of France was mainly responsible; much of this product came from that country.

World War II has shattered the hopes of low production. The closing of the British market, the refusal of the government to again finance home production, the unlikelihood of the U.S. buying Aussie-made, and only a minor local market mean practically the death-knell of local production. All of which emphasizes Australia's greater dependence on U.S. product.

Rumors have been current lately that in order to overcome coin freeze problems, U.S. producers were contemplating entering local production. RKO and RKO-British are linked with Cinesound as moving toward production revival during 1941. Presently, Cinesound is out of production. The RKO angle, however, is just a rumor. The Motion Picture Distributors Assn. (U.S. film reps) has an agreement with the federal government to leave 50% of its rentals in this zone for the duration of the war. It's regarded as doubtful whether they would try to do the same field by U.S. moguls would be the sure means of hurdling the coin freeze situation. Transportation costs would be high; new setups costly, fresh slugs in some form or other would surely arise, and there would probably be headaches galore.

What of the British?

Whether the British producers would move to this zone to continue production activities freed from blitzkriegs is a moot point insofar as 1941 is concerned. Their presence here would, according to local officials, be most welcome. And they would like to share with Aussies in offering all available production facilities to Britishers from the war zone. British producers, too, would seemingly have everything to gain and nothing to lose. Frozen pix is not a major problem with them; their biggest problem right now is to keep production moving in order to hold a good hold of the Aussie market. If they could get a 15% British product preference of creating here, this would be quite useful in the year ahead should production slip to zero.

That Australians would welcome a British production bid is borne out by the fact that overtures have already been made from this end to London film officials. Nothing has been definitely set. Nevertheless, it would come as no surprise to the local trade was the British producers

finally persuaded to hit the pioneer trail to this territory.

Speculation is presently rife as to whether pic rentals will be higher or lower through 1941. Appears that the Exhibits Assn. is making a keen endeavor to bring down the U.S. rates, even suggesting to politicians, should prices jump up, that the government step in, via Professor Copland in charge of wartime price controls, to curb the U.S. distros.

Indications locally—that film rentals will go up as soon as the U.S. moguls secure from their Australian representatives a complete survey of the position. And this survey favors increases, irrespective of any political pressure.

One prominent distro explained to VARIETY that an upbeat in rentals here was quite justified. U.S. interests are coin-freeze to 50% on rentals; there's a 25% right of rejection operating in favor of the exhibitor; processing costs have increased immeasurably due to advanced income tax on the up-tick; further slugs are looming. So what? An increase in rentals? Most certainly, he said, that should be the answer.

A prominent exhib, however, says: U.S. distros have always gotten the gravy from this territory; they forget that it is war, not cost, it costs to operate a single screen theater; that ever before, we are taxed to the limit; the public, only through the exhibitor, has to be kept pic-minded, and this costs plenty in exploitation; distros refuse to reimburse us for losses with any high-priced pic. True, we have 25% right of rejection, but there's not the same equality of treatment; we look forward to getting rid of this right-of-rejection system.

Working facilities; advertising costs are mounting; overhead is drastically upsetting, and the U.S. distros are listing too many floasters as they seek more and more dough.

Aussie exhibs are fully determined not to increase admissions during 1941, in order to give a higher rake-off to distros with their present coin freeze. Ministry of Education "Gone With the Wind" angles worked here again. At that, the government is seen stepping in to completely eradicate upped admissions.

The Stars of '40

Sydney, Dec. 15.

Mickey Rooney has kept up a nice tempo with the fans via his "Hardy" (M-G) series. The ace comic in '40 was George Formby with his hokum material. An up-and-coming star poised to be Ray Milland. Clark Gable also okay along with Spencer Tracy.

Of the femmes, Bebe Davis continued to grow in popularity. Jeannette MacDonald-Nelson Eddy stood out as the best team in the fabs as before.

Other clicks during the year: Deanna Durbin, Ginger Rogers, Robert Taylor and Gene Tierney.

Gary Cooper failed to build much steam with which Linda and Jane Withers once two of the most popular kid stars in this sector. Cary Grant did so; Irene Dunne likewise; Melvyn Douglas was fairly popular; James Stewart didn't set boxoffices on fire, and Wallace Beery, Pat O'Brien, James Cagney, Tyrone Power, Alice Faye and Don Ameche made a great deal.

The Top Pix

Pic-goers tested were varied in '40, with comedy, however, the high-light.

"Gone With the Wind" (ATP), the only war pic to click, and the preem was timed tightly with British naval successes.

Other clicks: "French Without Tears" (Par), "Gunner George" (ATP), "Rebecca" (UA), "Irene" (RKO), "It's a Date" (U.S.), "Swanee River" (20th), "Heaven, Too" (WB), "His Girl Friday" (Col), "Pinocchio" (RKO), "Star Day" (Par), "Ghost Breakers" (Par), "My Favorite Wife" (RKO), "Road to Singapore" (Par), "Hardy" series (M-G), "Ninotchka" (M-G), "Gulliver's Travels" (Par), "Raffles" (UA), "First Love" (U.S.), "My Son" (Par), "Dr. Takes a Wife" (Col), "Balalaika" (M-G), "New Moon" (M-G), "Gone" (M-G), with the latter creating a lot of headaches, but, nevertheless, entitled to hit list.

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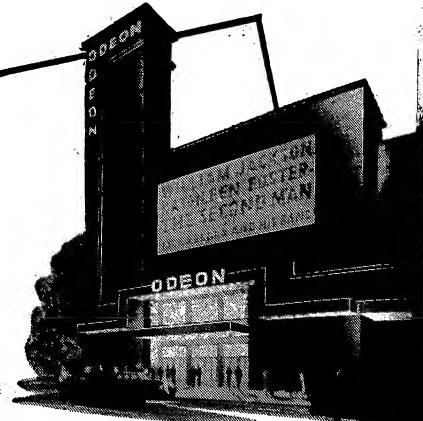
Pix the Backbone of Mex Show Biz

By DOUGLAS L. GRAHAME

Mexico City, Dec. 15. Amusement biz, excepting radio, anticipates 1941 will be no better nor worse than 1940. Trade in 1940 for the biz, excepting radio, was only fair. For radio it was very good. It promises to be even better next year. But showmen are off indulging in any wild optimism, past experiences having shown them that there can't be such an indulgence down here, particularly in view of present world conditions. These showmen are much inclined to carrying on, taking just reasonable care, hoping for the best, but being prepared as much as they can for happenings that may not be so good.

Pix are, and have every prospect of continuing to be, the backbone of the Mexican amusement biz. Pix this year and last were the biggest b.o. in this city, which numbers 1,750,000 inhabitants and is Mexico's greatest population center. Exhibitors, though, count upon only about 250,000 weekly cash customers. Pix gross here in 1940 will be about the same as it was in 1939, around \$18,000,000 (Mex), quite a representation in the same \$25,000,000 (Mex) amusement expenditure there.

Popularity of pix is largely due to the big money's worth they give and the rather poor showings at stage show theatres. Exceptions in this regard, however, were the A. B. Marcus show, which did unprecedented biz at the unheard-of recent time top of \$6 (Mex) at the Palace of Fine Arts (National Theatre), early in the fall, and good trade, \$5 (Mex) top, Beverly Barriers' Chicago burlesque is enjoying at the historic Teatro Lirico here, where Lupe Velez first came to attend, and which made the long stand at the Teatro Arbenz, much of a Jonah house, by Fu Manchu, the magician, a young Englishman who always does his act in Spanish. His tops average \$1.50.

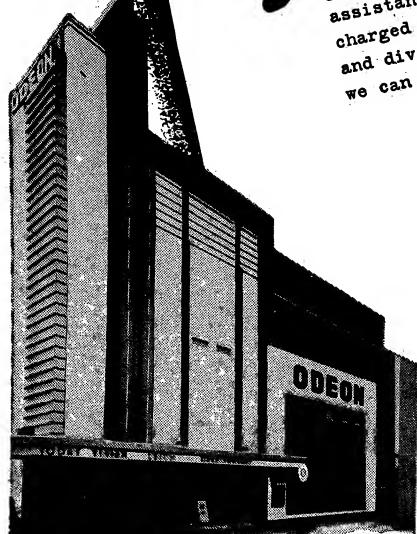


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Oscar Deutsch.

CHAIRMAN AND
GOVERNING DIRECTOR



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"GARRISON THEATRE" with

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BRYAN MICHEL with
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Shanghai's Notorious Nite Life

By CAL S. HIRSCH

Shanghai, Dec. 15.

Something that might have been conceived, pre-Hays, by the most fictionally bizarre of Hollywood scenario minds today more so than ever emphasizes why Shanghai night life is possibly the most notorious in the world.

Gambling casinos, with entertainment merely incidental, plus private rooms for the cocaine sniffers and

pipe smokers—with nude dancers thrown in—constitute what have long been the bane of the morally-minded. Most of these joints are Chinese, operated, sponsored and promoted by the Japanese military and the new Nanking regime.

On the other hand, the epicure,

whether he be of wine, women or song type, or all three with additional entertainment, such as roulette, narcotics and lewd, nude shows, can have his fill in this Paris of the Far East in as great a variety as in former Gay Paree.

Shanghai is one of the cheapest places for gastronomic adventure. Those residing in New York who have their New Year cheer on Broadway, paying from \$5 to \$20 or more, will find, may be jealous of the bunched-up, barefooted, barehanded men here. They will find ham with all the fixings in the top-notch places, like the Cathay hotel and Farren's, set the customer back the equivalent of \$2.50 and the best Pomeroy or Cliquot at \$4 the quart. Blame it on exchange and cheap Chinese labor.

Best Food Available.

At any time throughout the year, cheap and cushioned seats of equalities can be obtained at any one of 45-old English, French, Russian and continental restaurants at \$1.25 per plate, including cocktails and a drink.

Scores of Chinese restaurants are scattered all over the French Concession and the Settlement. Whether you like blind chicken feet, being kept in date, collecting all their shore liver—and worms or sharkfins from South China, they are at the customers' disposal. The highly spiced foods from Szechuan, 2,000 miles away, still filter through the Japanese army to grace expensive tables here. No menu would be complete without the gorgeous Pei Ling duck and Tai-chow rock chicken, the Cantonese mutton pie, and the lily bulbs and pomegranates. The Chinese New Year finds all these and more, too, gracing the groaning festive boards.

Not to be outdone, the Japanese have opened sukiyaki palaces galore

in their controlled section of Shanghai, Hongkew. Here you take off your shoes, don tabi (cotton socks), sit on heavily-cushioned floors and nibble daintily at most refined viands.

Each guest has his geisha servant. She does not speak English, but nevertheless she is a charming creature, curvaceous and human, herself on bended knee, while she serves with innate grace of years breeding.

Only nibbling so far at the dining and dancing trade is the refugee German and Austrian Jew. In all three major areas of this city he has made an entry which presages greater things. His bars, with one or two barmaids, who occasionally break into dancing, a dance to the photograph, and his small restaurants are, seemingly, at the beginning of his eventual high plane in this type of biz.

100 Dancing, Gambling Spots

With dinner over, there's a choice of the 100 dancing and gambling places, or the patron can stay at D.D.'s or the Arcadia for a whirl with terpsichore. At Lido and at any one of the three great ballrooms operated by the department stores, there's a choice of 1,000 dance hostesses who have learned the art in the United States. The girls here are as good as ever started a waxed floor.

It was then that the Majestic saw a couple of American-turned collegiate students step out for the first time. Koreans, Japanese, Formosans, Cantonese and half-castes all can be found to dance for at less than a nickel, whether approached by a tar off the American flagship or an overweight Shanghai matronaine. The matrons, the matronettes, one can go to Farren's de luxe dancing and roulette establishment, where a drink costs two bits and a spin with the ivory ball up to \$100. Drinking downstairs and gambling upstairs—craps, chemin de fer, baccarat or blackjack.

Jack Riley, under indictment in the American case for China on gambling and slot-machine racket charges, has fixed at U. S. \$25,000 still is at Farren's. He has pleaded guilty, provided the Government can prove his U. S. nationality.

Donovan, Fidelity, formerly in charge of publicity for United Artists and now lieutenant in the army, is staging series of shows for the troops at several of Oscar Deutsch's theaters.

Bull-Throwing (Mex Variety) Can Earn As Much As 2G Per Show

Mexico City, Jan. 5.

Matadors are still Mexico's best paid entertainers. Something like old-time heavy remuneration for a single ace bull killer—it is the matador's claim to fame at least three hours per Sunday afternoon, sometimes some police protection, the card of six bulls—has evolved in the season just started, which is later than usual because of dickering of the star performers for more coin.

In the times when bull-fighting in Mexico was par excellent instead of merely pretty good, as it is now, a popular matador could cop as high as \$8,000 a performance, about two hours' work, and even slap the impresario's face and make them like it.

The matador who fights under the name of "Acapulco" for the top blood and sand money man this season. He is under contract at \$2,250 per performance. He recently threw a fiesta in his mansion here in honor of local Fox execs as he played in made-in-Mexico sequences of real bull fighting that Fox is to insert in its Hollywood revival of "Blood and Sand."

Performance pay of the other top flight matadores this season runs from \$1,125 to \$2,100. One matador decided to lay off this season because nobody would sign him for his demanded \$3,800 per show.

Dictator Cracks Mark At Debut in Mexico City

The Dictator broke all records in Mexican screen history opening day, Jan. 1, when it opened at the Palace Chino theatre, Mexico City, according to word received in New York by Walter Gould, head of United Artists' foreign department.

Gould stated that no film to play Mexico has grossed as much on its best day as did this Charles Chaplin picture.

Theatre is being given extra police protection against any Nazi uprising against the film.

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IN 1940 IN ENGLAND “PETER MAURICE” TOPPED WITH

**“A NIGHTINGALE SANG
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A PROSPEROUS NEW YEAR



Hungarian Show Biz Steady

Continued from page 75

is so starved for that sort of thing that it is graceful even for a hint or a significant gesture, and goes to the Podium hoping that 'Békéffy' might say something.

New little theatre shortly to open is Madach Stage, planned to be an artistic studio theatre. Count Stephen Karolyi, 20-year-old aristocratic enthusiast, is putting money and his name into this venture.

On the other hand, the provincial stage has gone completely to the dogs. In a bad way for years, majority of provincial companies were reorganized last year under the auspices of Actors' Chamber (Equity) in a system of several stagelones (touring companies) playing at certain time in each town. Provincial towns accustomed to have their own theatres and companies which they regarded as their private property, and subsidized most unsatisfactorily, did not patronize the Chamber's stagelones. New system will probably be discarded next year, but no plan has been evolved to set struggling provincial actors on their feet and around the former international audiences. An exception is new-ly-returned district of Transylvania,

especially city of Kolozsvár, with two permanent theatres. Here stage appeal is very keen, and b.o. returns good.

New Faces in Niteries;

Business Improving.

Many old faces have disappeared from the floors of Budapest niteries, but new ones have taken their place. If anything, business is better than it was a year or two ago. Jewish patronage is greatly reduced, but as in the theatres, there is a new stratus of people, landed in new lucrative jobs, who visit night spots. Spending is on a moderate scale, but going on and on the numerous bars and drink boutiques of which will listen to a popular dance. And take a few turns on the dance floor has become a matter of weekly routine to a great many young people. Such an evening for two can be comfortably managed on \$3.4. The same at one of the big night clubs, Arizona or Moulin Rouge, costs \$8.10 if you don't indulge in extra high jinks. Before you are expected to drink champagne, if only the inexpensive Hungarian brand, but in return you

get a first-class program, neat band and excellent dance floor.

While these old-established hot spots of Budapest night life keep up their end despite absence of tourists, small, danceries, with diseases for attraction, have opened recently, even in the suburbs, where such a thing was unknown before. A popular singer or a good pianist may make the fortune of such a place. Looping Bar, Shanghai, and Pommy Bar are some of the new spots, and nearly every cafe has now a room, preferably a dark and tight hole, which has been converted into a nocturnal hot spot by establishing a piano, a violin, a drummer and a pianist, turning off most of the lights and doubling the price of drinks.

Among the leading singers are Any Kelly, who, despite her English name, is Hungarian, having formerly worked in Berlin; Anita Best, English; Terry Fellegi, Hungarian, who comes from America; Martha Ratkay, Marietta Ehn, Susie Darvas, her partner, pianist Csakvari, and Judith Kenez.

The lure of the gypsy band seems to be on the wane. Death of Imre Magyar, best of band leaders, who had a band consisting of mostly foreign visitors, who never missed this exotic attraction of Budapest, is another reason. Chief explanation, however, is that the tendency is no longer towards reckless, spectacular amusement and extravagant spending, but towards a habit of having a good time as frequently as possible within reasonable limits.

Radio in Decline After Sales Upped to New High

After the sale of radio sets jumped to a new high last year, explained by the wish to listen to the war news, radio has ceased to be so much in evidence. As in most continental countries at the present juncture of the war, broadcasts in Hungary stop at 9 p.m., so they are no longer an evening entertainment. This rules out broadcasts of operas or symphony concert performances, formerly a popular feature. Hungarian radio, non-commercial and government-controlled, plays a far less important part anyway, from the entertainment angle, than it does in America. Best feature is spot news reportage of events of national importance, for which staff is particularly well chosen and well equipped. Without indulging in plain propaganda, radio addresses general cultural lectures, Hungarian music and plays. Radio serials are unknown. News is official, comments are not given. Many people, however, listen in on foreign news broadcasts, to get such information and slants as are not published in Hungarian papers.

Next to radio, the other thing that has lost much of its entertainment importance is sporting events.

Budapest's Tin Pan Alley is hard up for lack of imported sheet music and records. Shortage in this line is keenly felt by singers, in commerce, and also in radio. By far the best seller in music and records this year was the score of "Deadly Spring."

Foreign artists on the concert platform are few. Concert season promises to be none too good.

Concertina Craze

Curious new development is concertina craze created by extraordinary ballyhoo started by local rep of the German firm or Hoyer, instrument makers. By arranging a series of matinées performances of professional players, combined with amateurs, mass concerts and the like, they have popularized the concertina to an unprecedented extent. Nearly everybody plays the concertina, scores of schools teach it, it has become almost as big a pest as piano playing was a generation ago.

The other craze—if craze it can be called—that occupied the leisure time of people who don't go places is the foos ball. Foos ball is having a revival in Hungary. Reasons are manifold, obvious one being the desire to get one's thoughts away from current events. Astrology, up till now almost completely ignored by the general public, has rocketed into the best seller list. Hungarian fiction has not produced anything very remarkable of late, but authors like Harsanyi, Marai, Somogyvári, Vasvary and a few others have

turnd out good stories and achieve big sales.

Number of translations of English and American fiction is astounding. "Gone With the Wind," the books of Louis Bromfield, Pearl Buck, Francis Brett Young, A. J. Cronin, Hutchinson, Rachel Field and a number of others are being read. "God of Wrath," just cut in Hungarian version, promises to be a great success by reason of above-mentioned interest for rural problems.

It is noteworthy that absolutely no German fiction since 1933 is on the market in Hungary, with the exception of emigrant authors like Thomas Mann. On the other hand, popular science and economics books in German, like Anton Zischka's stories of raw materials, have great sales. Booksellers complain of lack of English and American originals, which either don't come owing to transport difficulties and censure, or are too expensive for Hungarian purses. Cheap German editions of English and American fiction (Tauchnitz and Albatross) for which Hungary used to be a big market, have ceased publication since the war. The few new English books that find their way here are grabbed as soon as they are put on the counter.

Situation is even more difficult with regard to papers and magazines. Practically none but German and German-controlled dailies and illus-

trated magazines are to be found on the stalls. By the time American illustrated papers, such as Life or Time, are released by censors with many blackouts, they have lost all topical interest. Nevertheless, those that come are eagerly welcomed, like all news from that side of the world, which is now to a great extent fenced off from Hungary.

Thus show business and other recreation fields in Hungary struggle on bravely amidst difficulties, grappling with scarcity of imports, lack of fresh ideas, restrictions in every field. Yet it must be said that such restrictions and drawbacks, which weigh upon the entire European continent at this moment of the war, are less oppressive in Hungary than in most other countries. And the urge to forget drawbacks, to enjoy the moment and to create enjoyment, is greater in Hungary than in most other countries.

These qualities make the outlook hopeful in this country regardless of whatever happens. The economic situation is bad, and undoubtedly whatever turn the fortunes of war may take in the near future, it is going to be worse. But show business in Hungary does not depend solely on the economic situation. Young Hungarians are doggedly determined to have a good time, and is going to have it although the skies may fall.

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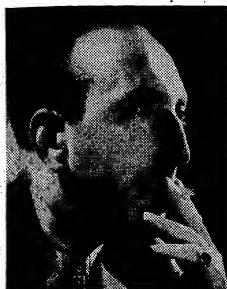
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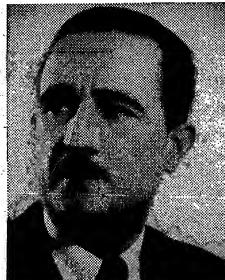
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BRITAIN'S FILM INDUSTRY CARRIES ON FOR AMERICA'S ENTERTAINMENT!

French Amus. Biz in Big Strides Toward Recovery; Full Normalcy Under Nazi Yoke Held Impossible

Paris (via Madrid), Dec. 20. — The traditional Frenchness is finding one of its best expressions in the country's entertainment industry where gigantic strides towards normalcy are being made.

Although it's never going to be as it used to be, to use a popular expression, unless the German yoke is slipped—and even then it's going to be quite different—Paris night life is functioning quite well, with legit, variety, music hall, cinema, cabarets, bars, restaurants, cafés and other hotspots going along at a surprising good pace.

In the free zone there is probably more entertainment activity than ever before in view of the French program of decentralization of the theatre. In fact many of the cities of this region, such as Lyons, Toulouse, Marseilles, Narbonne and others, can boast of more amusements now than when Paris was not the only entertainment center as well.

Another phenomenon in the free zone is the traveling theatrical company of the middle ages streamlined and brought up to date and functioning better than ever. Many of the legit and screen stars who were in the unoccupied zone at Armistice, and not having much of a yen to return to the occupied zone but nevertheless keen on being active, supplied the spark to rekindle this custom of the middle ages.

The Riviera as Pic Capital

The Riviera has become the new French film capital, although not much progress in this direction has been made. The best studios and equipment are in or around Paris and celluloid is scarce. It is quite likely that once the government returns to Paris, the pic industry will forget the Riviera with its ideal climate for film work and rush back to the more practical spot. Nevertheless, meggers Ward, Agnes, Marcel, Pierrot, Henry, George and George Prade are sincere in their desire to make the Riviera France's Hollywood with its round-the-year sun, blue sky and matchless scenery. They may succeed but the French after-war may not have the necessary capital to transfer the film Eden from Paris to Cannes.

All this denotes that the spark is there and that the French, even with part of their country occupied, are undergoing a artistic renaissance after months of torpor. It may be argued that the German authorities are encouraging this trend in order to give the impression that life is normal in France despite the occupation, and that the victors are being tolerant and correct with the vanquished. However, there is a tradition to be maintained in France and even though the French are doing the utmost to see that it doesn't die, despite hardships, handicaps and the presence of the hated German troops on their soil.

At the present time there are about 35 legit, revues, music halls and operettas, about 175 film theatres—including many nabe houses—some 35 hotspots and boîtes and a score of dancehalls functioning in Paris. Cinema attendance is doing quite well in spite of food and drink restrictions. Lack of transportation facilities and the blackout—as had now as during hostilities—unemployment, curfew, shortage of coal and oil for heating purposes, the rationing system and the refusal of some people to be amused while France is in mourning is unquestionably having some effect on the capital's night life.

Increasing Trend Of Collective Security

People, too, no longer go alone to show places as they did in countless numbers before. Now they go in groups. Whether it be a cafe, legit or showcase you will see them in threes, fours or more. Why, no one seems to know, but subconsciously they must feel a certain sense of security in going together.

The popular German troops, officials and countless other questionable individuals from across the Rhine has injected a new element in the capital's night life. They want to be amused and seemingly have plenty of money to spend although it's another story whether the marks

they have to throw around with such abandon are worth much more than the paper they are printed on.

Nevertheless there they are. And they form an important element. They are everywhere. They occupy the best seats in the theatres and showcases. At openings they mix with the French elite. In cafés and restaurants they are the best eaters and drinkers with beer and champagne rating tops in their eat-drink-pagaine rating.

Most of the big names of the entertainment trade are back in Paris, except the Nazis; including the Jews whose presence is not desired in the occupied zone. Even if they were it is quite likely that if they would not return.

Most of their businesses have been confiscated in the occupied zone. The shops that still remain open for business must hang up signs informing clients that they are Jews. Those blacklettered on yellow backgrounds. The Germans have also taken a census of all Jews living in that zone.

Picked Up The Cue

In the free zone, the German inspired press and the extreme right-wing press, such as *Candido Gringoire*, Action Francaise and other traditional Jew-baiters have picked up the cue and are helaboring this element with the same intensity as similar news organs in Germany and Italy.

In a recent issue, *Candido* viciously attacked Leon Blum, Jean Zay and other government figures for much of the same kind of stuff.

The Riviera—Henry, George and George Prade are sincere in their desire to make the Riviera France's Hollywood with its round-the-year sun, blue sky and matchless scenery. They may succeed but the French after-war may not have the necessary capital to transfer the film Eden from Paris to Cannes.

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The Germans go in for it wholeheartedly. So much so, that many of the numbers are German.

negatives are in Paris and out of reach.

In Paris most of the pictures being shown are French and American. The movie German, although the latter is not appealing greatly to local audiences. The fans are clamoring for new product but there is no one who can lend a willing ear. An example is that "Angelica," with Viviane Romance, just finished a few months before the Germans came into Paris, is setting new b.o. records at the Madeleine, and it's only an average picture in our opinion.

In Paris the last 30 distribute of the original 400 functioning. The offices formerly directed by Jews have been finedcombed and either shuttered or turned over to new management more acceptable to the authorities.

The film situation reduces itself to this during the current year, up to a German occupation, French industry produced 34 films, five of which were not completed. Presently there are 33 pix which have not been released. In all there are 307 feature films in all of France, including 181 American, 73 French, 19 German, 16 British, six Italian and six divers. Between Jan. 1 and June 10, 140 pict were released including 86 American, 37 French, 11 British, 10 German, one Belgian and one Polish.

There are doing quite well with old films and could do better if some of the pix enumerated above were released. Technically there is no reason why they shouldn't be, but there are all sorts of hitches.

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SAWING A SPONSOR IN HALF

Or Why Network Program V. P.'s Are so Wistful

By ROBERT J. LANDRY

Mention showmanship connection with a network program department—and start an argument.

Grisly tales pass across the table. How network salesmen privately inform advertising agencies not to mess up their deals with the network has to offer in programs. How the network program department is the greatest 'ought-to-be-but-ain't' phase of American radio. How the networks in 1931 threw control over commercials out the window and whistled as it fell. Like the Italians in Albania, they said it was a victory. They were glad. Now—so goes the tale table—the networks water at the mouths when it comes of the program profits banked by freelancers like Transamerican, Phillips Lord, Ed Wolf, Dan Golen-paul, Ed Duman, et al.

'Ought-to-be-but-ain't'—inelegantly expressed indictment. Imploded musing of opportunities. Failure to command respect. Half-hearted. The big ballyhoo followed by the big letdown. Six-week waltzes with a bright idea, then sudden oblivion and another romance. Incomplete forward passes. Talent stalled and disillusioned. Staffs grubbing in their scripts.

Right or wrong, fair or unfair, this is the kind of talk that goes in the trade about the network program departments. Not all the time of course, because the trade is too preoccupied to dwell constantly on any one subject.

LIKE JERSEY TRAFFIC

It is said that the network program department is too complicated. The recent organization map of NBC's realignment did seem to bear that out. At first glance it seemed as devious as New Jersey traffic. But the bigness and the many-sidedness could be assets. Nobody else can command so much or has—in theory—so much to work with as the networks. Again the slam. Ought-to-be-but-ain't.

What are the inherent causes of the ineffectiveness of the network program department? To answer that it would be first necessary to settle on the exact nature of performance and what the difference between passing marks and honors would be. Fundamentally the network program department exists to supply a constantly available source of unsponsored programs for the network's affiliated stations. The network program department is the custodian in charge of the layoffs set to BMI music.

SOME QUITE CONTENT

Some network officials content themselves with this minimum performance. They neither ask nor expect from the program department more than time-filers. Supplemented by a given number of expensive annual prestige shows like the Oscar Telecon on NBC or the 'American School of Art' on CBS, the program department is, to this type of executive—a necessary service entitled to receive blank % of the operating budget each year. But let the program department not take itself too seriously.

There's the rub. Man does not live by bread alone. The program department's dream of gravy. They yearn for the excitement of closing a deal. They agitate themselves. Admitting, then, that the program department is trying, why is it not on the whole, more often succeeding? Is it being unjustly condemned for the lethargy of 1931? Has an established outside attitude endured despite altered internal conditions?

These questions cannot be fully answered here because obviously VARIETY knows less than the full story. By a strange irony it is the showmanship divisions of the networks that are the least communicative and the least veracious.

TELEPATHY AND SPONSORS

But it does appear, as far as the unaided eye can detect, that the network program department suffers from an excess of zeal in dashing off in all directions simultaneously. That, in terms of originating entertainment, the program department does not think for itself, does not back up its own convictions, does

not trust its own selections, but instead tries to 'hook'—or rather to think like—some eccentric millionaire bloke in Bloomsfield, N.J., who might sponsor a program, somebody says. Instead of concentrating on programs the conferences and the leaders concentrate on how to sell programs, how to develop a 'hook' to get people into a drug store for an 'entry' blank, because that's the way to sell the whoozis agency a program for the whatchamacallit account. That's the way the free-lances act it and NBC and CBS are as smart as free-lances anytime. (Dear heart.)

The headbox of the network program department trying so desperately hard to sell programs by tailoring them to the eccentricities of a couple of business men, Pat and Mike, is that in the process it fails under the sway of the salesman on the Pat and Mike account who acquires the veto power. The salesman colors the whole undertaking. The showman, as such, becomes a stooge for a stooge who knows Pat and Mike.

JUDGED—AND CURSED

Many observers concur in regretting that the vice president in charge of programs is judged—and cursed by his talents, not as a creative showman, but as a radio salesman. It is suggested that more salesmen is just what radio doesn't need. Rather it needs more ideas. These critically-minded observers share with the promotion department a conviction that radio salesmen are seldom original or original, always disciples of narrow expediency and that they are, and by nature must be, the worst possible influences upon a creative department.

This is the essence of the difference in starting under showmanship rather than showmanship motivation: Everybody tightens up. True rhythm is lost in self-consciousness. They don't keep their eye on the ball (the show), because they're thinking of the cup (the sale).

Elaborately worked out merchandise salesmen will, when the price of items is complete, call for further research details. They are frequently worked out to please the salesman, to please Pat and Mike. But the program itself is routinely treated or turned over to one of the juniors: A clever boy. But he needs experience. The salesman takes him to lunch and ruins his youthful self-confidence, spurs vinegar on his fresh ideas, infects him with cynicism and contempt for everything except cheap,

slick salesman expediency. The expediency that finally doesn't fool Pat and Mike after all.

FREE THE SLAVES

There, then, is the argument: that a network program department should be liberated from salesman thinking; that it should be assumed that a certain percentage of the sustainers will attract sponsorship in the very nature of the improvement flowing from a stimulation of true showmanship; that the best concepts of showmanship always come from showmen, not from salesmen assigned to certain agencies.

But don't take this too seriously. The net works won't. It's been said before. (Not perhaps with as much longing.)

NBC, for example, has plenty of brains, its program department, brains and taste, and imagination. But it's cursed with job-fear and politics, favoritism and resentments. This is revealing nothing that the trade and NBC and especially the sixth floor at 30 Rockefeller Plaza doesn't know already. In fact, the recent realignment of jobs and the New Jersey traffic map are designed to end continual speculation and fear. The net was no good for some individuals, but at least the realignment was a realignment, not a purge, as expected.

It may be asked: Can NBC and CBS ever, under existing organizational circumstances, cut much ice in production? To request of either network a clear picture of what they want to accomplish is to get a confused response. Perhaps the simplest bit of planning in 1940 is best left to NBC's attempt to outlaw the word 'sustaining' in its organization. Phillips Carlin and Thomas Velote for the Red, are encouraged to think—at least in theory—of 'programs' and not of 'economicals' or 'sustainers.'

THE WHITE CLIFFS'

NBC in 1940 gave radio and the press the superb Lynn Fontaine reading of 'The White Cliffs of Dover' after CBS turned the same idea down. Many consider this the most memorable single program of the year. Again the NBC program department scored a fine bit of radio-quiz showmanship through the instrumental of its news and special events division under Abe Schechter, viz., two-way conversations of English evacuee

A MODERN SETUP

But let's go back to the NBC program department organizational plan as of Dec. 9. It's too big to fit completely on a VARIETY page. The main line—production—stems down from the vice-presidency (Sid Strotz) through the office manager (Helen Sherr) to Walford Roberts as manager of the production division.

The four sections, direction, continuity, sound effects and announcing follow. By themselves they suggest the dimensions of the modern network program setup. And by themselves they are only the main line. There are six other branch lines which in turn subdivide.

To picture the sections, one by one:

DIRECTION

27 Directors
4 Juniors
100 studio Assignments.

Ideas Grindlay
1 clerk

General Office

11 secs, stenos, clerks

SCRIPTS

Lewis Kelly, Supervisor; Fred Heifrich, asst.;

8 senior writers

2 junior writers

2 policy readers

3 play readers

3 music research clerks

7 secs, stenos, clerks

SOUND EFFECTS

N. Ray Kelly, Supervisor; Fred Knopfke, assistant

13 senior operators

3 juniors

3 senior technicians

3 set-up men

1 stenographer

ANNOUNCING

Pat Kelly, Supervisor; Raymond

Diaz, night; James Shellman, assistant Graham McNamee.
27 senior announcers
8 juniors

A music division under Samuel Chotzinoff, a music library division under Thomas Belviso, a program and talent sales division under Bertrand and the public service division under Walter Preston, Jr. All in this 'house'. Mutual cannot take refuge in organizational bigness or politics. Also fewer egos are involved—and don't underestimate that consideration.

The Mutual plan—indeed Mutual's necessity—of looking to its local stations for programs may in some ways be a lot closer to public interest and perhaps to the best interests of radio broadcasting as such as has been argued before now with considerable plausibility. That New York and Chicago are overexposed in American broadcasting. Since little or nothing original or progressive can be expected from soap-selling sponsors, as such, the advancement of the art of radio (voice in back of hall—there he goes again) must come from the broadcasters primarily. And that's a matter of the plan and the men, the conditions and the attitudes.

The indie stations

program

offices are far more independent of the networks, catering to advertising agencies. The networks usually succeed in production when they think in terms indigent to themselves—as networks—rather than when they attempt to beat the angle boys at their angles.

SHALLOW BRILLIANCE

The question may yet arise as to whether sales ought not to be left to themselves on a net-later-takes-it's-course principle rather than to foul the nest of network program planning with the everlasting presence of the salesman's shallow brilliance and his wonderful talent for sneering good ideas (if not his—down his alley) out of the room.

Networks easily could—and commonly do—argue no reason why they shouldn't sell programs to sponsors. But the trouble is pretty plain—they now concentrate from the first moment on a whirlwind campaign to sell the sponsor rather than concentrating on the program. It's an old complaint—the salesman is still listened to with greater respect than the showman, the presentation gets the work, the program works.

PERSONNEL shifts extend Koska's jurisdiction as press manager to the nation. Earl Mullin is assistant manager and runs the 'desk' through NBC radio and press respectively. Continuation of the release of millions nationally distributed basis instead of stopping with Ohio as heretofore will rest upon the effectiveness and popularity of the service with radio editors. There is to be a separate service fortnightly for weekly publications and greater emphasis will be placed on photo mats.

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John McTigue is temporarily pinching for Pekoe who has been ill. Gordon Webber takes on Warren Gerz' chores for the magazine section, later going with the blue publicity section.

STATION BOSS CALLED UP

Major John Holman in Army—KDKA Needs New G.M.

Pittsburgh, Jan. 5.

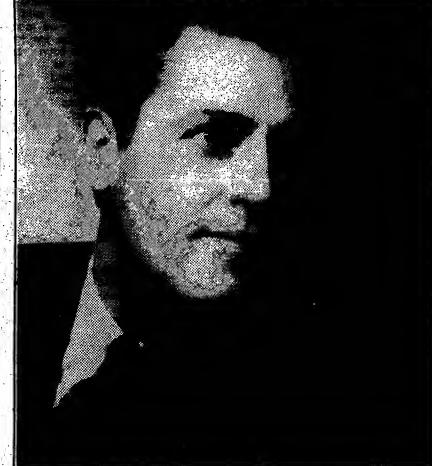
Major John A. Holman, general manager of Westinghouse station KDKA here, has received orders from War Department to report to the U. S. Army Chief Signal Officer in Washington on Jan. 17. No decision has been reached yet on his successor, Lee B. Wailes, broadcasting head for Westinghouse, said over week-end.

Holman came to Pittsburgh to manage KDKA in May after eight years in a similar capacity at WBZ and WBZA in Boston. During the last year he has been a member of the Army's staff as telephone plant engineer, and has since kept an active interest in military affairs as a member of the Signal Corps Reserve. During summer maneuvers at Ogdensburg, N. Y., he was attached to the public relations staff and was in charge of arranging and supervising broadcasts originating in the maneuver area.

Pay Year-End Bonus

Spartanburg, S. C., Jan. 5. Spartanburg Advertising Co., operating WORD and WSPA, paid all employees year-end bonus.

Prexy John Kennedy, West Virginia Network, has announced distribution of one-fourth of a month's salary to all employees as bonus. Network operates stations in Charleston, Huntington, Parkersburg and Clarksburg.



MICHAEL BARTLETT

Season's Greetings and Congratulations, Variety

Signed Under Management W. G. N.

STAGE - RADIO - SCREEN - CONCERT - OPERA

ADVERTISING AGENCY SHOWMANSHIP (DURING 1940)

FOR those who had legitimate entertainment to sell, distinct from giveaway stuff, the year 1940 was not encouraging. Where there were examples of outstanding showmanship they usually constituted a carryover from the previous year. In other words, the glow radiated from shows that had been on the networks for several years.

Agency men will likely recall 1940 as the year in which pots of gold and quiz programs were rampant. The only way one program of this kind could be distinguished from another was by the title, the shape of the hook and the amount of the money offer. This 'novelty' obsession got so bad that for a while if anybody called on an agency with a program idea which entailed the use of established and bonafide talent he was regarded as a Rip Van Winkle and advised to get up to the 'entertainment' trend of the times.

Three years ago the agency lady became趋势 Horace Grey's favorite and flocked to Hollywood for program material. For the past two seasons they've been discovering that the pedagogical odds and ends of the Little Red School House can be made interesting at a price and that the disreputable carnival's wheel-of-chance can be made a national family institution.

Here's how the agencies stacked up along showmanship lines during 1940:

Aubrey, Moore & Wallace: Still resting on *'First Nighter'* (Campaign), the progenitor of this type of dramatic show, Smart enough also not to tinker with the pattern.

N. W. Ayer: Deserves a big hand for the bright treatment it gave the past summer's version of the Ford Hour and the classic tradition maintained on the same account's concert series. On the other hand, the *'Telephone Hour'* rates as a pretty piece of family funstel that at best can only hope to catch the passing eye.

Batten, Barton, Durstine & Osborn: Had tough going with the Ethyl show and since then everything of a network nature has come off with a bang. The *'Pepsi-Cola'* campaign (General Electric) and the two have meshed perfectly to the advantage of a firmly accepted and established musical act. Should be credited with a real coup in moving Paul Sullivan from a late to an early evening period and thereby making him one of the cheapest buys of his kind on the networks. Still doing a dexterous job by duPont's *'Cavalcade of America'*. Burns and Allen and Bob Ripley's *'Believe-It-or-Not'* were also on this agency's list during the past year.

Beaumont & Hobman: Took a stab at radio by way of a somewhat involved geographical quiz.

Benton & Bowles: Wound up the year with its account list and, commitably, its radio involvement severely clipped. Introduced nothing new in the way of an evening show but remodeled the *'Good News'* (Marshall Howard) series as compactly, diverting half-hour. Bought *'Sky Blazers'* as a package deal. Lord that the juve reaction was decidedly mild, so Continental Bread decided to give its network participation another whirl with *'Marriage Club'*. Agency also tested the series, *'Kate Hopkins'* and *'Portia Blake'* (General Foods) on spot because depositing them with CBS.

Birmingham, Castleman & Pierer: Undertook to sell shoe-black and shoeshining (Griffin) by flights into the superstitious and supernatural (*'Who Knows?*).

Blow Co.: Quizzes and crime plays were this agency's specialty in '40. It made a fairly effective showing with *'Take It or Leave It'* but suffered a short and unequivocal spill with a guessing game tagged *'Swing'*. Agency has also programs which deal in dance music and these it manages to keep well above the water line.

Blackett-Sample-Hummert: Still the No. 1 mill of the soap operas where six, the family mores and homey inconsequentialities serve to compound a daily agony for the monotonously beleaguered housewife. It's also the house with which *'Easy Aces'* is affiliated and the source of that bit of Sunday night bit of aural pleasantry, *'The American Album of Familiar Music'*. The Chicago division is the one that yielded to the quiz epidemic; to wit, *'Beat the Band'* (Kix).

Brisacher, Davis & Saff: San Francisco house nurtured *'Want a Divorce'* to national attention, and so much so that Paramount turned out a film version.

Franklin Bruck: Twas that which induced Sweetheart Soap to underwrite a series of informal talks by Mrs. Eleanor Roosevelt. Agency has been cutting a much wider swath in spot broadcasting and in that directive the outfit is rated as exceptionally alert and coming.

Buehman & Co.: Texaco is still the sole responsibility of this one, moving back into extra big time via Fred Allen and the Saturday matinee broadcasts of the Metropolitan Opera Co.

Leo Burnett Co.: Furnishes the commercial on Pure Oil and H. V. Kalchborn does the rest.

Campbell-Ewald: Deserving of a hand for the smooth goodwill building job that it has turned out for the Brazilian government via the Sunday night session with Bob Allen and Drew Pearson on the blue network. Unfortunately some and their limited hookups have to compete with Jack Benny.

Clemens Co.: Juve entertainers and their parlor-acts continue to be this Philadelphia firm's lone connection with radio.

Compton's: Didn't only in soap operas bought a package affairs from the outside until early this year when it introduced a bright and diverting parlor act, *'Truth or Consequences'*. The serials, all for Procter & Gamble, are of the solidly established classification.

Cramer-Krasnow Co.: Represented by the lone *'Ahead of the Headlines'* on the NBC-blue, but the task of forecasting events by the round table route, with Newsweek mag's staff tied in, has been done competently. Knapp-Monarch is the account.

Critchfield & Co.: In its Sunday *'Musical Steelmakers'* the Wheeling Steel Co. embodies about shrewd example of personnel relations projected by radio.

D'Arey: After indulging itself in its usual penchant for joie d'auditioning, the agency picked Andre Kostelanetz-Albert Spalding—guest concertist combination.

Sherman R. Ellis: Nothing on a big scale this year, so it's

been no hits, no runs, no errors. It did have here and there hookups on Mutual for Richfield Oil (news review), and National Refining (football scores by Red Grange).

Ewing, Wasey & Co.: Nothing new outside of lining up Gabriel Heatter with Liberty mag on Mutual for a couple nights a week.

Williamson Esty & Co.: Had five Camel half-hour programs weekly on the air the last year, and not a single one reached sock level. Since but one of them (*'All People'*) reported substantial money the theory of frequency plugging, which motivates this agency's radio policy, may have paid off satisfactorily for the cig account. The schedule ran the gamut of a comic strip, swing band, a variety show, hillbilly session and hoity-toity chitchat as incorporated by *'Luncheon at the Ritz'*. Agency also gave a network release to *'Double or Nothing'* (Feinstein). Owners of the latter quiz claimed in a court action that it was the progenitor of *'Take It or Leave It'*.

Federal: Provided a sponsor (*'American Razor'*) for Wyeth's *'Wise Owl'* and got Sinclair Oil to ally itself for *'Spell with CBS'*, evening roundup of European correspondents.

Fisher, Smith & Ryan: Hopped back on board the network bandwagon with Westinghouse's *'Musical Americana'*. Raymond Paige's ear-hairer in terms of melody and swell instrumental comportment.

Gardner: Brood this year has been limited to the perennial Saturday Night Serenade (*'Pet Milk'*) and *'Tom Mix, Straight Shooters'* (*'Ralston'*). Two pat formulas, and an air of why ask for anything more.

Grant: The handholder of *'Dr. I. Q.'*, the wonderboy of the quiz epidemic, who has showered 'em with encyclopedic confetti and Milky Way candy bars from the stages of all sorts of theaters.

Henry, Hurst & McDonald: Catering per its custom to folksy folk who find nurture for the spirit in *'Smilin' Ed'* McConnell, Tony Wons and Bob Becker's *'Chats About Dogs'*, *Ivy & Ellington'* (ideal setup between this agency and its lone program, Sam Balter (*'Inside of Sports'*)).

H. W. Kastor: Developed click formula for its Saturday night example of escapist literature, *'Knickerbocker Playhouse'* (*'Drene'*) and, if properly nursed, this item may be a perennial property. Continues to fare well with Irene Rich's weekly emoting escapade.

Joseph Katz: Also among those present by circumstance of Edwin C. Hill and his *'Human Side of the News'* (*'Amoco'*).

Kenyon & Eckhardt: Had a daytime serial, *'Thunder over Paradise'* (*C. F. Mueller*), on the blue for the first four months of this year; that's all.

H. M. Kiesewetter: Has been making a nice go of it's *'Quiziddle'* quiz, reinforcing *Colonel Stoopnagle* with mixed guesses.

Arthur Kudner: Mary Margaret McBride became a crusader for the Florida citrus industry under this agency's tutelage and that, outside of a short run of a heartthrobber, *'Till Never Forget'* for Macfadden on Mutual, was the extent of the agency's direct participation in network production. U. S. Tobacco's *'Pipe Smoking Time'* which switched Fields and Hall in place of Howard and Shelton this fall, continued its farm-out status as far as the entire program's preparation is concerned.

Lord & Thomas: Excepting the *Lucky Strike* bits, this agency appears to function at its creative best when it originates 'em from Hollywood. After nursing Bob Hope up to the sock brackets, L & T gives evidence of reaping, though on a small scale, with *'Heads, Hats & Helmets'* (*'Kraft Music Hall'*), *'The Big Show'* (*'Kraft Music Hall'*), *'The Tex Willer'* (*'Kraft Music Hall'*) and *'The Tex Willer'* (*'Kraft Music Hall'*).

J. M. Mathes: The agency that had much to do with developing the aforesaid *'Information, Please'* into the aforesaid national institution, losing the program, when, after a two-year run, Canada Dry decided that it had derived the maximum value and also declined to meet the substantial nudge in the program's price.

Maxin: Did a smooth merchandising job with the World Series for Gillette this season as well as last.

Lambert & Feasley: Hoisted *'Grand Central Station'* to the point where it became a standard and commercial piece of dramatic property and then found suddenly that the account, Lambert Pharmacal, had no further need of the program. It was quitting radio while it got straightened out on its product claims, etc.

Lennen & Mitchell: Fumbles often lose football games, and the same apply to accounts. Outside of the *'Parker Family'*, which is delivered all packaged from Transamerica and the *'Walter Winchell'* personnel, there is little to look at this side during the first year of this agency. Perhaps the top surprise of the year is network commercial programming.

Even though Lorillard discarded the series for spot broadcast, there was no small measure of showmanship skill exercised in the later phase of the *'Sensations and Swings'* procession.

McCann-Erickson: Acquired the *'Fox'* account from *'Kraft Music Hall'* before the end of the year, but it came in the middle of the killed plug-in, having given the *'Dr. Christian'* (*'Cheeseburger'*).

The characterizations and production have been uniformly authoritative. Agency still sparkplugging that oldtimer of network oldtimers, *'Death Valley Days'*.

Munkin: Took a dry subject as proper grammar, wrapped it up in a quiz show and, with no small knack of showmanship, make it all sound both informative and entertaining.

C. L. Miller Co.: Pothesized around with a serial, *'Society Girl'*, for odd-odd weeks with not much credit to any concerned.

Morse International: Deserving of a footnote for the furore it caused when it almost went network (CBS) with a weekly

half-hour version of *'Gone With the Wind'*. Complications and ironic sidelights of the incident rate it as an industry classic.

Needham, Louis & Brorby: Provided S. C. Johnson during Fibber McGee & Molly's summer layoff with another light and sparkling filler, headed by Meredith Wilson.

Neisler-Meyerhoff: Brought Illinois Meat Co. into the network picture for a whole with a heavy-handed quizzero, *'Play Broadcast'*. Is also responsible for the quaint version of *'Scattergood Baines'* which Wrigley carries on CBS.

Newell-Elliott Co.: Won the admiration of the trade for the slogan used with the *'The Fighting-Cheshire Cat'* daily series. Rated as choice sample of *'drab artistry'* and showmanship all around. Its results with Glenn Miller on the other hand, have been of the snip and tuck design. Agency's other smart stroke was the pitching of Pepsi-Cola into the 6 p.m. news spot on CBS.

Pedlar & Ryan: May be credited with injecting lots of showmanship punch into Guy Lombardo's stanza for *Lady Esther*. Also worthy of a big pat for the solid nursemaiding on *'Mr. District Attorney'*.

Plate-Forbes, Inc.: Got Peter Paul Candy, the commentator bandwagon with spasmodic support of Gabriel Heatter and Wyeth Williams (Mutual).

L. W. Ramsey Co.: Still has Hitch hitchhiking between Jack Benny and Charlie McCarthy.

Redfield-Johnstone, Inc.: Managed to keep its co-operative setup, *'Show of the Week'*, going for another year on Mutual, but without registering any special flair for variety compositions.

Kane Research: General Mills' medium for beguiling the housewife with *'The Little Lady'* and *'By Kathleen Norris'* and the kids with big muscle inspirations via *'Jack Armstrong'*, all according to a formula that has become as set as a network agency discount.

Roche-Williams & Cunningham: Just holding on tight with Lowell Thomas (*Sun Oil*) and *'Bachelor's Children'* (*Old Dutch Cleanser*).

Ruthrauff & Ryan: Expanded its network list substantially during 1940. Handled every type of radio entertainment but comedy, leaning strongly toward quiz and novelty shows. Its standout job was the Ben Bernie-Carol Bruce development for Bromo-Seltzer, with the quiz angle deftly blended with two much-talented personalities. Has given a good accounting with the low-budgeted *'Court of Missing Persons'* and such acts as *'Big Town'*, *'Big Sister'*, and *'Woman in the Mirror'*, plus a host of solid radio properties. Also scored one for Rinso when it snagged *'Grand Central Station'* for Rinso.

Russell M. Seeds: As Brown & Williamson's favored radio agent, it delivered a catchy novelty in *'Wings of Novelty'* and did okay by its version of *'Show Boat'*, even though the latter was up against such opposition as the Lux Radio Theatre.

Sherman & Marquette: Triple-duty doer for Colgate. Salves the icky division of femininity with Wayne King's schmaltz rhythms and David Ross' romantic corn; piles the housewife with the daily tribulations of *'Stepmother'* and gives the male element a weekly quarter-hour of pepperly sports comment by Bill Stern.

Stack-Goble: Wound up the year holding the radio bag solely for Lewis-Hove and with every one of the *'burb King*'s show predicated on money-giveaway. Trio consists of *'Pot o' Gold'*, *'Fame and Fortune'* and *'Musical Mystery'*. *'Cheer'*. Not a wire of genuine showmanship in the lot, nor can they be ranked as worthy contributors to the advancement of radio entertainment. To the contrary.

U. S. Advertising Corp.: An in-and-out in radio but what it's done out this season for Lubitsch-Owen is the way the *'Simone'* series rates over CBS. Rates the agency a big hand. Chicago Women's symphony orchestra plus guest stars makes consistently pleasurable listening, with every element, including copy, put up in expert style.

J. Walter Thompson: Aside for the linking of Raymond Gram Swings with White Owl Cigar, this agency's only newcomer to its network list for 1940 was the western cowboy act with Gene Autry. Even though the horse scenario wasn't Thompson's accepted alley, the agency wallowed in al-falfa and fashioned something for Wrigley which now shapes up as a standard article. Continuing to hold showmanship leadership are such Thompson shows as *'Lux Radio Theatre'*, *'Kraft Music Hall'*, *'Chase & Sanborn'* (*Charlie McCarthy*), *program* and *'One Man's Family'*. Couple other Thompson (*B*) productions that keep making the grade are *'I Love a Mystery'* and *'True or False'*.

Wade: From the *'National Barn Dance'* to Alice Templeton to *'Quiz Kids'* in three leaps and the agency in each case has demonstrated a native touch for getting the most out of folksy entertainment.

Warwick & Legler: Source of two strange bed companions, *'Metropolitan Opera Auditions of the Air'* and *'Gang Business'*. Started mostly as a radio designation, came into the house a couple of months ago, whereas the *'Auditions'*, a strictly *W & L* origination, is credited by the trade as a consistently astute piece of showmanship.

Ward, Wheelock Co.: Slayed clear of any night-time program entanglement until the last month of '40 when it joined the *'Campbell Playhouse'* on CBS. Initial 16 of this series was marked more by skilled production than by choice of material. Agency's other *Campbell* responsibilities are Amos 'n' Andy and such daytime material as *'Martha Webster'*, *'Short Story'* and *Fletcher Wiley*.

Young & Rubicam: Had more programs on the networks, by far, during 1940 than any other agency. Introduced the combination of Helen Hayes and Lipton's Tea, opposite the deeply grooved niche of Charlie McCarthy. Bristol-Myers delivered Eddie Cantor as a substitute for Fred Allen. Of the other newcomers *'Manhattan at Midnight'*, a low-budget dramatic formula, has been getting along nicely, if not in the money key. *'The Silver Chalice'* holds group titles as *'Jo Bonney'*, *Kate Smith'*, *'Sister Gail'*, *Theater'*, *'We the People'* and *'Aldrich Family'*; each ranked among the topnotchers in its particular entertainment category.

Worthy of special note is the all-around expert treatment which has made *'Aldrich Family'* a candidate for radio's marathon album. In contrast, the agency's experience with the summer fillers, *'Abbott and Costello'* and *'Adventures of Ellery Queen'*, was not so forte.

NBC, CBS Gross \$91,688,549 in 1940

NBC and Columbia wound up 1940 with a joint gross income of \$91,688,549 from time sales. NBC's tally for the year was \$50,663,000, or 11.8% better than it had been for 1939. Columbia's accumulative billings came to \$41,025,549, whose margin over the 1939 gross figured 18.8%.

Columbia ran \$1,070,000 ahead of the red network on the year. The red did \$39,955,322 and the blue network, \$10,707,678. In the month of December Columbia grossed \$4,909,673, with the red accounting for \$3,766,901, and the blue, \$1,122,972. Compared to December, 1939, the network as a whole this time was ahead by 14.7%. The red's margin was 11.4%, and the blue's 27.7%. Columbia's \$38,19,988 for last month gave but a margin of 8.2% over the gross for the period of 39.

Mutual gather \$576,983 in December and \$4,787,054 on the year. Web's jump for the year was 43.2%.

Chain Income From Time Sales

COLUMBIA

	1940	1939	1938	1937
January	\$3,575,946	\$2,674,057	\$2,879,645	\$2,375,620
February	3,320,620	2,541,542	2,680,343	2,244,417
March	3,513,170	2,925,684	3,084,417	2,551,116
April	3,222,589	2,854,048	2,681,180	2,504,478
May	3,570,127	3,044,684	2,442,493	2,569,558
June	3,144,200	2,861,180	2,476,412	2,575,657
July	3,078,609	2,911,953	3,117,357	1,988,412
August	2,875,857	2,341,636	1,423,865	1,952,280
September	3,109,863	2,563,132	1,601,755	2,028,477
October	4,001,492	3,366,654	2,453,410	2,505,405
November	3,689,778	3,474,163	2,453,410	2,654,473
December	3,819,988	3,529,154	2,529,060	2,708,618
Total	\$41,025,549	\$34,539,665	\$26,361,411	\$28,722,109

MUTUAL

	1940	1939	1938	1937
January	576,720	\$315,078	\$260,894	\$213,748
February	337,640	276,605	253,250	231,286
March	300,813	306,976	232,877	247,421
April	363,448	262,626	189,545	200,134
May	322,188	231,764	194,201	154,633
June	299,478	228,186	202,412	117,288
July	235,182	216,583	167,108	101,458
August	227,685	205,410	164,626	96,629
September	283,465	210,569	200,342	132,866
October	784,670	428,221	347,771	283,883
November	627,562	327,045	360,929	258,457
December	576,983	317,699	337,369	258,457
Total	\$4,767,054	\$3,329,782	\$2,918,324	\$2,239,076

NBC-REO

	1940	1939	*1938	*1937
January	\$4,966,393	\$3,211,161	\$2,634,763	\$2,374,633
February	3,296,600	2,975,258	2,507,123	2,733,973
March	3,333,440	3,297,992	2,736,494	2,521,322
April	3,128,685	2,879,571	2,458,487	2,304,058
May	3,216,940	2,886,517	2,627,721	2,261,344
June	2,919,405	2,759,917	2,550,040	2,299,304
July	3,141,902	2,713,798	2,777,065	2,018,820
August	3,072,338	2,737,926	2,368,161	2,094,306
September	3,132,000	2,750,688	2,597,333	2,367,513
October	3,642,195	3,444,139	2,785,739	2,220,800
November	3,853,135	3,462,870	2,691,101	1,988,866
December	3,786,901	3,400,083	2,652,735	2,335,046
Total	\$39,855,322	\$36,459,720	\$31,186,922	\$27,171,865

NBC-BLUE

	1940	1939	*1938	*1937
January	\$808,815	\$822,739	\$1,158,753	\$1,167,366
February	905,101	773,437	990,930	1,021,809
March	965,904	872,866	1,070,335	1,082,961
April	912,833	681,412	852,018	973,475
May	817,682	815,585	786,479	953,475
June	722,695	622,487	850,530	794,083
July	685,338	597,751	934,045	830,071
August	654,334	574,224	572,938	690,871
September	747,774	564,610	581,908	732,068
October	1,203,409	773,119	975,225	1,116,936
November	1,045,943	826,614	1,020,658	1,092,480
December	1,123,972	879,365	1,034,337	1,104,040
Total	\$10,707,678	\$8,762,638	\$10,275,755	\$11,479,194

*Different system for allocating billings to the red and blue networks prevailed these years.

Playing Pre-ASCAP Victor Herbert A CBS Threat That Paine Scorns

A CBS exec declared last week that Columbia intended to broadcast in the near future the scores of a number of Victor Herbert's operettas on the ground that these works were not covered by valid United States' copyrights. According to the exec, Herbert wrote and copyrighted the operettas in question while he was in France and the composer failed to take proper action to protect these works in America when he returned to this country.

Commenting on the CBSite's statement, John G. Paine, AAF's general manager, stated Friday (3) that the "whole thing sounded like a lot of silly hocus pocus" and as far as

the American law is concerned an American citizen, as affirmed by the famous Italian Book Co. case, is entitled to copyright protection in U. S. regardless of whatever other country has issued him a copyright of ASCAP.

ASCAP Sues WSAW

Buffalo, Jan. 5—Complaint charging infringement of copyrights of nine popular songs was filed by ASCAP in U. S. District Court here Tuesday (30) against Gordon Brown.

He operates station WSAW at Rochester.



MOLLY PICON

Still with Maxwell House Coffee—WMCA, New York. In preparation . . . a new musical for Broadway. Dir.: WILLIAM MORRIS AGENCY

Must Clear Music 48 Hrs. Ahead; 'Kate Hopkins' Went on Sans Score

CBS last week issued a ruling that all musical scores for dramatic programs must be cleared at least 48 hours in advance. Director of 'Kate Hopkins, Angel of Mercy,' was notified of the order only an hour before going on the air.

Network production man refused to relax the instructions, however, so the show was broadcast without music intro, background or bridges.

Which Recalls a Gag—

Group of radio producers, directors, announcers, conductors, etc., were socializing over a drink in New York the other night, and inevitably, the talk was about ASCAP. BMI. One goggler suggested that the whole dispute is a money-making plot of the New York County Medical Assn.

"About 80% of radio producers and directors have stomach ulcers," he explained. "Well, the doctors want to make more money off us, so they started this ASCAP mess so it'll be 100% with ulcers."

LANNY ROSS' SHOW AWAITS DEVELOPMENTS

Campbell's soup has decided to drop 'Charlie and Jessie,' its three-week comedy dramatic series over CBS, effective Jan. 20. Some other sponsor has taken the time.

Campbell is reported mulling the idea of moving the show to the 7:15 p.m. slot on CBS, now filled by Lanny Ross. It's felt the singer may have trouble continuing long without ASCAP music. No final decision has been reached.

LAWYERS' FROLIC

The Trek to Wisconsin Is on in Government Suit

Chicago, Jan. 5.

Legal lights and officials of the radio and music business began assembling in Chicago last week for a trek to Milwaukee right after the first of the year for the coming federal suit against the American Society of Composers, Authors & Publishers, Broadcast Music, Inc., National Broadcasting Co. and the Columbia Broadcasting System. All four organizations will be named in court proceedings and charged with violations of the Sherman antitrust act.

Milwaukee has been chosen as the base for the big music battle because that state has the best set of records on ASCAP copyright problems. These records have been established by the ASCAP attorney in Milwaukee, Robert M. Hess, who has a background of never having lost a legal argument for ASCAP in Wisconsin.

Charles Paul is composing the music and directing the orchestra for Colgate's "City Desk" program Thursday nights over CBS.

The Government Moving In?

Trade observers are beginning to wonder how far the Government may go in its regulation of the broadcasting as well as the performing rights business should it actually get a foot into the ASCAP-radio controversy. Pointed out in this regard is the possibility that the Federal authorities may use whatever success they may have in forcing ASCAP to yield to a per program arrangement to revising the terms of the network-station affiliate contract so that the networks will have no alternative but to charge for sustaining service on a per program basis.

Under the relations now prevailing the networks get their compensation for the sustaining service they render by deducting from the money due the stations an amount equal to four commercial hours per week. NBC used to charge its affiliates a flat monthly fee for the sustaining service. Either package deal omitted the affiliate from the wire obligations. These have always been absorbed, with some exceptions, by NBC and Columbia.

Glenn Miller, Kaye, Duchin, Hallett

Refuse to Sign Indemnification Warrant Protecting Networks

Prokter to Bow

Bernard Prokter has quit as sales service manager at CBS to become an account executive with the Bow

He's been with the network 11 years.

BITTER ABOUT WEMP SIGNING WITH ASCAP

Milwaukee, Jan. 5. Announcement by WEMP that it had bolted the ranks of Broadcast Music and aligned itself with the American Society of Composers, Authors and Publishers, precipitated hostilities among the local stations' operators.

The other two outlets, WTMJ and WISN, are militantly anti-ASCAP.

SPRING TRIAL LOOMS

Victor Waters in Milwaukee Arranging D. of J. Action

Milwaukee, Jan. 5. Attempting a short cut in its impending anti-ASCAP suit, WEMP, BMA, NBC, CBS, Victor O. Waters, special assistant to Attorney General Robert H. Jackson, has been in Milwaukee seeking permission of the Federal court here to file an information detailing charges upon which the prosecution will be based. This would obviate the previously proposed grand jury investigation and the need of calling witnesses to be heard by the jury, dismissing them and then recalling them for direct examination by instrumental parts.

If the information procedure is approved by the court in the ASCAP-BMI-NBC-CBS prosecution, it is not expected that the case will come to trial before spring because the court calendar already is well filled through January and February, and in addition U. S. Dist. Atty. B. J. Clegg has more than 80 cases to lay before the grand jury, which will take at least two weeks.

Advertising Agencies Setting Up Separate Lists on Music Okays

Harry Fox, agent and trustee for exclusively to BMI-controlled music, has been chosen as the material which is material called from the F. B. Marks catalog. Coca Cola has likewise gone on recording ASCAP tunes.

When ASCAP closed its offices Friday (3) it reported that it had issued licenses to 172 stations.

Weep for ASCAP

Lincoln, Neb., Jan. 5.

Passing of ASCAP from the files of KFAB-KFOR-KOIL was noted (31) with due ceremony. Crepe was hung on the library door, with these words:

"Died this day in childhood, ASCAP. Baby BMI doing nicely."

STYLE IS EVERYTHING TO ANNOUNCERS; TYPE CASTING SPREADS

SMALL MIRACLE

By ROBERT J. LANDRY

Among the accomplishments within American broadcasting that too seldom gets credit is the accomplishment of Mutual. Mutual, actually, is only a few persons forming a machine gun nest. For its size, its budget, its gross income (improving but still tiny compared to CBS or NBC) this small body of fighters stirs up lots of rumpus, harrases its more important competition constantly and sometimes successfully.

The small miracle of Mutual is an argument in favor of competition. Because Mutual cannot be complacent itself it does its part in keeping others from getting too much that way.

Mutual's small miracle produces an equality in newspaper comment. In Congressional minds, in the public's idea of radio leadership that economics alone does not support. Lacking money for many purposes Mutual has had to substitute ingenuity in special events, in programming, in operation. Because 50% of its shows originate outside New York and Chicago. Mutual is the only network organized to encourage a scattered local radio showmanship.

With some of the theories advanced by Mutual and by its counsel, Louis Caldwell, the older bigger networks are in strong, not to say violent, disagreement. It is fashionable to speak of Mutual as a gadfly, a goad, a monkeywrench-thrower, a sorehead. The point is that NBC and CBS never quite succeed in ignoring the "outsider."

The taut, quivering solar plexus of this small miracle, the perennial dynamo and thorn himself is named Fred Weber. Even his annoyed enemies doff to a fighter.

P.D.Q. ON FM

By J. R. Popple

Chief Engineer, WOR, New York

Certainly, 1940 will go down in radio history as the FM year. This was the year that Frequency Modulation broadcasting came out of the laboratory and into the range of the general public. Not many months ago, few persons outside of the technical world were familiar with this new wonder of radio; now the term "FM" is becoming an everyday part of the national vocabulary.

Where do we go from here in FM? Although 1941 looks like a big year for FM, I hesitate to use words like "boom." FM broadcasters and the manufacturers of FM receivers have a responsibility to the public—they must see to it that the growth of FM is controlled and regular without unjustified "booms" and speculative manipulation. They must base all their FM activities on careful and intelligent research and experimentation in the problems of programming and engineering.

By this time next year, I hope that FM broadcasters may have agreed upon a standard antenna system. At present we are conducting experiments at WOR's FM station seeking to determine the relative merits of the vertical and horizontal antenna systems.

FM broadcasters cannot rest on their technical laurels. To do so would be extremely harmful to the development of FM. Perhaps for a short while the public will be content to accept FM for its technical merits alone—FM is still a novelty. But very soon there will come a demand—a demand that must be met—for worthwhile FM programs. The program-makers have many questions to face during 1941. For instance, to what extent should religious programs be duplicated on the air? What type of programs are most suitable to FM in its early stages? Should FM stations concentrate on "serious" or popular music? What kind of program can be developed to meet the requirements of the original two hours of high fidelity programs daily which the FCC specifies all FM stations must transmit? What about educational and public service features on FM?

One of the questions I come across regularly is: "Do you think FM is going to replace the present system of broadcasting, and if so, when?" Speculations on the future relation of FM to the standard system of broadcasting are, at this date, rather academic. After all, you must remember that FM is still an infant, along a little bit-and-going-fant. If I had to give an answer now, I should say that as it looks to me at the present time, I don't think that FM will supplant the present method of broadcasting; it will only supplement it.

There is one aspect of FM broadcasting which I should like to emphasize very strongly. It is something which, I believe, all operators of standard-band stations who also have FM outlets should consider: This is it:

Frequent Modulation broadcasting is a development of major importance; it is important to build and promote FM.

But—it is important to keep your eye on the ball. In other words, you must remember that at the present time, our major job and our major responsibility to the public is the present system of broadcasting—for it is here that we have developed the greatest listening audience.

So while we at WOR have been keenly concerned with FM, and have played no small part in its growth, we have constantly kept in mind the fact that our principal task is to keep WOR, 710 kilocycles, on top. The WOR engineering department never forgets that its primary task is to keep that powerful transmitter of ours in first-class shape, sending out the best concentrated signal possible and keeping on the air without breaks.

PRECISE DICTION AND DINNER JACKETS VS. INFORMALITY AND C. A. B. POINTS

By BEN GRAUER

(Ben Grauer graduated from college in 1930, the year he started with NBC. But as a child he did considerable film and stage acting, notably as the original cinematic Georgia Lee in "Porror." As a Fox Lee alumnus he was an itybitizen colleague of Orson Welles, Theda Bara, Pauline Frederick, Madge Evans. He's now announcing Walter Winchell, Kay Kyser, the Black and Gold Concerts, and news every night over WEAF at 11 p. m.—Ed.)

When I entered radio in 1930, the announcer had just emerged from the cat's-whisker and earphone stage. In the earliest days he did everything and anything around the studios. He talked, he played piano accompaniments, he fit in with a little vocal program now and then. But as progress—and sponsors—came to the infant art, the announcer took on stature to fit his surroundings. He slipped into a tuxedo, put on shoes and swept out his throat for the great work ahead.

In those days dignity was the big thing. The important programs of the late '20s were all "concerts." Remember the "Piano Hour," the "Horne Stuart Show," the "Collier's Hour," and the "Bingo Hour"? The Cities Service program of today is a hearty return to the old "concert" idea. The man that went with them was as stiff as the dress shirt that hems the quaking heart. "Maybe you think I didn't quiver and quack when I announced my first evening program—the Black and Gold Concert, directed by Ludwig Laurier—and it was only a sustainer."

But soon a subtle change took place in the announcer's method. Clients found, in order to buck the competition of increasingly elaborate shows, that their voice salesmen had to command attention—the announcer had to "sell." The thundering, ballyhoo school of plugging was born. That's the way I found the announcing craft when I started at NBC 10 years ago. A dignified dress-shirted group, with some of the younger men beginning to develop the new "plugging" style.

Then radio discovered Broadway. Along came the Jack Benny formula of comedies and orchestra program—and the announcer was taken from his comparative obscurity as guardian of the sales talk and turned into a human being—well, anyway, a master of ceremonies and stooge.

DIALOG'S OKAY, BUT—

Down in the announcers' lounge we stopped talking about Italian vowel sounds and started talking about timing and double takes. The entire show was given a more informal touch.

Even the commercial plugs were changed around into minute sketches that were to the thinking ear the part of the show. For a while they even tried doing the plug away from the announcer entirely, but it didn't last out. The little husband and wife dialogues were good enough, but the plug needed a trained salesman to button it up and drive the message home. The informality, however, had come to stay—notching indicates the change more clearly than the fact that I don't wear a dinner jacket at any of my present broadcasts.

The announcer has come out of these transition years an important ingredient in the production scheme: He began by being just a unit of the studio equipment, like the control room and the microphone. Today he stands as a definite part of the program. There is a real need for him to know how much he can contribute to produce the sales message is in his hands. That alone makes him a pretty important guy. And beyond that, the humanizing process I spoke of before has enlarged his capabilities enormously. He even commands a following. In the right setting he is liable to add a couple of C. A. B. points to the show's total. Thus sponsors and agencies are exercising more care than ever in the selection of announcers. In fact, they often audition more announcers than they do other talent on the show.

Another factor worth noting in the announcers development is the shift of emphasis away from "voice" to "style." Time was when folks would say "Today he stands as a definite part of the program." Today he is a real star. He is a sales message in his hands. That alone makes him a pretty important guy. And beyond that, the humanizing process I spoke of before has enlarged his capabilities enormously. He even commands a following. In the right setting he is liable to add a couple of C. A. B. points to the show's total. Thus sponsors and agencies are exercising more care than ever in the selection of announcers. In fact, they often audition more announcers than they do other talent on the show.

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FOLKSY, NOT WHEELING

And speaking of style, this past year has brought to the fore the school of "folk" announcers, who have become more popular in 1941. That's the friendly, simple and casual voice—folksy, yet not wheeling. When this announcer talks about crispy, crunchy foods, he practically smacks his lips and makes his listeners' mouths water. He avoids sounding portentous or declamatory, and talks as casually as if he were sitting across the table from you. This "ad-lib" quality takes the curse of the commercial and makes it more listenable. It also gives it sex-appeal, something the old thundering delivery never had. Listen to one of the soap-operas any day. Some of my brethren most expert in the "look here girls" school, perch right on the top of the refrigerator and talk to Mrs. Housewife's suds-stained hands in theirs, while they have a good heart-to-heart talk. Apart from these

HOLLYWOOD

By JACK HELLMAN

(Who Wrote the Same Story Last Year)

Hollywood, Jan. 1.

Stop us if you've read this script before.

Hold on in Dialog.)

"Hollywood" programs are better produced than those in the east." The dey!

We take you now to a booth in the Brown Derby restaurant. Don't talk with your knife or you'll stab an advertising agency producer, a program director, a gag writer or a star in his B. V. D.'s. It's a radio program bull session. Emphasize the adjective.

"Hollywood is the best."

Not a dissent in a booth full. It's a western crowd, a swimming-pool-in-the-backyard, a golbing, brown-as-wrapping-paper crowd. The crowd thinks each other, admires each other, and never says an unkind word except privately.

The waiter speaks up. He says, "How do you figure?"

The theory runs something like this: New York agencies hire only college grads. After a brief apprenticeship in advertising they gravitate toward radio. It's the glamour end of the biz. Joe College gets a stopwatch for Christmas and calls a rehearsal. In no time at all he's a producer. When he's ripe for the big time they ship him west. Here he hears about show business. After a year or two among the showmen it's time to get up to better job than he did back east.

The waiter has been reading the 1937 bound volume of *Vanity Fair*. He asks "How about the Hollywood distractions?" The booth says "ouf!"

There are sloppy shows' and ingenues on both seaboards. They dress better at Radio City, but what has that got to do with production, the sweatshirts want to know.

Producer with a particularly tough show on his hands put in with a group about impossible people he has to work with, and the Cutty Sark boys were off on another tangent. After considerable bag-punching it was agreed that any producer who wanted to go to Hollywood had to call on Ed Gardner who was not to be reached immediately. Other nominees were Edward G. Robinson's "Big Town," William Northrop Robson's now defunct Woodbury Playhouse and one or two more on the Coast lineup.

The sweetheart is Bing Crosby's Kraft Music Hall. It's the one show film stars don't quibble over price for guest shots. Errol Flynn once remarked after a broadcast, "Say, this has been fun. It's a shame to take dough for it. When am I on next?" Others feel the same way about it. Bing pretty much runs the show in his own carefree way and never gets tough.

excessive symptoms, however, there is a general de-emphasis of hard selling afoot which has agency men reversing themselves and asking the announcer to "take it easy—don't punch it."

PROPHETIC

Now, what's ahead for the announcer in the new decade? First I see increased specialization. The jack-of-all-trades in the talking game is on the way out. The earliest announcers were the staff men, employed by the broadcasting companies. Everything was supposed to be grist to their mill—in fact, it was one of the requirements of the job that the staff man be equipped to handle whatever the day's schedule threw at his stick. He was trained to jump from one character to another in a popular show, then to go to the public in an atmospheric narration job with a muted string background. The inevitable and dismal result of thus spreading talent thin is clearly apparent in the program listings today: the staff man is being shuffled back while a more skilled specialist is called in—an army of free-lance announcers and experts is getting the nod. This is a little aside from my point that the announcer must specialize today, but it poses a problem that the networks will some day have to face.

So there will be a variety of specializations under the general head of "announcer." There's the straight commercial man; there's the soap-opera specialist; there's the holding-ground for the free-lancer; the M. C.-quaimaster—a rapidly growing group; the sports man and the newscaster or commentator-in-training, and the special events or "ad-lib" feature man.

The next decade, I think, will make these groups more rigidly exclusive. There's a certain amount of overlapping now—many of the men today are active in several of these fields. The pressure is on, however, and the competition is too keen; as the talent-buyers from the agencies continue to scour the market, the tendency to "type-casting" will be increased.

ANNOUNCERS' FUTURE

This process forces on the announcer today some sort of long-range decision. He would do well to cast up an honest estimate of himself, and decide which field he wants to specialize in—by his own classification—he is headed for. Not that the choice is an immediate one—not irrevocable. Broadcasting is a highly dynamic business, and new opportunities are constantly unfolding. Thus just past year has seen several open up. For instance, the world situation has made it obvious that newscasting will get more and more attention—and this is a field in which announcers are particularly adept. The news broadcast is one of the most popular radio items today, and will be even more prominent in 1941 as the war tempo increases. Furthermore, with the growing bond between America and Britain, there has been an increased interest in British goodwill broadcasts, and the knowledge of Spanish and French may find this very much to his advantage. Television, a generally nebulous field today, may suddenly crystallize, and offer many new avenues to the speaking fraternity—although I feel that it will rather parallel the development of the movies, and find the announcer useful only as an off-screen voice to describe sports and special events—as in the newscast, today.

In sum then—1941 opens a new and promising vista to the announcer. He spent one decade growing up. He struggled through the next finding himself, breaking his bonds, and acquiring new skills. Now he faces an expanded horizon, filled with doubt and promise. Little Man—Wahoo!

SPOKEN ADVERTISING

IT was a little after 11 in the evening.

The large audience, which had just witnessed an Eddie Cantor preview, was slowly ooze out of studio 8-H at NBC, while Cantor's gag men were hurrying out of the control room for a night of rewrite.

Over in the corner, as the commercial writer was changing a few lines in his handwork, the engineer turned his flat knob, leaned back in his chair and said:

"Those were pretty good commercials tonight."

"Thanks," the commercial writer replied. "They'll play better Wednesday, when we smooth out the lines in the lead-in."

"You know," the engineer confided, "sometimes I think I'd like to write commercials. I like to write, you know."

"What do you need?"

"Well—you don't need a special dispensation from Heaven to be able to write commercials."

"Oh, I'd say—sincerity—a thorough knowledge of the product; you're writing about—a knowledge of human nature—a desire to sell—the ability to write simply, and clearly, and conversational—all through a personal talk to another person, son and son, standing on a soap box, making a speech—let's see now—and, of course, an intelligent knowledge of advertising and research and—"

"Oh, now, wait a minute—after all, how can one man know all those things?"

"Well, after all, commercial writing isn't a one-man job. It's a man writing a commercial, yes—but his whole advertising agency and the client contribute their experience and judgment and guidance to his work. You know what happens before a commercial ever gets on the air? The agency and the client first agree on a selling strategy—and then I sit down and write a few sample commercials. Then I check them with the Copy Department.

A Separate Department

"Well, aren't you in the Copy Department?"

"No—in the Radio Commercial Department. At Young & Rubicam, we have two separate groups—the Copy Department, which writes only publication copy—and our group—which writes only radio copy. We've been writing for radio and writing for the ear for two very different things; we have specialists in each. Well, after both departments agree on the most effective presentation of our sales story—we start working with the Production Department to find the best way to fit that sales message into the show."

"haven't you some formula you can tell that would make that an easy job?"

"No—because every product presents a different problem—just as every show does. In the first place, we pick our stars to fit our products and air programs to fit both. So the commercial writer has a series of meetings with the star—to learn how he thinks and how he talks—because we're so realistic, how much it helps to have the star in the commercials—if we can't write like he talks—if we can't give him the same character his writers do—we make him just another straight man, and lose a lot of the selling value he represents. Then, we study the show format and find out the best place to weave in the commercials. Ideally, unless you have music, sound effects or other devices to attract attention and draw them in, commercials are more effective if preceded by enough entertainment to set a receptive selling mood—and followed by enough entertainment to make it worth your audience's while to stay with you."

"Look—tell me something—that just a personal opinion—or is it something that..."

Finding Out

"No—it's just one of the things we've found out after a lot of research. About six or seven years ago, Young & Rubicam started seriously to do something about improving commercials. George Gallop began to what people liked and didn't like in radio commercials—what they sometimes bought, what they didn't—what would make them buy, and what left them cold. At the same time, they got a few people from the theatre—people who knew dialogue, characterization, showmanship—and taught them ad-



JOSEPH A. MORAN
Young & Rubicam

vertising. Then they married the two—and the things I know now grew out of that blending of research and showmanship—backed, of course, by the mature advertising judgment of the agency."

"Do you remember what the first thing you found out was?"

"Um hum—that commercials should be simple, and should highlight or dramatize a product or product, with only such other points included as are directly related to the one featured. That sounds obvious now—but commercials then were pretty much like the ads—they told a complete story—with everything included but a picture of the factory and the announcer's social security number. You know yourself how easy it is to remember one or two things each time that it is to remember eight or 10 things every time."

"Sure, especially if they're gagged up."

Gagged Commercials

"Well—yes—although I'd rather see it dressed up than gagged up, if the nature of the product permits it—gags are swell—so long as the laugh is never at the product. It should be with it—for that leaves the product man—his hands—and off to the client's. His group goes over it just as carefully. And, in the case of many food products—that group often includes a kitchen-test panel. And you know that when it comes up here, it goes through your continuity acceptance department."

"Doesn't all that checking get in your hair?"

"No—as a matter of fact—it's good for us and good for the listeners. Because it makes for truthfulness and accuracy. So much so, that less than 2% of current radio advertising has been brought to the attention of the Federal Trade Commission. Of course, it often accounts for many of those over-long or over-phrased sentences, repetitious and full explanations that sometimes sound redundant. But it keeps the listeners from misunderstanding

better selling job—because they don't break the mood your program sets out to create—but they also make the show better, because, since they don't interrupt—they don't penalize the entertainment that follows."

"Say—do you mind if I ask you a personal question?"

"No indeed—if you don't mind my not answering it if it's too personal."

"Well, why do you come down to these preview and dress rehearsals every week?"

Eye Versus Ear

"Oh, that's not personal—that's professional, because a writer can make the commercials better after he's heard them—and heard them in relation to the rest of the show. You can smooth out phrases—tie the commercials in better with the show's going—strengthen your sales point that looked a bit right on paper, but didn't sound as effective when you heard it. That's another thing we believe in at Y&R—having the commercial writer follow through. After he's written his sales message, and it's been checked and re-checked, right down to the last unseen semicolon (remind me to tell you about that in a minute, will you?), he calls the commercial with the help of course of the production man. Because he wrote it—he knows the kind of people he wants to play it. And, in many instances—he directs the commercial, too—since he knows exactly how it should be played. Then he hands it over to the production man—and it becomes part of the show."

"I'm reminding you—what did you mean by..."

"...Checking?"

"Um hum."

"Well, I think even you would be surprised at the care and supervision a commercial gets before the listener gets it. After it's been written—it goes to a supervisor and then to the head of our commercial department. Then through the contact man's hands—our lawyers—and off to the client's. His group goes over it just as carefully. And, in the case of many food products—that group often includes a kitchen-test panel. And you know that when it comes up here, it goes through your continuity acceptance department."

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the exact functions of a product—it's good, even when it sounds bad."

"Could I ask a favor of you?"

"If it isn't more than \$2, sure."

"No, I mean, could I stop you shop some day and pick up a few commercials you've already used—you know—to sort of study?"

The Announcer

"Of course you can—but they wouldn't tell the whole story. For while what you say is very important, the way it's said—the type of announcer and his delivery are pretty important, too. What preceded it on the show, and what follows it also have a lot to do with its effectiveness."

"Gee—is this funny?"

"Well, I've sat here at this board for five years—and I've probably listened through more commercials than anyone in your radio audience.

"Oh; I know if it weren't for commercials, the listeners wouldn't have shows, and I wouldn't have a job. But I hadn't the slightest idea you fellows spent so much time and money on them. I'm just beginning to realize all there is to know about radio commercials."

"I wish we knew all there was to know about them. No one is satisfied with them; they've reached a peak of perfection, and we're satisfied that progress is being made. Because behind us we have years of experience—years of research and guided experiment—years of coordinated advertising judgment—and successful sales records."

"But the commercial is still pretty much in its childhood. We're doing our best to see that the little fellow has happy adolescence and a more productive maturity. We know he's a difficult child at times, but he has shown a lot of promise. He just needs understanding—that's all."

Catchphrases—A Radio Art

By I. J. WAGNER
Schwimmer & Scott Agency

Chicago, Jan. 5

It's a tense moment at a "tassling" match. The two behemoths of beef, bold exponents of the manly art of self-offense, are straining and sweating through their routine of grunts, groans and grimace, when suddenly the inevitable voice from the gallery calls out, "Mommy, I Want a Salmon Butter Cookie." I Want a Cow really roars in recognition of all things, a radio spot announcement!

Same thing, with the same announcement, happened at a recent college football game. And in a theatre, here in Chicago, an acting a burlesque of opera, sings out, coloratura-like, "Oh, Mortimer, Don't Forget—To See Silvers" has become a real part of the public's idiom.

Free advertising, inspired by the familiarity of those spot announcements! Of course, in line with the old saw about familiarity breeding contempt or other, the radio stations receive such virile and violent squawks as, "Fer gosh sakes, give the dambrat her cookie and getter on there!" And you can't stay away 'til he signs on the dotted line as in a personal salesman talk. You can divert him with color or illustrations as in a printed magazine or newspaper advertisement. So, you've got not only to make an impression, but to make it stick. Then, too, it's an old story in radio that many listeners remember that program but not the sponsor. So, you've got to get definite sponsor identification.

Pretty much like the cub copywriter on space, the cub commercial writer in radio generally strives for only one thing—cleverness. But often he gets so clever that either he takes up his whole plug to crawl out of or elaborate on his lead, or he impresses with his cleverness but leaves no impression for his sponsor product. The "sheep-coating" of commercials, a process with varied approaches and techniques. Appropriate tie-ins with the product and the program are effective. Introducing Walgreen's Ripple Ice cream on a musical program, we used a "ripple" sound effect as an opening and background with our introductory commercials, and leads the sales of the cookies and the coffee keep climbing sharply, higher than the limits of the sales manager's graphs.

Something in the same way,

the addition of a line, "Don't say Fox Deeee-lux," to straight commercials brought about an important and steady addition in sales for a brewer, making that particular brand of beer the fastest selling in town.

Must Have That Swing

It isn't just the mere repetition of catch-lines that does it. Where these products have sold sensationally through their spot-announcement campaigns, others have failed by the well-known wayside with equal or greater schedules. The announcement doesn't have that touch. Because it's tough and repeat with spot announcements. They're on and off so fast, they must register potently or they won't click at all. These spots have a tougher job in building sponsor identification than commercials in full programs. They don't have the build-up or the lead that full commercials get. That's why they need sock to put them across. It's amazing to see how they take hold when they have got that swing."

What is the magic touch in spot announcements? The human touch, mostly. The startling touch sometimes. The dramatic. Yes, sometimes even the irritating. Above all, spot announcements must be something they'll remember and repeat, sure, but get in the hair of some listeners. But most of the top performers and programs get in the hair of some listeners.

Like just plain slogans, spot announcement ideas seem a cinch to evolve. But, with all the products on the market, even those extensively advertised, there are really few slogans that you actually remember and associate with its particular product. And a spot announcement is more than just slogan.

A small thing, a spot announcement—in words and in radio time.

The Curse

Now, on to bigger things—the production commercials. A commercial is born with two strikes against it. It's too bad that the ten-second commercial has been used exhaustively those in radio as to make it the standard word for announcements.

The very word marks it as something to be listened to under duress. You're cutting in on the listener's entertainment time with a selling talk. The Thomas J. Welsh Coffeefest, the "I Want a Silver" has become a real part of the public's idiom.

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Miles of Hot Dogs

The National Tea Co. wanted to put over the story of the tremendous popularity of its special brand of frankfurters. We presented it in the form of a commercial, not detailing the pounds of frankfurters or the volume sold in a week, but at 17 miles of frankfurters. A chain of frankfurters extending from the north city limits to deep into the south side. The commercial struck home with the listeners.

In a series of commercials featuring a punch-card plan offering Roller Skates, we dug up the official world's record for a mile on roller skates—two minutes, 39 and seventeen seconds. And we found that the kids were trying to see how close they could come to this record. Naturally, they had to have the championship skates our commercials featured.

Louisville. — Lou Reker, for several years salesman on the WAVE staff, has resigned to enter agency business with a partner, Will establish offices in Louisville.



RALPH EDWARDS

The youthful, truthful, consequence man whose new show "Truth or Consequences" has hit the top line for audience participation programs is getting to be busy with theatre engagements.

In Detroit for Christmas Week, he has St. Louis and Los Angeles coming up fast.

Edwards also emcees the Horn & Hardart Children's Hour on Sun-

days at 10:30 a.m. on NBC Red.

Television Becomes Colorful

By Adrian Murphy
Executive Director Television
COLUMBIA BROADCASTING SYSTEM

About three months ago, a group of gentlemen were huddled together in front of two large wooden radio sets in the small laboratory room on the fifth floor of the Columbia Broadcasting System building in New York. The one on the left had a screen on its front, as did the one on the right, but there the similarity ended. For the one on the right had a small superstructure over it, no more than three inches high, but high enough to make it tower over its rival, with rather symbolic superiority.

A hand reached up and pulled on the electric light cord, and the laboratory was plunged into darkness. Blowing a tiny candle against the wall, the soft, precisely accented English of man's voice gave instructions to begin and upon the screens of both sets appeared the same title: "Color Television!"

Drab Vs. Vivid

But the titles might as well have been in different languages, the screen on the left might have shown Sanskrit writing or Babylonian hieroglyphics from that point on. For on the screen at the right, following an exciting succession were a series of pictures of luminous flowers of luminous girls with gilding sautoirs of striking fashions—all the rich true colors first given them by nature, and returned to them once again, in their brilliant and vivid shades, by color television.

For the television set on the right was showing a method of color television devised by Dr. Peter C. Goldmark, Chief Television Engineer of the Columbia Broadcasting System, revealing it to James Lawrence Fly, chairman of the Federal Communications Commission, Paul W. Kesten, CBS vice-president, and Goldmark, who was the deft manipulator of the whole attraction.

From the moment the light went out in the room the attention of these three men divided between the two sets at first, then became concentrated on the color television set. The dull grey of the black and white pictures on the left, being shown simultaneously with the color films, seemed almost to characterize its sudden antiquity, its rather outmoded usefulness, next to the young, arrogant reds, deep blues and yellows of the color films.

"It Works!"

Truthfully, here was a revolution done so quietly that it was not until much later that the full effect of Goldmark's invention became evident. In a quiet demonstration man who had modded their hands in somewhat bewildered agreement as to the method's faithfulness in transmitting color, and its clarification of minor detail, after leaving a showing of this newest and most advanced of man's arts, would suddenly clap one another on the back, rock with appreciative laughter, and roar: "Most amazing thing you seen in years!" By God, it worked!

And, indeed, it DOES work.

The truly significant result of that showing, regardless of whether it is done by color postcards, lantern slides, mirrors, or what have you, lies in the simple fact that color was transmitted over the air, and over wires. That which has been talked about, like some minor-league millionaire, is suddenly here, and that's cause for rejoicing.

The methods that the assiduous Goldmark devised, by which he sent color pictures, seem, on explanation to the layman, highly technical, yet basically, unbelievably simple; almost obvious.

Take first the old approach to the question.

The Approach

Television engineers interested in the problem of color television have gone ahead on the basis that three separate picture tubes, each carrying one of the primary colors. These would be combined in the receiver to produce the necessary integration of color.

To send a standard size television picture in three colors through the ether the engineers assumed would take exactly three times as much space on the television band. Since the FCC had limited the television wave band to 12½ megacycles, the problem of compressing the full color within this wave without greatly reducing the number of lines

seemed, for the present, insurmountable.

Confronted with this fact, Goldmark, instead of asking How much can be compressed into how little? asked a totally different question: How long does the eye remember?

Approaching it from this standpoint, Goldmark asked: Do we need three simultaneous pictures, each in a separate color, to take the place of each black and white picture? Or can we have a succession of three pictures, each in a different color, but each following the other so swiftly that the eye blends all three into a single full-color image?

The answer to this lay in a "failing" of the human eye. That is, the eye, like the brain, remembers what it has just seen, so that a series of still pictures, passed quickly before the eye, causes a semblance of fluid movement. From this "weakness" of course, came the moving picture.

Goldmark followed this known fact by planning of color television, basing the apparent simultaneity of full color on the ability of the eye to remember what it has just seen. It sees a new picture.

The actual steps are as follows:

I. A color motion picture is run through a CBS disc scanner. Goldmark's invention of two years ago.

Between the film and a television pickup tube there is a rotating disc containing red, green, and blue filters in that order. When the red filter is in front of the tube only those parts of the picture which contain red pass through the register in the television pickup tube. This "red" part of the picture is then telecast, electronically, just as any other standard picture would be.

When the green filter is in front of the tube only those parts of the picture which contain green (and this includes yellow) register in the tube and are transmitted. Similarly with the blue filter.

2. The three filters (red, green and blue) are balanced to give the effect of pure white when the picture is white.

3. Synchronized with the disc in front of the pickup tube is a similar disc in front of the receiver tube which holds for the green and blue. So, when the "red" part of the picture reaches the receiver, it

passes through the r' filter, and is seen by the human eye.

4. The viewing of which differs somewhat from that used in most black and white systems. The picture is completely scanned every 60th of a second instead of every 30th of a second (as in black and white). However, at the end of the first sixtieth of a second only two colors have been transmitted. The third color requires an additional one 20th of a second, bringing the total to one-fourtieth of a second, for a single picture in full color.

5. When there is no color disc in front of the receiver tube the picture appears as a black and white image.

The Cost

For the public this addition to television entertainment—full-color pictures of all sports and drama and news—can be estimated in encouraging terms. Goldmark has estimated that it will cost \$100 extra to equip a standard (\$300) television receiving set with this attachment, and even this figure may be cut with mass-production methods; a small figure for such improvement in entertainment.

All this, of course, is in the future. The transmission of color films has been accomplished, but the next and greater steps, as I have said, are ahead.

CBS color television is now in the fourth of five stages of laboratory development. The first was application of the optical and electronic formula to the practical problem; the second involved joining of a standard black-and-white television receiver with a nine-inch tube to receive color, and fourth, an actual test of the color system on air.

The fifth step is the solution of the problem of "live" color pick-ups and it can now be reported that the major solutions have already been found. It is hoped that soon after January 1st live pick-ups will have been successfully demonstrated.

It should be pointed out that the industrial development of the entire CBS color system must begin where the present laboratory development ends. Columbia is not a manufacturer of television transmitting or receiving equipment and expects to entrust the production of

commercial equipment to manufacturers.

But the important point of the whole article is that color television is a fact. So we are on our way.

FAREWELL TO BLONDES?

Or the Change in Station Relations

By BEN BODEC

It's hard to tell which proved the more important factor—the trend to get away from a single, rigid physiological system, or the change in technique and situations which occur when an industry moves into the big-time—but the job of station-relating ain't what she used to be. The grind is as tough ever, but it's a different type of grind. Whereas most of the wear and tear used to derive from the heavy show-bending and constant traveling, the practitioners of this phase of network operations now get the kinks from heavy show-kneading over constantly new problems and from wrestling with a thousand and one pressing details.

Sill and Brandt

The evolution of the genus station-relatiioner has been attended by some colorful mutations, but of the more recent ones nothing so sharply illustrates the trend away from the playboy atmosphere as the functions assigned to Jerry Sill at NBC. In the days gone by the chief assets of the relationers were a beguiling personality, girl friends and a talent for stories. The new trend, as illustrated by Sill and Brandt, also emphasizes the element of exchange, but in this case it's ideas on production, merchandising and whatever else may make the commercial wheels roll more smoothly between the network and the affiliate.

In the past the beguiling person-

ality as his commission the matter of coaxing and persuading all network commercials offered to him if it meant the chucking of juicy spot and local commitments. The spread of standard station compensation and network time-allocation contracts and the development of the delayed broadcast has pretty well eliminated this necessity for favor-seeking. Today it's up to them to get affiliated around to the point where they devote more of their schedules to public service programs fed them by the networks.

The headache hereby has been shifted from the "billings-stacking" to the Washington-record plane, and the solution seems to require far more finesse than when the jive is accompanied by the tinkling of the cash register.

Strange Twist

In the course of time other significant changes have helped deepen, though not enliven, the business of station-relating. In place of the little black book some of the boys, on meeting an affiliate, are given to pulling out correlated data on promotional and program ideas recently picked up on station visits around the country. Undoubtedly such approaches have struck so few of the stations as to be of little value, though mighty odd. For these young fellows to turn serious on their talk has been something not easy to assimilate. Speaking for the old, old liners. But the thing that has rocked the latter element hardest is the talk

Named for Landlord

Boston, Jan. 5

Jack Beauvais, WEEL sales promotion man, recently purchased home in Lexington.

Noted that his neighbors had named their residences "The Acres" and "The Pines" so he designated his as "The Bank."

FCC Engineering Credo Is in Printed Form First Time in 13 Years

Washington, Jan. 5

For the first time in 13 years the Federal Government has been riding herd on radio transmitters, licensees can get printed copies of the Federal Communications Commission's engineering standards. Code book lays down the yardstick for good practice by plants operating from 550 to 1,600 kw, which became effective Aug. 1, 1939.

Lates revision, on July 20, 1940, is embodied in the edition, which is available gratis only to ticket-holders.

WEI UP 75%

Indie New Haven Outlets Tops 1939—Now With Mutual

New Haven, Jan. 5

WEI's commercial take for 1940 was 75% better than previous year, according to manager James T. Milne. After five years as New Haven's only indie exhibitor, station lined up with John Shepard's Yankee and Columbia with Mutual hookups.

Last week FCC granted WEI permission to double juice to 1,000 watts days and 500 nights.

WJSV Bows to WINX

Washington, Jan. 5

Latest in court to a newcomer, WJSV, was recently displayed by WJSV, Columbia's 50-kilowatt, to WINX, Washington's first local station, which made its debut a couple of weeks ago.

A recording of WINX's first moments on the air was made by WJSV engineers, who played it back with a musical salute, to the 25-watt at 3:15 same day. The record later was presented to Reggie Martin, WINX's gee-em.

Commercial Equipment to Manufacturers

But the important point of the whole article is that color television is a fact. So we are on our way.

MCA IN COURT CHARGED WITH LIFT

Suit of James Lyons against the Music Corp. of America was placed on the N. Y. supreme court injury reserve calendar for trial on Jan. 10, 1941, by Justice Edward R. Koch, Friday (3). Action seeks damages of \$13,000 for alleged plagiarism of plaintiff's idea for a radio program.

Lyons claims he originated an idea for the creation of a radio of a music court, with owners paid from the audience and paid \$3 for services, plus extras for best decisions. The idea was submitted to the defendant, complaint alleges, who promised adequate compensation if it were used. It is claimed that it was used by an orchestra (not named in the complaint) for 13 weeks, from April 7, 1937, to March 1940, over WABC on a Sunday hookup. Plaintiff sued for \$1000 for each week the idea was used. A similar action was filed last week against Ben Bernie, who apparently was the orchestra leader involved.

DON LEE, KHJ, MOVE PLANT TO HOLLYWOOD

Hollywood, Jan. 5

Final step in hegira of major networks from downtown Los Angeles to Hollywood was effected on Wednesday when Don Lee, headquarter, along with those of its key station, KHJ, were moved from the original site to the new \$500,000 offices and plant at the former NBC quarters on Melrose avenue. First KHJ broadcasts from the new plant were out yesterday.

Coincidental with the shift in quarters, employees of the Lee net and KHJ station were handed bonus checks amounting to approximately one week's salary each.

RETURN OF THE SHERIFF

But It's Only a Foreclosure on Colonial Time

New Haven, Jan. 5

"First Offender," juve crime series produced by Sheriff J. Edward Slavin, premies fifth season Saturday (4) with new night slot on WICG and the Colonial Net. Program carried on Mutual Saturday's am last season but listener kicks about early time brought switch to night spot.

James M. Weldon writes script of "First Offender" as well as "Down the Years," WICC drama comparing events of yesterday and today.

Friday Magazine's Blurs

Friday magazine has gone in for a campaign of one-minute announcements. They're transcribed.

H. C. Morris is the agency.

Fort Houston Broadcasts

San Antonio, Jan. 5

A series of radio programs depicting the training of new army recruits now serving at Fort Sam Houston under the Selective Service Act will debut over WOAI Saturday, Dec. 28, at 7 p.m. Broadcasts will be carried on Mutual Saturday's am last season but listener kicks about early time brought switch to night spot.

Titled "Army Life" the series will be formally opened with an introduction by Lt. Col. Royden Williamson, 8th Corps Public Relations Officer. Eight pieces will take part in the program of the series.

Broadcasts will be handled by Hoyt Andra and will be fed to the Texas Quality Network composed of WFAA, Dallas, WBAP, Fort Worth and KPRC, Houston.

Tony Grise's KSTP Sponsor

Minneapolis, Jan. 5

Tony Grise, vocalist with Dick Long's Crisit hotel orchestra for several years, has added to the KSTP team, and started his first sponsored show Monday (30).

Program is under the banner of the C. Thomas Stores, local chain grocery, and will be aired at 8:30 a.m., Mondays through Fridays.

Radio Cliche Expert Takes Stand

(With a floor-scraping cutesy to Frank Sullivan, and the New Yorker)

By DICK PACK and LESTER GOTTLIEB
(WOR) (MUTUAL)

Q.—Mr. Spelvin, I understand that you are an authority on the radio cliché or the broadcasting bromide.

A.—That's right. My motto is 'Get it right. Get it true.'

Q.—What are your qualifications?

A.—Well, I've been around; I know the ropes. I wasn't born yesterday...

Q.—Very well; then, let's get down to cases. Suppose you were announcing a late dance band remote. How would you open the program?

A.—From the beautiful Goldberg Tavern on Route 43, just a half hour's ride from midtown Manhattan, we bring you, we present Joe Glotz...

Q.—Just Joe Glotz?

A.—Of course not. Presenting Joe Glotz... his violin... and his orchestra! Or sometimes I vary it and say, Presenting Joe Glotz and his orchestra. Remember! At Goldberg's Grotto you can dine and dance amidst pleasant surroundings. Never a cover charge. Never a minimum. And a spectacular Johnny Burp floor show is presented twice nightly.

Q.—Are there only two standard openings?

A.—Oh, sometimes I open this way. The lilting strains of 'Mad Moonlight' introduce another scintillating half-hour of dance-music by genial Joe Glotz. Or, if you want a sock opening how about The Dance Parade Carries On!!! Your host, Sacha Goldberg presents Joe Glotz and his orchestra. Remember! At Goldberg's Grotto you can dine and dance amidst pleasant surroundings. Never a cover charge. Never a minimum. And a spectacular Johnny Burp floor show is presented twice nightly.

Q.—What happens after the first number?

A.—Into the spotlight steps out petite, lovely, little, pert, charming... .

Q.—Is that all?

A.—Vivacious, demure, eyeful, vocal heartthrob, your favorite and mine, Dorothy Hobe, singing an old favorite... brand new hit... that current ballad...

Q.—And then what?

A.—We hear a number by one of the boys... the band. Or the tempo changes...

Q.—But suppose it's a swing band?

A.—That's easy. The boys beat it out... They're in the groove... Yeah man... listen to the rug-cutters... out of this world... jive... hep... cats... solid senders... just yeah!

Q.—Do you know who's talking about?

A.—I could tell you, but I'm afraid I'd have to jail him.

Q.—Have you ever handled a quiz show?

A.—Who hasn't? First thing you ask right off is... what's your occupation, sir?... Remember, the most important thing when employed as a quizmaster is to always repeat the words of the contestant. If he says he's a plumber, then you reply: oh, a plumber. How interesting. Then you say: Do you understand how our little game is played?

Q.—Is there any introduction?

A.—This program is completely unrehearsed and the decision of our judges are final. All questions submitted become the property of...

Q.—Tell me more.

A.—Gladly. When you ask the contestant where he is from, and he answers invariably, "New York," you say... Ah, I see we have a lot of Brooklynites with us. This is always good for a solid, spontaneous round of applause from the studio audience.

Q.—Now give me a special events quickie.

A.—Good afternoon... good morning... good evening... ladies and gentlemen... we are speaking to you from...

Q.—Where?

A.—Anywhere... subway excavation... banquet... sidewalk... circus... airport...

Q.—What about serious talk?

A.—That's easy. You just say... ladies and gentlemen, at this time we present... or we take pleasure in introducing...

Q.—Also?

A.—The opinions expressed on this program do not necessarily reflect those of the management of this station or the network or the sponsor or the...

Q.—Suppose it is a series of talks?

A.—Mr. Soando... I'll return to you next week at this time over most of these stations.

Q.—And spot news?

A.—Flash... just off the wire... we interrupt this program... to bring you... from a usually reliable source... sources close to diplomatic circles... unimpeachable sources... a White House spokesman.

Q.—Do you doubt you've handled a comment like that now and then?

A.—Well, I tell you, that option was not taken up. However, my agent assures me that we have quite a few nibbles.

Q.—Then this is a perfect time to warm up.

A.—LADIES who you tried... try it now... today... tomorrow... tonight... see your druggist... neighborhood dealer... buy it... try it... and here's a word from my sponsor... you too will say... mothers do your children... do you have trouble with... that's why... it's good for you... you know, friends...

Q.—How about the product itself?

A.—The product is crunchy... chock full of... bursting with... energy giving... delightful... wholesomeness... surprisingly nutritious... rich in... vitamins... appetizing... energizing... stimulating... more power... less... fat... sparkling... gleaming white... you too can have... luscious... flavor rich... tangy goodness... vitaminized...

Q.—Is that all?

A.—Oh, I could really write a book...

Q.—Thank you, Mr. Spelvin. Ladies and gentlemen, you have just heard Mr. George Spelvin, who spoke to you from the studios of... Copies of Mr. Spelvin's talk may be secured by writing to the station to which you are listening... good night!

Erik Barnouw Writing Program for Spaniards Stranded in France

Helen Keller is honorary chairman of the American Rescue Ship Mission, which will use radio programs to further its campaign to rescue 150,000 Spaniards now in French concentration camps and transport them to Mexico. Erik Barnouw is handling continuity for first broadcast, probably on Mutual. Al Joseph of Mutual and Louis Oster of the organization working out details.

Literary figures collaborating include Louis Bromfield, Sherwood Anderson, Arch Oboler, Julian Hershman, John LaTouche and Albert N. Williams.

LOSES SUIT CHARGING TRANSRADIO LIBEL

Suit of Suzanne Stevenson, known at Suzanne Silvercruys, against Transradio Press Service, Inc., Bamberg Broadcasting Service, Inc., and Arthur Hale for \$100,000 alleged libel in a broadcast over WOR, was dismissed Friday (3) by Justice Edward R. Koch in the N.Y. supreme court. The court ruled that the supposed libelous broadcast had not referred to the plaintiff.

On Nov. 21, 1939, in the program called "Confidentially Yours," it told the story of a woman spy in World War No. 1. Plaintiff charged that the person described was meant to represent her, and sued.

How NBC Services Newspapers

By WILLIAM KOSTKA

Manager, Press Department,
National Broadcasting Company

Some 12 years ago—less than two years after NBC was organized—the Saturday night editor of a press association phoned the network's offices and asked for the text of a prominent speaker who was being aired that night.

"Sorry, we don't have a text," he was told.

The speech was important. It probably would crack the front page of the press association's Sunday paper if the editor had given it. He phoned his wife at home, asked her to listen to the program, take the speech down in shorthand, and then phone in a summary with a few paragraphs of quotes. The wife did; the story went out over the wires, and hit the front pages.

The editor was this writer. Ten years later he walked into NBC's press department with a job on the staff.

During the past two years he has learned that the name "press department" is far from wrong although it might be more correctly styled the Press Service department, for service to the press now accounts for the growth of the press staffs at the networks. Just such requests as the writer had made over a decade ago, multiplied over and over again from all quarters, came from him to the editor of periodicals—requests for information and data, that increased as the networks reached into every nook in the land—caused, nay, compelled, the broadcasting companies to provide a clearing house for information.

Anticipating such requests, the network press department nine times out of 10 would stenotype the talk of its own volition and send it with an appropriate news lead in whole or in part to not one but all three major press associations and all metropolitan dailies in Manhattan and Brooklyn. This is done over a special teletype wire linking these dailies and press associations. Over this wire goes NBC's regular program copy for the radio editors; other copy usually goes to the city or telephone editor.

The wire at present is operated intermittently 19 hours a day, but the talk preceding the outbreak of war, it was going full speed—80 words a minute—24 hours a day.

The Radio Editor

Has Arduous Job

The bulk of NBC's press copy is prepared for the daily paper radio editor, usually hard working newspapermen. There are slightly more than 300 in the U.S. Every one faces a terrific task, greater often than he himself realizes. The statistics are staggering almost unbelievable. The average radio editor theoretically covers the programs of 50 stations, with a total of between 100,000 and 125,000 programs a year; something like 2,000 a week or 300 a day. And that's being conservative. One New York newspaper tonite (the night this is being written) listed 396 programs.

The job's almost too tough for one man, who quite often, in addition to radio, handles two or three other departments for his paper. Usually he puts in a full day at the office, then goes home to listen to radio in the evening.

Look at it this way. A show in any man's town is news. It has its star, its plot; it is good, bad or indifferent; it is a success or failure. Where shows stop off on their road tours, the local paper undoubtedly has its dramatic editor. He looks to the advance man for advance information, the press agent for pictures and background material.

That is one show. NBC alone put on more than 54,000 programs during 1938, 25,000 hours this year (1940). Currently 149 different shows a day are being aired by NBC, 77 on the Red Network, 72 on the Blue. These 149 shows go on the boards of some 30,000,000 homes in every city, town and hamlet in the country. 300,000 homes that want to know where their favorite lets like, how they live, where they came from, and what they can expect on the radio tonite, tomorrow, every day and every night.

It's the job of the radio editor to satisfy their desires. He can't dash to New York (with a photographer) to get his information, because while he's gone the rest of the 148 shows are going on the air, and the 300,000 homes in New York alone, plus scores of others originating in the home town studios and on regional networks. Even *Puss in Boots* couldn't cover the ground.

Covering these shows in an attempt to assist the radio editor is the job of the network press department. To do that, it is necessary to send out every day of the week the latest news from the press wires both the Red and Blue networks; advance stories on those programs; photos of the men and women in the shows and behind the scenes.

This service is the simplest method of anticipating the needs of radio

editors. Those that need other material are taken care of with specialized services.

Weekly newspapers also cover the news. For while NBC prepares full-page printed and illustrated service that is mailed every Friday to some 2,000 publications, this consists of general feature stories and pictures that will not lose their value in a week or two weeks or even three weeks, as compared to the daily service, one-fourth of which is likely to be stale news even within a couple of days after it is received.

Photographs Now Are Important Service

Both dailies and weeklies use photos to illustrate radio copy. More than 200 newspapers request and receive regular weekly photo service, approximately 12 pictures. Because pictures, too, have news value they are now mailed on Mondays, Wednesdays, and Fridays, instead of once a week. Approximately 500 daily and weekly papers receive the same photo in mat form. Dozens of others request special pictures appearing in the daily illustrated printed service.

Most of the photo service is provided for the radio editor, but the city or telegraph editor, also finds in radio an important source of news for the general columns of his paper. Twelve years ago that speech text wasn't available at NBC for the general press. If it weren't available today, a special stenotype operator would be called in. After listening to the text she would transcribe it on stenotype cards and the text would be turned over to the press association requesting it.

Anticipating such requests, the network press department nine times out of 10 would stenotype the talk of its own volition and send it with an appropriate news lead in whole or in part to not one but all three major press associations and all metropolitan dailies.

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In no case is the press department's services sent to newspapers unless the editors indicate they want and can use them.

A section of the press department devotes its time to magazines. This is a highly specialized type of service. It cannot be handled through such agencies as those that go to the door-to-door press. Free writers must be supplied with background material; interviews must be arranged and special photographs must be taken. Editors request research material, statistics, biographical data.

The magazine section is in touch with 1,114 periodicals, including, in addition to the general popular magazines and the trade press, publications which specialize in aviation, military, women's organizations, education, sports, science, art and youth.

The department is staffed seven days a week, 19 hours a day. Day and night scores of calls from editors near and far flash lights and ring bells in NBC's press department. They are seeking special material, and they want the answer to many questions. Their calls sometimes come from executives. They need special pictures. And a continuous stream of mail pours into the central press desk with similar requests. These are handled as quickly as possible without interrupting the flow of regular services. The entire organization of the department is geared for fast, dependable service to the press.

CHEWING GUM BOOM ON AIR

Spot broadcasting has entered 1941 with the largest number of chewing gum accounts that there's been around the business in at least five years.

Even though the market has been a consistent user of radio, the American Chicle Co. is credited with starting the spurt in that field.

Other brands that are now back on the air include Beechnut (using night-time chain breaks), Clark's Teaberry Gum, Peter Paul's Ten Crown, and Fred Fleer's Bubble Gum.

Walter Preston Resting

Walter G. Preston, Jr., manager of the NBC public relations program division, is resting in Winkworth Pavilion for 10 days, suffering from general exhaustion.

He will not be allowed to resume work until mid-January.

Speaking of 'Radio Monopoly,' The Actors Who Can't Get In Have Some Ideas

Receptionists and Secretaries Make Life Miserable for 'Outsiders' Not Known to the Radio Producer-Directors—Air Features Alone in Auditioning Every Applicant—Radio Men Still Say 'We Want New Voices'

By Hobe Morrison

How to become a radio actor? That's something many actors, though some people would like to know, don't know. Or, knowing, would like to be able to do. Not only just the mike-struck school kids, although there are hordes of them. But also professional stage actors already established in the theatre. There are hundreds of them trying to get into radio, too. But few succeed—and it's getting tougher all the time.

There are, of course, two sources for the professional actor: radio. One is the advertising agency, or alternatively, casting director, program director, or for an agency. The other is radio itself. Nearly all jobs on commercial programs are obtained through advertising agencies or their production specialists, while the lesser-paying jobs on sustaining programs are gotten from the networks.

But while the fees for sustaining shows are less than those for commercials, some of the sustainer are paid more, so there is an experimental character which afford excellent showcase and publicity possibilities. What's more, directors on sustaining and commercial shows are interchangeable, so, job obtained on a sustainer may lead to other jobs on commercials for the same director. Thus, few established radio actors, regardless of their income, refuse jobs on sustaining programs.

The Yes, But

To an actor seeking work on a commercial show, the proper person to contact is either the advertising agency casting director or the production director of the program. Generally, the latter has the major say on who is cast for a part—but frequently the matter is turned over to the casting director or is handled by the two of them in co-operation. There are cases in which the writer, account executive, sponsor's representative or some other person is influential in casting matters, but that is not usual. But it does complicate the task of the newcomer not knowing who to contact.

It is generally difficult, if not almost impossible, for any but a well-known actor to contact an agency casting director or producer-director personally. Actors who are well known and who have established reputations on the stage may have names that mean nothing to those in charge of radio production and casting. Some legends who used to visit Broadway production offices and stage jobs feel that their professional standing might be jeopardized by such action, call personnel at advertising agencies where they are frequently given a brusque, efficiently-polite cold reception by some secretary, clerk or assistant. No rudeness is probably intended, but to an actor who is accustomed to courteous consideration, even deference, it is humiliating.

Having been through the experience twice, without being able to see the reason these seek persistent actors sometimes write directly to the casting director or the producer-director, asking for an appointment or an audition. Sometimes such letters are answered, generally not. When answered, they usually premise that the actor's name will be kept on file and that he will be notified when the next audition is to be held. However, few auditions are held except for replacements for single parts—in which case one or two in a circle of regular radio actors invariably gets to call. Whether for agencies or networks, the common attitude among actors is that general auditions rarely mean a thing and that even competitive auditions for a specific part mean little unless the actor "knows somebody."

Fewer Get More

Thus the group of steadily-working radio actors tends to become gradually smaller and better entrenched. The producer-directors, simply haven't the time or the interest or won't take the trouble to

interview and audition applicants; they fear to take a chance on an actor who doesn't know. So they use an actor-smaller circle of those on whom they can do now the can do.

Nevertheless, these same casting casting directors and producer-directors will insist with a straight face they are anxious to find new actors, to locate unfamiliar voices. They are simply saying it to "alib" away an evil they know exists but which they haven't the time, the energy or the courage to correct.

Can't Beat This

Nearly all agency casting directors and producer-directors would like to interview and give auditions to the actors who call on them. But many are "protected," without their knowledge, by agents, managers, agents, or themselves anxious to avoid extra work. Yet the case of a program director at Young & Rubicam is more or less typical. When an established Broadway actor succeeded in getting through to him by phone, this director told the actor he could not make any audition appointments, as that was handled by his secretary. Then the actor subsequently called to the secretary and was told that she could not make any appointments without the director's say-so. The actor was never able to get the director on the phone a second time.

Air Features

One big advertising agency which makes an apparently sincere attempt to audition actor applicants is Blackett-Sampson-Hummert, through its production associated Air Features. In that office, least of all, phones every actor who writes, phones for an audition. Every applicant is given a chance to audition, in some cases several times, but he seems to have possibilities but to have given a bad performance his first chance. Air features also make a systematic effort to have program directors use new names for its roster. But, as in every other agency, the program directors frequently prefer to use an actor who they know than a newcomer on a newcomer.

Brass Vs. Talent

When and if an actor gets his toe in the door of commercial programs—if he manages to get even a one-time part on any show—his work of getting other jobs is still tough. Just as in theatre and film, becoming an actor is not so much having acting talent, but in having the brass, the ingenuity and the persistence to get a job. Many of the busiest radio actors got in, when commercial radio was just entering its present phase, before it was so strangled with official red tape and protective walls. But nearly all those who have become successful in the last five years have done so more on sheer persistence than talent.

The methods these actors use are many. (Only a few use advertising to reach advertisers.) Most stints aim for a personal contact. When an actor gets what he thinks is a good spot on a program, he sends cards or letters to all the casting or program directors he knows, even slightly. Actors also find other ways to keep themselves in a director's mind. Such things as Christmas and birthday cards are standard practice. Actors also frequently write a director congratulations on one of his shows they've happened to hear—particularly, if they thought it good. Or they wish him success on his vacation, or send greetings when he returns. The methods are as numerous and as ingenious as the actors who conceive them.

Local Stations N. G.

It used to be that actors who wanted to get into the charmed circle of commercial network radio could work in through the programs on small stations—by sending cards to directors they knew, advising them to listen to such-and-such show. But nowadays there are only a handful

of dramatic shows on the small stations, probably not half-a-dozen on WEMCA, WHN, WNEW, WINS, WOV, WEVD, and WQXR combined. Since the stations are owned by large corporations and since their audiences are generally much poorer than those of the network outlets, an actor's chance there is probably less than at the major stations or agencies.

Beginners, such as non-Equity stage aspirants or the simple variety of mike-struck kids, have practically no chance at all of getting into radio acting, once having done so. While one succeeds, and occasionally one works up to the networks from the low-watt stations in outlying New York areas, but work at those outlets is generally useful only for experience and has no showcase prospects at all.

Of course the best way to become a radio actor is first to become a stage or film star. There are a few men in between, however, who are actors who have won themselves to shreds trying unsuccessfully to get into radio and, after even a mild click in a Broadway hit, get more unsolicited radio offers than he can accept. A similar condition exists for actors with film names. Also, an actor who is already successful in radio becomes in most cases demandant, even a modern-day star or megastar.

But still the ideal way to become a radio actor is to be related to a sponsor.

Includes gossip, and similar specialized comment.

still unquestioned monarch. The fact that percentage-wise the heart-throbs are a little lower this year signifies nothing. The interjection of opera brought the percentage down, so this slide is merely a paper proposition, and nothing else.

In the accompanying charts, the season of 1940 (since June) is compared with the same length of time during 1939. The calculating system is the same as used by the VARIETY RADIO DIRECTORY. That is, it is based on the program hour (one hour over one station one time). This system counts in program "penetration" and automatically weights programs with big hook-ups.

The status of the evening quiz stanzas also remains relatively unchanged. In fact, this category showed a slight gain, partially due to summer replacement programs.

As regards drama, further pickups are to be expected here as 1940 advances into 1941. The category "drama" is pretty inclusive, covering every-

COLON AFTER TOSCANINI

Buenos Aires, Jan. 5.

Another South American tour for Maestro Arturo Toscanini—whether or without the NBC Symphony—is being sought. Negotiations have been going on via airmail and Florio M. Ugarte, director-general of B.A.'s municipally owned Colon theatre, plans to go to Manhattan this month to see what deal can be closed.

Understood, Toscanini has not refused but his age and fact that NBC apparently doesn't want to risk another tour means that if Maestro returns it will be on a different basis than last year.

It is said that Toscanini may come down to do a series of six performances a week—directing the Colon orchestra. House is the opera center of South America and in the opinion of many outwanks the Met in general setup if not singers.

Seriousness of possibility is indicated by fact that local music critics have been demanding that Colon orchestra be stepped up and those holding jobs through politix be tossed out so Toscanini will have something to work with.

Colon is particularly anxious to have Toscanini because his six concert last year (plus a two-week period) not only brought him record sales on record but enabled the house to do better than usual on its entire season. NBC Symph tickets first going only to those who purchased season ducats.

Report here is that NBC made nothing on the venture, but chalked it up as a prestige and goodwill gesture. If Toscanini comes again it's likely he will also conduct at Rio, scene of his first success 35 years ago.

Gruen Buying News

McCann-Erickson agency is on the lookout for more news' programs that it can add to Gruen Watch's spot list, but it doesn't expect to get into the five-minute news' news periods on the NBC-blue, with John B. Kennedy, when the current 13-week contract expires Jan. 1. McCann-Erickson had made a special appropriation for the purpose of introducing its new models and new production is running behind orders.

The period is 9:30-9:55 p.m. and the schedule, six days a week.

Cowan's Kids in N. Y.

Lou Cowan, Chicago press agent, who owns the "Quiz Kids" program sponsored by Alka-Seltzer, is in New York to conduct his six juvenile master minds at the NBC studios.

Party is east for one broadcast and also to shoot first of a series of shorts for Paramount as the Long Island studios.

Longview's Gas Show

Longview, Tex., Jan. 5.

New series of programs is being aired here through KFRO sponsored by the Southern Gas Co. Broadcasts are aired for a quarter-hour each day, evenings on KFRO's Acupus Quartet.

In addition to the quartet, a salute to outstanding local personalities and civic organizations are presented.

Statistics of Program Trends

(Based on Variety Radio Directory Data)

By Edgar A. Grunwald

As predicted last fall by VARIETY, there have been very few changes in program types during the 1940-1941 network commercial season. Trends operative last year have continued a steady march—meaning, for instance, that evening variety programs are sliding downward, while evening drama and news are forging ahead. As regards daytime programs, the serial is

NETWORK EVENING PROGRAMS: 1940 & 1939

Type of Program	Number of Programs	% Station
1940	Hrs. 1940	Hrs. 1939
1. Variety	32	24
2. Drama	37	19
3. Audience Participation Tests, Contests, etc.	33	18
4. Popular Music	15	13
5. News-News Comment	25	10
6. Familiar Music	10	7
7. Classical Music	4	3
8. Comedy Teams	2	2
9. Religion	1	1
10. Semi-Classical Music	4	1
11. Sports	8	1
12. Talks-Instruction*	7	1

* Includes gossip, and similar specialized comment.

still unquestioned monarch. The fact that percentage-wise the heart-throbs are a little lower this year signifies nothing. The interjection of opera brought the percentage down, so this slide is merely a paper proposition, and nothing else.

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As regards drama, further pickups are to be expected here as 1940 advances into 1941. The category "drama" is pretty inclusive, covering every-

NETWORK DAYTIME PROGRAMS: 1940 & 1939

Type of Program	Number of Programs	% Station
1940	Hrs. 1940	Hrs. 1939
1. Serials and Drama	71	78
2. Opera	1	9
3. Talks-Instruction	7	6
4. News-News Comment	9	1
5. Variety	3	1
6. Religion	3	1
7. Single Act	5	1
8. Home-Or-Clasical Music	1	1
9. Humor	1	1
10. Audience Participation Tests and Contests	4	...
11. Familiar Music	1	...
12. Popular Music	1	...
13. Novelty	2	...

* Less than one-half of 1%.

thing from Helen Hayes to "Blondie." But for the very reason that drama is such a monte of individual programs, appealing so widely throughout the various income groups, it is growing. The ASCAP-NAB situation may also affect drama favorably.

Evening popular music stanzas (Glenn Miller, Fred Waring, Spitalny, etc.) are percentage-wise in better shape than they have been for years, but here again the ASCAP-NAB situation may have a bearing after the first of the year. Conjecture would point strongly to a drop-off but it remains to be seen what will actually happen.

SIEPMANN OF BBC

AT KSTP CONFERENCE

Minneapolis, Jan. 5.

Two more speakers set for KSTP's Fourth Annual Conference on Educational Broadcasting, Jan. 17 and 18, are Dr. Charles A. Siepmann, for eight years BBC program director with Harvard, and Judith Waller, NBC central division educational chief.

The conference will be headed by Dr. James Rowland Angell of NBC.

Nash Drops Off NBC

Nash Motor Co. won't renew its

support of the five-minute news periods on the NBC-blue, with John B. Kennedy, when the current 13-week contract expires Jan. 1. McCann-Erickson had made a special appropriation for the purpose of introducing its new models and new production is running behind orders.

The period is 9:30-9:55 p.m. and the schedule, six days a week.

Radio Editors

Bid Submit Talent Hints

As part of its exploitation the "Discoveries of 1941" series, which debuts for Brown & Williamson on WJZ, New York, Friday (3) B. D. & O. is asking radio eds to help the program scout talent. Bobby Byrne will be the orchestral spot on the show.

Later on from the agency state: "If you have any suggestions to can didate for the 'Discoveries' slot, we should be most happy to have them. We have a healthy respect for the talent judgment of radio editors, most of whom do a great deal more scouting than listening than agency people. So if you get any bright ideas, will you pass them along?"

The period is 9:30-9:55 p.m. and the schedule, six days a week.

Longview's Gas Show

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In addition to the quartet, a salute to outstanding local personalities and civic organizations are presented.

Australian Radio: More Like the Yanks

Commercial Part of Radio Is Remarkably Similar To the United States

By ERIC GORRICK

Sydney, Dec. 15.

Although ocean-divided from the United States, recognized here as the fountainhead of commercial radio, Australia is nevertheless one of the most radio-minded nations in the world. Australian radio moguls constantly look to the U. S. for radio ideas. Consequently Australia is becoming more "Americanized" all the time. What is new in the U. S. is new here almost immediately. The radio industry has grown up, it is thanks mostly to the U. S. Not that radio has grown up, Presently there are 101 commercial stations operating here—most stations doing more than payable biz, and looking forward to 1941 for an improved income. According to major execs, the original wartime worries have been overcome and commercial radio is spreading ahead despite European strain and stress which involves Australia as a member of the British Commonwealth.

Francis Levy, of 2 UW, Sydney, one of the most progressive stations here, informed Variety that it was almost impossible to find night-time to accommodate sponsors.

Quickly sensing the possibilities in commercial radio, Australian Big Business stepped in to build up nation-wide chains, and, presently, broadcasting here is controlled by Big Business. There have been political playings against such control, but no practical steps have been taken to limit the control.

The most powerful indie unit is the Commonwealth Network, operated by Frank Albert (who made his early coin by selling harmonicas and sheet music) and Stuart F. Doyle (who bowed out of the film biz to delve into radio and airplanes). It operates 2 UW, Sydney, only 24 hours' service here. There's a hookup with other indie units in every state of the Commonwealth.

The Macquarie Network is operated by the Sir Hugh Denison Group (newspapers), its chit unit being 2 GB, Sydney. Fred Daniels, who also dabbles in local picture production, has been prominent in Macquarie and, presently, H. G. Horner, who came from the national (non-commercial) field, is the general manager.

Sydney is well covered with all types of commercial stations. The Labor Council controls 2 KY, used by many package goods sponsors anxious to secure coverage with the masses. Then there's 2 SM, operated by the Catholic Broadcasting Company; 2 CH, run by Amalgamated Wireless, headed by Sir Ernest Fisk, and 2 UB, hooked with Macquarie. Every important country centre has its own commercial station, either hooked to a major Sydney network, or operated by local Big Business. In Melbourne, Brisbane, Adelaide and Perth (the Aussie ad centers), the story is the same, and behind most of the setups are to be found powerful newspaper groups. The following are the principal stations:

SYDNEY

2 UW, 750 watts, 24 hours daily.
2 GB, 1 KW, 6 a.m.-11:30 p.m.
2 KY, 1,000 watts, 6:30 a.m.-midnight.
2 UE, 1,000 watts, 6:30 a.m.-11:30 p.m.
2 SM, 1,000 watts, 6 a.m.-11 p.m.
2 CH, 1,000 watts, 6 a.m.-11 p.m.

MELBOURNE

9 AW, 600 watts, 6:30 a.m.-11:30 p.m.
3 DB, 2,000 watts, 6:30 a.m.-11:30 p.m.
3 KZ, 600 watts, 6:30 a.m.-11:30 p.m.
3 XY, 600 watts, 6:30 a.m.-11:30 p.m.

BRISBANE

4 BC, 1,000 watts, 6:30 a.m.-11 p.m.
4 BH, 1,000 watts, 6 a.m.-11 p.m.
4 BK, 1,000 watts, 6 a.m.-11 p.m.

ADELAIDE

6 DN, 500 watts, 6:50 a.m.-11:15 p.m.
6 KA, 500 watts, 5:30 a.m.-11 p.m.

PERTH

6 IX, 500 watts, 7 a.m.-10:30 p.m.
6 PR, 500 watts, 7 a.m.-10 p.m.
6 ML, 500 watts, 7 a.m.-10:30 p.m.

MAJOR ADVERTISERS

Advertisers, keyed as best they can to U. S. tempo, although local to some extent, use a wide range of program material. Air buyers and their programs presently include:

Wrigley's ('Ginger,' 'Dad and Dave'), Lever Bros. (Lux Radio Theatre), Colgate-Palmolive ('Youth Show'), Nestle's (serials), Aspro (various), Miltie Johnson's (amateur trials), Black & Decker (Cigarettes (sports and March of Time)), Cadbury's (various), Kyalynos (various), Clinton Williams (various), Kraft Cheese (revues), Bayer-Pharm (various), Winn's ("Frankie and Archie") new series, McLogg's (various), Coote Clothing (community singsongs), Faro (various), the Hollywood chatter, music).

Hoyts Theatres (Hollywood chatter, music), RKO (Hollywood chatter, music).

The recognized cream time in the commercial field is between 6:30 p.m. and 10:30 p.m. as in America. Taking 2 UW, Sydney, as a criterion, and working on a 15-minute show, the charges are as follows: One time, \$58; 13 times, \$55; 312

times, \$44. The a.m. rates for a similar span are from \$22 to \$16. Commercials strictly enforce wordage curbs, all advertising, with the setup being as follows:

5 mins.....	150 words
10 mins.....	250 words
15 mins.....	300 words
30 mins.....	450 words

Sponsors, as well as advertising agencies, have found that the snappy sale's message gains more attention than the long plurge, hence the wise nix on the latter.

TRADE ASSOCIATION

Some time ago there was formed a trade association—a la N.A.B.—The Federation of Commercial Broadcasters is presently headed by Frank Marden (a man who got his showmanship ideas from the pic biz when he was associated with Greater Union Theatres, and who, today, is g.m. of the Commonwealth Network). Under Marden, and other keen radio moguls, the commercial field was given a complete cleanup, and the broadcast work is in harmony with the government, has its own code of ethics, and is under the watchful eye of the Commonwealth Broadcast Control Committee, and runs the commercial field on iron-clad rules.

The Federation, too, watches advertising rates, nixes any char-

or fly-by-night advertising agencies coming into being, nips in the bud the commission racketeer, and prevents the public from being hoodwinked with "quack" medicines, and such like.

SELLER-ANNOUNCERS

Many of the announcers attached to commercial stations solicit advertising during off-time periods. Such setup means extra pay needed, and, generally speaking, the salesmen are good makers. Most of the radio announcers come to radio when the local legit stage went pants and, usually, they trained performers. Women announcers, with few exceptions, have never been popular with the fans, and their gradual passing brings few regrets.

POLLING PREFERENCES

Preferences run about as follows:

Young Women—Dance music, swing for preference; sophisticated plays, sports, and quiz sessions with cash prizes. No war stuff.

Married Women—Dance music, no swing; romantic plays with a "thriller" now and then; cookery talks, the main news from the BBC quiz sessions, and lots of homely fare.

Elderly Women—Symphony orchestras, oldtime dance music, definitely no swing; good plays, quiz session, BBC news, and talks.

Men—Sports, horse and dog racing, plus wrestling and fight descriptions; a little dance music, BBC news, good plays and sporting talks.

Kids—Serials, mostly adventure stuff; sessions with cash prizes, not goody-goody' matter, lively sing-songs and cricket-football (rugby) descriptions.

Although statistical surveys as in America are probably little known, here most of the sponsors keep a finger on the public's pulse of likes and dislikes. A show, excluding time costs, may be scaled for talent at around \$100; perhaps sometimes more, but very seldom. There are no costly stars or program setups similar to those in the U. S. Amateur talent is paid off in asparagus. The average pay for players, excepting those under contract, is about \$8 an airing. Occasionally, a sponsor is visiting and is hooked on the air by a sponsor for a local broadcast. Last two go on the air for each receiving about \$1,000 for an airing.

Radio in Australia—commercial and national—comes under the control of the Federal government, via the postmaster-general's department. Every owner of a radio set must possess a license, priced now at \$4. Half of this fee goes to the government; the other goes to the Australian Broadcasting Commission, national operators. The commercial units do not get one cent from license fees, depending upon sponsorship to live. Stations are listed as A-class stations, commercial, B-class. The postmaster-general has the right to cancel an license issued to a commercial unit if the unit does not comply with the regulations. A commercial license costs \$100 and must be renewed every three years.

FANS' LICENSE FIGURES

Although there may be two, three, five and up to 10 persons in the one family, the only one paying a license fee is the actual set owner. The following figures give an idea of the license coverage:

New South Wales	479,485 (17.17%)
Victoria	351,651 (18.53%)
South Australia	126,315 (0.90%)
Queensland	157,889 (11.50%)
Western Australia	89,101 (0.14%)
Tasmania	43,105 (17.99%)

As each license costs \$4 the amount paid by the fan yearly to the government amounts to \$4,990,724. National units are on velvet so far as assured income is concerned.

TRANSCRIPTION SETBACK

Some time on the Federal government, in an effort to conserve dollar exchange, put down the lid on U. S. wax importation. Previously, this country did, flourishing trade with U. S. waxers, and the clamp down caused major headaches in the transcription biz. Local waxers, however, saw a golden opportunity to break into the field, but up to the present they have not turned out much topnotch material.

I'll understand that the carbons are for local transmission, but the wax biz isn't what it used to be. Mention is made that there may be a lifting of the lid in 1941 on U. S. imports.

NIX ON BLOOD-THUNDER

With World War II, the Federal government decided to have commercials and nationals quit airing "blood and thunder" material, pointing out that there was a definite need to "brighten the airways" immediately. Some of the commercials, having built up a reputation with "thriller" serials, had to discard this policy. Exit of the "thriller" serial, mainly adapted from U. S. ideas, has been a disappointment to no-

body, excepting the kiddies. A close watch is being kept on musical discs for "blue" material, and three recent bans applied to "She Lost It At the Astor," "The Man Who Comes Around," and "The Organ-Grinder."

PARTICIPATION PROGRAMS

The audience participation program has increased tremendously here. The Australian Broadcasting Commission heads the list in this field presently, and three shows, running one hour each with flesh-blood talent, are on the weekly schedule. The titles are—"Merry-Go-Round," "Strike Up the Band," and "Out of the Bag."

Played in a miniature studio theatre before invited audiences, a lot of dough is handed out to listeners guessing the title, telling riddles, playing riddles, and such like, with prizes ranging from \$1 to \$4.

The commercials have lots of 15-minute quiz shows on the weekly list, and these are constantly being brought up to date to maintain appeal. Jack Davey is generally recognized as the best quiz compere.

Growth of the audience participation idea is commencing to bother pic men as they feel that biz is ebbing from their boxoffices nightly to some extent, as the public—ever in search of something new and interested, too, among better things—now prefers radio and television. Pic-hands have been slow to follow. Pic men also see the possibility of radio moguls seeking larger auditoriums to accommodate the crowds presently clamoring for admittance to the free shows. It's a problem listed for early attack by the pic men.

INTERFERENCE BID

Politically, there's little real interference in commercial radio. A try was made sometime ago by Sir Keith Murdoch, who runs a chain of Melbourne newspapers as well as commercial studio to control the field when he was appointed to the Information Department. However, following a public outcry, Menzies toned down Murdoch's plans, and commercial radio operates freely under its own federation.

NEW ZEALAND

The radio setup in New Zealand is entirely different to that of Australia, coming as it does completely under governmental control. There are only four commercials permitted operation, the rest being classed as national, about 24 stations. The government-owned commercials are—

1. ZB, AUCKLAND, 1,000 watts, 6 a.m. to midnight.

2. ZK, WELLINGTON, 1,000 watts, 6 a.m. to midnight.

3. ZB, CHRISTCHURCH, 1,000 watts, 6 a.m. to midnight.

4. ZB, DUNEDIN, 1,000 watts, 6 a.m. to midnight.

New Zealanders seem to prefer the BBC type of program layout. However, they do not fancy dull programs. The tempo is not as slack as that of Australia, where programs are paced more on the U. S. idea. Bugbear, so many fans aver, is that being government-operated, politicians are free to hit the nail on the head. In fact, the politicians are free to hit the neck of the fans, including Parliamentary debates.

An English Radio Listener Complains of Dull Shows, Many Interruptions

London, Dec. 15.

Our programmes are just two—one bad and the other worse. The stations have a habit of breaking off, which is when Jerry is likely to get some help from them as direction finders, and it is most disheartening to attempt to listen. The wavelengths are restricted to five, but the programmes are simply one for home and one for the forces. The latter is usually dance music or tripe. The home suffers from the short half hour programme items and an effort to give something to please everyone each evening.

Much time is given to broadcasting to our allies, and if we want to hear our own stations we shall have to listen on their own. Apart from this there is the propaganda for home consumption, directions, instructions, advice and what we are doing. But no one wants to give up his set as the wireless news is undoubtedly the most popular item of any. Despite the fact that we never get any real hot news or scoops. Apparently the Ministry of Information takes too long to verify every item before it is sent out. We have the advantage of being able to believe what we hear—which after all is something in these days of rumors. Foreign stations are just as bad. In fact, in these times of rationing, trying to get some decent music and within a minute the programme has changed to propaganda or news in a foreign language.

It may spare your anxieties for us if I tell you that two of the little talkies tonight, before they went off were accounts of "What I did yesterday" by two quite unknown and undistinguished people. One had been for a solitary ramble in "Monsal Dale," Derbyshire. He spoke of quietly strolling up to a Kestrel on the high cliffs, watching rabbits browsing under the stone walls, the trout in the stream below, and watching blue titmice having a dust bath in the hollow branches over the River Wye in spite. He mentioned that as he watched them seeking food with one eye open for a marauding hawk he could not help but think that they were continually in the slate in which we now find ourselves, but they just carried on and enjoyed the sunshine and day, without bothering too much about the danger of today or tomorrow. As he described the scene I could follow him the whole way down that beautifuldale.

The other was describing his visit to Bampton Fair, Devon. It was held yesterday just as it had been for the past two or three years. It was a drab, drab, drab, drab fair for business, and wild Exmoor ponies were being sold. The ponies were being sold, it was, as no doubt always, a place where people from the surrounding country come once a year to greet old friends whom they would not see again for another year. The whole countryside was there as strong as ever, perhaps even stronger, just to show that a Hitler or anyone else could not break that tradition. At this fair the wild ponies from the moors are driven in and so many sold, the others branded and turned out for another year. A "sucker" English, not American) is a baby about six months old; fetches about 12 shillings (\$3), and a three-year-old less than £10 (about \$33). As we pay about 25/- to 30/- for a Xmas turkey, you can see if things get bad they will be cheaper than beef or poultry.

BUSINESS-MINDED SOUTH AMERICA

Production Money Scarce — Statistics Even Scarcer—But Plenty of Hispanic Ingenuity Everywhere

By RAY JOSEPHS.

Buenos Aires, Dec. 15,

The South American ether is crowded these days.

Crowded with the short wave, propaganda-minded broadcasts of the totalitarians who want the continent and would probably be here trying to grab a chunk now if they weren't so busy in Europe.

Crowded with the programs of the democracies, so far hardly started in the undeclared radio war.

And crowded with the local aircasts, selling not only every product from motor oil to soap, but every kind of Latin patriotism as well.

It's the same in remote Bolivia, a country on a mountain top, in tropical Brazil, potentially the richest territory in all South America; in distant, land-locked Paraguay. But no where is it more true than in Argentina which despite its 12,000,000 pop, compared to Brazil's 40 million, is second to the U. S. in the world's output of radio. It has almost half the stations in Latin America, and is the leader in politics, business and influence. Argentina, with more pesos to spend for its own products and those imported from the States and Europe, leads South American radio. And in leading, it follows the U. S. not only in size, but in pattern.

Radio in Argentina suffers from the same headaches as radio on the rest of the continent. Each country works alone — there's never been more than an idea of a Panama to Tierra del Fuego chain and in no country is there enough of a listening audience to produce the kind of progress achieved in the States.

Money, whether translated into U. S. dollars or considered in pesos, milreis or soles, is scarce. So are really large scale, heavy budget advertisers. Stations, even the big ones, admit excessive commercialism, but of enough care in production (which they blame on the fact that they simply no coin) and mobility, most intensive house to house checks on what Senor and Senora Q. Public want.

In Brazil and Chile, government control is also a No. 1 worry. Former has a Department of Propaganda which, among other things, takes an hour of the best time (8 to 9 every evening) for an official program every station must carry, and otherwise keeps a pretty close hold on the airwaves. Chile's Popular Front Government even has a set-up whereby all outgoing broadcasts must be piped through a central control point which can clip in less time than it takes to crush a cacaucha.

Argentina is currently wondering what's next, now that Dr. Adrián C. Escobar, South America's Jim Farley, has left his job as Postmaster General to become ambassador to Spain. The department has control of radio, too. New chief is Dr. Horacio Ruiz, formerly head of the National College. Luis Sosa, Head of the radio division under Escobar, and likely to remain there by all indications, is Adolfo Cosenzino. But what Dr. Rivarola is going to do about radio probably not even he knows.

Not long ago a special Congressional committee took a year out to look into the situation and came back with a plan: Idea was to have the Government buy out all the little stations, establish five big ones in which it would be a kind of partner. Ad rates—and the percentage of advertising—would be strictly controlled, educational programs expanded, and the financial standards of the country improved. Bill was sparked by the former Minister of the Interior and is apparently dead.

Peru, Bolivia, Paraguay and Uruguay follow the same kind of set-up as Argentina and might reasonably be expected to follow any move the leader made. Similarly, study of the set-up here is indicative of the industry elsewhere and therefore worth study. Check-up by VARIETY, including extended huddles with leaders in every phase of the industry, shows that from the station point of view (there are 42 medium wave and two short wave transmitters in Argentina) these problems are uppermost:

TWO MAJOR PROBLEMS

1. Competition. The dial is so crowded in Buenos Aires and throughout the continent that it is almost impossible that no one gets a big enough share to permit the industry to make the kind of progress critics claim it should. Unlike Mexico where one station stands head and shoulders above the rest, there are two almost equal in the top bracket, four or five tied up in second place, and a lot hanging on below. They're all in a cat and dog fight for biz. Many of the big advertisers simply concentrate on spots and three to five commercials between a platter spin is the rule, not the exception. Makes no difference what's being played, the announcements are always the same, the list without even a change in tone or a pause for breath. Officially, 100 "words are allowed every three minutes, but it comes to a lot more.

2. Finding programs. Leading broadcasters say fresh talent is hard to uncover; insist the public often demands favorites of the stage and films who are usually singing stars. Everything is concentrated in Buenos Aires, which is not only the capital, but the leading population and commercial center of the continent. Stations in the interior (there are two networks in Argentina) are mainly phonograph record plays, a contribution little in idea to the art.

Broadcasters themselves have made several attempts to get together to clean up their own house, but no results. There was an Asociación Argentina de Broadcasters, but it hasn't been active for some time and even its best friends say it did little beside pass a few fancy resolutions. Surprising in view of the strength of some groups in related fields such as SADIAC, the local ASCAP, which is a live-wire, thoroughly up-on-it's-toes outfit; COMAR which handles record royalties and ARGENTORES, controlling dramatic rights. Artists themselves are just starting an association (Asociación Argentina de Artistas de Radio), but it's too early to judge. Francisco J. Lomata, a kind of Paul Whiteman of the tango field, is No. 1 man.

PUBLIC TRANQUILITY

Government control of stations has, in the past, been confined to disposing of wave lengths (which are in theory offered to the highest bidder although only one such case is on the books) and minor policing. In June, limitations were placed on broadcasts of war news in an effort to pre-

serve the country's neutrality and assure public tranquility. Fairly careful eye is kept on foreign language broadcasts and re-transmissions, but generally there's little interference so long as they steer clear of anything excessive.

No special regulations regarding importation, sale ownership, installation or use of ordinary equipment is imposed on anything at all. The air is medical, anti-social, anti-religious, against the church, or sex stuff of the kind freely permitted in theaters.

Strongest influence on radio here—by example, not control or pressure—is the U. S. On the sales end, RCA-Victor has a big B.A. plant (also manufactures in Santiago, Chile; Rio de Janeiro, Brazil, and Mexico City) is tops with the Dutch Phillips Radio second. With the blitz, home offices Holland were shifted to New York, which, strictly speaking, makes the parent company a S. O. unit. Other companies also manufacture here as does General Electric, and other companies still import sets and parts are made through agents.

There are about 1,250,000 to 1,500,000 sets in Argentina, with about 200,000 new ones sold each year, principally between April and October (seasons here begin the reverse of those in the States). But there are so many individual set assemblers that it's hard to really know. No assessment tax or check-up by the Government (Brazil currently making its first, radio check along with the census). Installment selling is so prevalent that sets are often advertised at so much a month with only a small type reference to the total. They plug credit to the limit.

Buenos Aires and suburbs with a population of almost 3,000,000 account for half the sales and programs are mapped with that in mind. Manufacturing end is far better organized than the broadcasting, virtually all sets being now produced in factories. Exporting their own tubes and difficult parts. Competition is terrific in this line, but the Nazis (Telefunken in particular), are gradually losing ground because they can't beat the blockade. RCA and Phillips do most advertising both on and off the air.

ARGENTINA PROGRAM LIKES

What do they like on the radio here? Survey of programs over a period of several months, plus inspection of listener taste and reports made by stations, stack it up this way:

A. The serials. The six times a week, 15-minute half-hour shows featured on every station are the leading draw both in advertising and sustaining time.

As in the States, these things started as daytime affairs, mainly for the housewives, who have enlarged considerably since the radio came along. Many are strictly romantic and full of melodramatic stuff with plenty of hoke and scenery chewing. But adventure dramas (usually located elsewhere), cops and robber shows, and everything else on the calendar are likely to turn up. Usually very hot on the boy-meets girl theme with a couple of outraged uncles or relatives thrown in. In Argentina and throughout South America, the appeal to women is even stronger than in the U. S. because the wives here have fewer outside interests.

Many film stars take part in these shows but those best known in radio include Carmen Valdes, Norma Cullen and Norma Castillo, each having her own stock company, directors and writers and go on Monday through Friday. U. S. stars have become more and more popular in serials, notably Marlene Dietrich, Marjorie Main, Jili Queadas and Francisco Petrone, for example, did a highly successful job with "All This and Heaven, Too" (Phillips Milk of Magnesia). "Rebecca" was also big, so was "Wuthering Heights." Currently negotiating for "Gone With the Wind." In every case, pic companies get nothing, figuring the advertising will bring crowds to the theatres. Programs are sponsored, however. All these shows are hyped to the hilt and definitely slanted toward the lower income bracket. Some of them are aimed at a highly popular audience. Some Teatro Palermo de la Argentina dramatics weepy tangos twice a week, the Teatro del Sabado which picks up classic and semi-classics right from the theatre every Saturday night. The Bohemians, a musical comedy show with a slight plot featuring Dorita Zarate, Metropolitan Vignettes with Mary Lewis and Alfredo Roca, and shows by Meca Casas, Silvio Spaventa. (In translation, some of these shows would make U. S. radio men think they were deliberately burlesquing the old time U. S. radio scripts).

Stage comedy here is usually either slapstick or double meaning, both too raw for the air. Therefore personalities have come up with radio, discarding a more human interest brand. They have come into pix from radio. Typical of the Marichal, she steals the show with a sharp and penetrating tongue whose angle is that she thinks through phones; El Zorro (the fox) who does a kind of one man drama, changing voices (he is Pepe Iglesias, also now in pix), the Marques of Istanbul, who is a honest-to-God Turk named Ali Salena de Baraja and who imitates a Turkish rug selling character like the old guys who used to amble around the Paris cafes; Augusto Codeca, similar to El Zorro, an actor who constantly creates new types.

NON-INDIGO COMEDY

Accepted musical comedy and pix draws like Luis Sandrini (plays opposite Rosita Moreno on her trips here), Pepe Arias ("Cantalup" based on an employment agency) also do well. Teams are also strong. Buono and Striano are a comedy team who work like Lum and Abner in a twice-a-week (they've just been signed for their first film); Gordo and Flaco ("Fat and Thin") who imitate Laurel and Hardy; Luis Arata and Marcos Capitan, stage actors who do similar characters on the air.

Next to the serials comes news. South Americans and Argentines are popular, though the world's greatest news agencies are few and weak. Local coverage is either passed the background or ignored. News broadcasts—including the re-transmission of Nazi and English direct spels, are usually limited to bulletin-type announcements and "commentators" as known in the States are not common here. Program on Radio Splendid sponsored by the West India Oil Co. (Eso), which featured Juan Jose de Soza Reilly on local political drift, was dropped because it got too hot.

Reilly is now on Radio El Pueblo but considerably toned down. Carlos Taquin, on Radio El Mundo, usually confines himself to straight news but does a twice-weekly back-grounder on a separate program. George Leal, one-time National Director of Aeronautics and formerly with NBC's Latin Division, formerly had a commentator-type program but was allegedly bitten by the political ambition bug and was dropped. There are no Coughlins here and it's significant that

in Argentina there are no Nazi or pro-Nazi programs of local origin, despite the extensive Nazi press.

TANGO MONOPOLY ENDING

The tango orchestras, and elsewhere the native music of each South American country, dominated the air for many years but they are slowly losing their dominant position. U. S. jazz is turning the trick. It came first with city dwellers and the wealthier crowd. Armani (handsome, Eddy Duchin type, popular with the socialite crowd at the Embassy and Villa Wedding) was regularly. Weersma's background offers an unusual touch. He's Dutch, formerly pianist arranger for Jack Hylton, and is known in the States as author of the "Penny Serenade." Currently Weersma is playing the Brazilian "Hour," sponsored by the Brazilian government for propaganda in Argentina, and rated one of the best Brazilian bands in S. A.

SPORTCASTERS TRAVEL FAR

Sports are followed to the degree that most big stations have sent their own men to the States and Europe to cover the games. American radio, Lalo Pelli, has sent to the U. S. for the Indianapolis auto race; Louis Braddock and Louis Godoy fight for Radio Splendid (he has a quick delivery, personalized style); Luis Elias Sojat went to Italy for a world championship football series for Splendid and to Indianapolis for Belgrano; "Floravanti," a football and turf commentator on Radio Rivadavia, and Alfredo Arriagada, football and baseball expert who covered the Berlin Olympics, and Roque Sillit, all-round expert on Radio Culture.

Pic commentators divide time between U. S. and Argentine-made films. Every station has at least one and several run pairs. Rated top in most pols is Chas de Cruz, who has a half-hour daily on Belgrano at 14 o'clock (2 p.m., the 24-hour clock is unknown); Adolfo A. Aviles is now in his second year on Splendid with a daily slot; Morris Gray on Radio Municipal in a lunch period and on Radio Excelsior; Radio Rivadavia has Gold and Gargano; Radio Pierto Landín and Pinzon. There's a gent called "Wing" on Mitre and a woman who uses the name Mariolina on Radio Callao. Also a Platea (orchestra seat) Club conducted by Isidro Oduna which takes in theatre, music and arts on Radio Fenix.

Typical is de Cruz (who also publishes a trade weekly, "Heraldo"). De Cruz and the others invite stars and guests, play music from the films, and give a gossip once-over, avoiding anything very hot. Not in commercial use, however, anything very hot.

"Interest level of newsmen, who have to import news from a tremendous distance, has upped advertising rates to the point where more and more business has been going to radio. Although Radio Belgrano and Radio Mendoza claim to share 85% of the biz between them, less official observers and those in agencies say the peso is spread over so many stations that the coin to a majority is still thin.

THE CHIEF ADVERTISERS

Among the principal advertisers are:

Aspirin, they practically drive themselves into buying them with the frequent use of the plugs. Cafaspinas uses spots but Genial, the leader, not only turns out dozens of these, but puts on a late jazz show on Saturdays and holidays (later seen to come every other day) something like the Lucky Strike dance program. Also news bulletins. Incidentally, Genial the only company here to issue free book matches. All others must be bought.

Atkinson's products: This is the famed English perfume house now controlled by Lever Brothers and is strong all over South America. Atkinson sponsors classical type grand operettas, fully dramatic show, twice a week concert grand.

Credit clothing: Buenos Aires houses with branches in the interior like Belfast, Braudo (two pairs of pants, one free), Casa Munzo, all do a big job.

Gasoline: Shell Mex sponsors big name drags, especially orchestras; West India Oil Co. (Eso) sponsored Heifetz, Miller Brothers, Stokowski and the All-American Youth Orchestra, YPF, the government combine, hooks its name on many programs from the municipally-owned Colon theatre, NY 1 opera house. Mobil oil has also a once-a-week March of Time program.

Mate: The Great South American drink which supplies all the vitamins from A to Z for an essentially meat and few vegetables eating country has several big advertisers. Among them La Hija, Salus and Santa Teresa who have daily shows, musicals and every kind of spot.

Meat: Armour and Swift are the biggest in the No. 1 industry of Argentina and both concentrate on musical shows which plug their canned products; butcher store meat being sold without label.

Pills: Past and Rose Pills, both U. S. use musicals sketches and gags. Quite a number of others in this class, Pills are hot here.

Soaps: Probably the biggest single class of advertising, Lux heads the list with all types of shows, orchestras and comic programs, plus domestic talks on beauty and house hold. Palmolive strengthens dramatic shows. Jabon Federal, local product, uses tango orchestras and soloists. Jabon Llauro, another local suds-maker concentrates on musical comedy. Llauro Brothers have extensive film interests and use some of their pix stars.

Generally department stores—the biggest all through South America are English owned—use radio principally for special sales. The national and provincial lotteries use no radio.

THE AMAZING YANKELEVICH

Stations on this continent take names as well. numbers; usually are known by the former.

Generally rated No. 1 is Radio Belgrano, spotted right in the center of the crowded dial. Owner is Jaime Yankelevich who also owns Radio Portena and Radio Mitre, and is the most colorful character in the South American industry. A Polish-Russian, he came here years ago with little cash and at one time was an electrician who peddled around to his customers on a hand-carried bike. He got interested in radio through selling parts.

Made so much he bought Radio Nacional (no longer in existence), then a small station. Did so well that he gave up hustling and started to build. Yankelevich is one of those self-made guys who knows public taste because he's close to it. Belgrano admittedly doesn't give much of a darn about artistic values or standards of production. Idea is to get the listeners and make the dough—which it does. Belgrano points out that he has imported the most important talent from the U. S. and Europe, cities names like Tito Schipa, Ramon Novarro, Lucienne Boyer, Harry Roy, Jose

Latin American Radio Pictured Statistically

(DATA BY LUNSFORD P. YANDELL OF NBC INTERNATIONAL SECTION)

COUNTRY	POPULATION	TOTAL RADIO FAMILIES	SHORT WAVE RADIO FAMILIES	EXPORTS 1938	EXPORTS 1939	EXPORTS % CHANGE
Argentina	12,958,000	1,400,000	910,000	\$86,793,150	\$71,113,502	-18.1
Bolivia	3,226,000	21,600	10,800	5,394,795	4,512,103	-16.4
Brazil	46,116,000	1,000,000	600,000	6,956,950	80,440,605	+29.8
Chile	4,597,000	190,000	65,000	24,603,153	26,788,855	+ 8.9
Colombia	8,702,000	130,000	78,000	40,862,264	51,294,529	+25.5
Costa Rica	623,000	20,000	14,000	5,448,505	9,786,121	+79.6
Cuba	4,228,000	275,000	175,000	76,331,437	81,643,791	+ 7.0
Dominican Republic	1,581,000	7,000	4,900	5,695,547	6,780,386	+19.0
Ecuador	3,200,000	7,500	5,250	3,310,925	5,900,300	+78.2
El Salvador	1,460,000	10,500	8,400	3,525,628	4,172,238	+18.3
Guatemala	3,002,000	14,000	8,400	6,860,847	8,573,760	+25.0
Haiti	3,000,000	2,700	2,430	3,642,374	5,140,147	+41.1
Honduras	963,000	16,000	12,800	6,292,011	5,811,868	- 7.6
Mexico	19,154,000	450,000	225,000	62,016,305	83,177,165	+34.1
Nicaragua	1,172,000	4,200	4,200	2,806,644	4,297,367	+53.1
Panama	595,000	18,000	14,400	24,407,115	32,614,617	+33.6
Paraguay	955,000	11,200	8,960	643,661	675,230	+ 4.9
Peru	6,500,000	50,000	30,000	16,891,780	19,246,327	+12.2
Uruguay	2,093,000	160,000	112,000	5,059,889	5,177,353	+ 2.3
Venezuela	3,491,000	138,000	82,800	52,278,182	61,951,502	+18.5
<i>Total for 20 Republics</i>	127,616,000	3,925,700	2,372,340	\$494,821,162	\$569,097,666	+15.1
Puerto Rico	1,724,000	60,000	54,000	80,746,030	86,450,856	+ 7.1
Barbados	193,000	1,900	1,900	953,876	1,374,301	+44.1
Bermuda	31,000	5,000	5,000	3,951,172	3,562,830	- 9.8
Jamaica	1,174,000	6,000	6,000	5,745,938	5,904,864	+ 2.8
Trinidad and Tobago	465,000	5,000	5,000	7,442,730	6,947,774	- 6.7
Other British West Indies	297,000	2,260	2,260	3,469,887	3,407,218	- 1.8
British Guiana	338,000	1,800	1,800	1,025,462	1,276,767	+24.5
British Honduras	58,000	1,150	1,150	1,056,593	1,021,433	- 3.3
Dutch Guiana	173,000	2,500	2,500	766,526	915,154	+19.4
Dutch West Indies	101,000	2,780	2,780	42,766,879	38,377,729	-10.3
French Guiana	37,000	80	80	118,603	90,984	-28.3
French West Indies	555,000	7,300	7,300	2,009,124	1,441,823	-28.2
<i>Total for others</i>	5,146,000	95,770	89,770	\$150,052,820	\$150,771,733	+ 4.8
GRAND TOTAL	132,762,000	4,021,470	2,462,110	\$644,873,982	\$719,869,399	+11.6

SOUTH AMERICA —

Continued
From Facing Page

Mujer de Mexico and Bidu Sayão, Brazilian operatic star, probably represents the greatest opportunity for U. S. talent touring the continent. Juan Cossio is administrator, Antonio di Lello artistic director and Juan Rossi—commercial chief—but it's Jaime who runs the show. Belgrano is tied up with a local newsreel outfit and also works with a loose chain of eight Argentine stations and one across the River Plate in Uruguay. Use of the latter is compulsory for advertisers during peak hours.

GOLF WIZ RUNS EL MUNDO

Next is Radio El Mundo. Great dispute between the two as to listening audience, latter claiming that impartial checks give it three times the audience. Mundo is owned by Editorial Haynes, originally an English company, which also runs El Mundo, morning tab with a claimed largest Spanish circulation of any newspaper in the world, and a flock of class slick-paper mags. Head of the outfit is Harry Wesley Smith, one-time golf champ who keeps a close watch on the best of U. S. methods. Mundo is the only station that started off, having been founded five years ago with \$2,000,000 (U. S. investment). World War II has opened up the government put it on the block. Mundo winning by an offer which promised to present best type of programs and also toss in a transmitter for official use. Generally Mundo and Belgrano do the same kind of programs, but Mundo tries to put a little more class into the presentation.

Mundo has also imported, or worked split cost deals with many stars, as Marion Anderson, Heifetz and Rubinstein, Tito Gúzár, Lerner Quartette and the famed guitarist, Segovia. Also handles re-transmissions of top foreign programs such as Roosevelt speeches on a special circuit, entirely as listened prestige builder. Pablo O. Vale, director, was forced away from Belgrano, contested the sale, and joined the commercial end. Mundo has a Black and White Network tieup with 11 interior stations. Because of personal interest of Smith, it's one of the few outfits here to make a fairly close check of listener taste; last year if had a special staff working several months on a tab of 700,000 items. Headquarters was patterned after U. S. stations and is considered most modern on continent.

After Belgrano and Mundo there are a half dozen stations which rate rather high and are listed here without regard to order.

17-YEAR-OLD STATION

Radio Splendid, located in a mansion, has long been fond of boasting that it has the audience with the biggest purchasing power. Now, in its 17th year, oldest commercial A. S. station in the hands of one group of owners, it was forced to give up the idea of ruling out melodramatic and comic programs when biz began to slip two years ago. Owners are Antônio Pedroso and Benjamin Gómez, who also started from the parts end. Up several years ago, Splendid ran an annual radio fair for dues promotion but gave up when the old Opera theatre where shows were held was razed, re-

moving only suitable spot. Splendid handled Stokowski during his trip here. Programs directed by Juan Manuel Puente, are angled toward higher income groups.

Radio Del Pueblo, is, as its name suggests, a station of the public and while slanted down, has been on the upbeat.

Directed by R. Bernetti, it goes strong for the corniest melodramatics and slapstick comedy shows and amateur talent.

Radio Excelsior which operates with LT 8 in inland Rosario.

Is owned by Alfred Dougall, operator of the Buenos Aires Standard, one of the two English stations here. Uses fewer dramatic and comedy hours, generally keeping symphony orchestras, etc., and appeals mainly to wealthier English and foreign group resident in Buenos Aires with such items as radio drama, art and canned, salon orchestras, etc.

Plugs its own paper as does Radio Mundo and carries many re-transmits of English and U. S. specials. Julio Gallino, Rivera is station director and Eduardo Labbe handles the commercial end.

Radio Municipal, while not rated commercial competitor, carries some spots. Main feature are the full programs from the Colon. No attempt is made to interest audiences in special angles; however, frequently the entire intermission break going on the air without any kind of music. Broadcasts news bulletins from La Nación. Musical ticks up local events and the like, plus all kinds and spins and lots of photographic records round out its tuntable. Director is Carlos A. Torelli. Worth a line in the same class is Radio del Estado, the State station directed by Ovidio N. Carli. Carries no commercials and fills in between market reports and weather details intended for the interior by playing records. Also feeds official transmissions such as speeches to other stations during celebrations and congressional sessions.

Radio Argentina is owned by Phillips Radio and angles toward the Spanish audience. Goes in strong for music from Madrid and is working with the local pix industry.

Roberto Gil and commercial head make up the management.

RCA owns no station and has never been tied up with any, probably because the majority of equipment used by all is probably built out too close a heap with any one broadcaster.

Radio Fenix, now headed by Raul Rosales, formerly

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The Shortwave Commercial Outlook As Crosley's WLWO Analyzes It

By CECIL CARMICHAEL

Assistant to James Shouse, Vice President
In Charge of Broadcasting, Crosley Corp.

Cincinnati, Jan. 5.—The position of the United States in international broadcasting in South America, contrary to a lot of romantic opinion, is not that of the hardy pioneer. The job now, says Wilfred Guenther, general manager of WLWO, "is Crosley International's outlet in Cincinnati, is to consolidate the discoveries made and to utilize the habits developed among listeners."

"The native broadcasters in South America and the European short wavers have cleared the forests and drawn the maps," he says. "Now, on the basis of good neighbor relations, U.S. broadcasters are invited to move into a territory which is partly charted."

Guenther thinks that 1941 will witness a rapid expansion of international radio—perhaps the most rapid of any phase of broadcasting so far. Faster than FM, certainly. Faster than television, too.

And why not? South America's trade with Europe has been snatched to pieces. South America is turning to the United States for goods. The race for customers is on; which means advertising, and for advertising, many a firm will turn to radio as the most immediate and far-reaching medium for developing the South American market.

It follows that with advertising revenue starting up, and improved programming, a station will attract more listeners. International radio then becomes a more valuable advertising medium, and so on.

Corporate foreign departments are aware of this tremendous South American market. They are racing to complete new and larger budgets. They expect to see a great deal of new business since Europe came to the United States during the first World War and made business men aware that there was a foreign market.

Favorable Set-Up

U. S. short-wave stations stand to make good in a big way in South America through the sale of short-wave sets which their enterprising will improve upon. Geography has a lot to do with it: Because of poor ground conductivity, mineral deposits, mountains and tropical static, standard band ground waves will not carry very far in Latin American countries, so that many such standard stations are operated in conjunction with portable or mobile transmitters. The short-wave audience has been built up partly by this means, and partly by the elaborate broadcasts from Europe, also short-wave, which once commanded such faithful listening.

The fact that European stations are being relied upon less by South Americans as they recognize the propaganda value implicit in the radio does not alter an important fact where the United States broadcasters are concerned—that in better days European radio helped put South America in the short-wave listening habit. Things like the now-famous Good Friday incident when news of Italy's invasion of Ethiopia was broadcast from the U. S. immediately, but not from Europe, until four days later, have helped switch allegiance.

Guenther doesn't believe U. S. internationalists will compete with South American local stations any more than the Saturday Evening Post competes with the local newspaper. Each has a certain niche. Because of its nature, WLWO never will be in the top of the business; a local South American station will get for a purely local campaign.

Few Statistics

The vast job of statistics is one of the toughest international radio has to face. Guenther admits bluntly that neither WLWO nor any other station can give him figures, the essential fact is that there is a South American audience. Who listens to what, who owns what, who buys what, all will be determined by the slow, painstaking process that now after many years—enables U. S. standard band broadcasters to tell advertisers what they do to them.

The responsiveness of the South American market is already established. NBC's files are choked with letters and so are those of WLWO. Commercially, WLWO reports heavy mail responses of which the 1,024

repplies to five Carter's announcements received is an example.

On Jan. 1, WLWO put its hourly rate to \$100, on the premise that it is better to have a busier station with more clients and wider programming at the lower figure than just a few at a higher one. Regulars on the station at present are Carter's Pills, Alka-Seltzer, J. B. Williams, International Cellucotton (Kleenex), and Firestone Tire. This list may double in another month.

Crosley Plans

Here are a few indications of WLWO's coming activity:

The budget for 1941 will be substantially larger than that for 1940.

On Jan. 1, WLWO upped its foreign-language broadcasting from seven hours a day to a total of 11 hours. In mid-year it is expected that full-time foreign-language operation will be in effect.

The station has added two newsmen this month. They are James Canel, who came from Havana where he was formerly with the Havana Post, Diario Del Marino, Havas and Reuters; and Oscar H. Romaguera, formerly in the Cuban diplomatic Corps and more recently with Carter's Pills.

The station expects an increase in power from the minimum of 50,000 watts. At present it is experimenting with input power of 100,000 watts with permission of the FCC.

Most short-wave men agree that the big danger to be avoided in 1941, and the temptations will be plentiful, is overexposure. It has been television that has triggered the hurt international radio now. Short-wave will sell goods in 1941, but nobody is going to get the moon with a fence around it.

Eau Claire on Regional

Minneapolis, Jan. 5.—WEAU, Eau Claire, Wis., has joined the Minnesota Radio Network and will receive both NBC Red and Blue Twin Cities key station of the regional. Other in the network are WCCO, Rochester, Minn.; KAFM, St. Cloud, Minn.; and KYSM, Mankato, Minn.

Canada's Industrialization Creates Broadcasting Boom

By MORI KRUSHEN

Montreal, Jan. 5.—Early days of 1940 when Canadian broadcasters were suffering from jitters and general uncertainty have almost been forgotten in the upsurge of new business which followed. Canadian stations in '40 closed the books on one of the most profitable seasons in history. No statistics are available time sales on Canadian stations for 1940 are variously estimated at from \$8,000,000 to \$9,000,000.

Some stations in the maritime provinces are already sold out and reported refusing spot biz. Other outlets in Quebec, Ontario and Prairie provinces are rapidly approaching the "sold out" stage. In this development some agency men foresee a healthier approach to radio in that live program production will be given more attention than hitherto. Sponsors anxious to use radio and unable to book spots will be obliged to use 5, 10 or 15-minute programs.

Tax Question

Biggest question now confronting agency men is whether the government will legislate to prevent taxation of advertising appropriations. Under current war time taxation 75% of the profits over and above the average profit during the four years preceding the outbreak of war go to the government in the form of "excess profits." There is now considerable speculation as to whether advertising appropriations, newspaper or radio, designed to reduce excess profits, will escape the tax.

Rumors are prevalent that advertising appropriations will be allowed, for taxation purposes, only on the basis of the average spent on record.

LATIN TALENT ON NBC SINCE 1932

1932

The present emphasis upon a prospective exchange of artistic talents between the northern and southern hemispheres under CBS and NBC radio bridges, gives us a lesson in the previous history of such bookings which have been largely but not wholly confined to NBC under John Royal's encouragement.

Putting Spanish-speaking talent on English-speaking stations, or vice versa, has and will always have certain obvious drawbacks. It throws a burden upon show personality that is too told to the audience to be able to bear up under. Hence most of the talent importations of radio have, in the end, been disappointments. Gifted individuals and groups undoubtedly were. But radio couldn't sell them and on the whole American radio has too many distractions of a routine character to follow through on the build up and exploitation of unknowns. Clever people have often gotten forgotten in the too big whirligig of Yankee broadcasting.

What has been, and what will be, announced as a talent "import" is frequently simply the radio employment of some Latin star already in the country. Nevertheless quite a number of importations have been directly arranged since 1932 by NBC. Radio Bremen, Argentina, and the stations of other South American centers of alertness have brought down talent from the states, such as Pola Negri, Ramon Novarro, etc. Cost was borne by booking personalities for radio, theatre, concert and cafe doublings.

South American talent is, on the whole, very cheaply compensated by Yankee show business standards. Carmen Miranda and six guitarists were imported originally from Brazil for \$500 a week. Miss Milanda, now in the money, is the big

three or four years preceding the war. Any appropriations over the three or four-year average may be entirely disallowed or may be taxed 30%.

Against this some agencies point out that it is the declared intention of the government not to dislocate legitimate business progress or erect barriers to enterprise. Contentions that every advertising budget will most likely be examined on its merits. Where, say, an additional \$100,000 spent on newspaper advertising brings proportionate increase in profits, and since these extra profits are taxable up to 75%, then the government has nothing to then the government has nothing to do in permitting the higher appropriation.

Whole Economy Shifts

A great change in radio, as well as in the entire show business is foreseen in the coming quarter. A direct result of the war, Canada is becoming highly industrialized. A tremendous task now facing the government, and being successfully tackled, is that of turning a country which has been largely agricultural into a country which is to be increasingly industrial. Dozens of new industries are springing up. Employment is now the highest on record, with 600,000 more men and women employed in 1940 than in 1939. Employment last year was at the 1930 level. Retail sales for October show a 12% increase over last year. Many plants are operating at 95% of capacity, an all-time high.

Millions in American capital are now seeking employment in Canada if enquiries being received by various provincial governments are any criterion. Enquiries from American industrialists are more numerous and more serious than at any time on record.

best cross-equator click of all time. Talent records for the period 1932-1940 disclose radio appearances on NBC by such more or less distinguished Spanish (or Portuguese) speakers as:

Malini Garland, South American soprano.

Federico Jimeno, Colombian baritone.

Rafaela Cueto, Cuban tenor.

Eliseo Histona, Brazilian soprano.

Graciela Purrung, South American tenor.

Julio Martinez Oyanguren, guitarist.

Marie de la Torre, violinist.

Angelina Ryba, baritone.

Edmundo Rosales, violinist.

Juan Arizaga, Mexican singer.

Carmina Pava, instrumentalist.

Roberto Gómez, tenor.

Carlos Gardel, singer.

Carlos Chávez, singer and composer.

Churruca, singer.

Manuelita Sánchez, Mexican conductor.

Orfeo Triana, Mexican singer.

Aguila Sisters.

Orfeo Triana, Mexican singer.

Orfeo Triana, Mexican singer.

Paco Zarate, tenor.

Edmundo Rosales, violinist.

Bernardo Segall, pianist.

Mario Alvarez, Cuban tenor.

Domingo Gómez, Cuban tenor.

Alfredo Medina, tenor.

Manuelita Sánchez, Cuban soprano.

Las Rancheras.

Orfeo Triana, Cuban tenor.

Rosa Coloma, Mexican contralto.

Angelito Loyo.

Joe Bathcourt, conductor and mezzo-soprano.

Rimba players.

Aida González, Guatemalan soprano.

Adrián Martínez, tenor.

Senorita Loy, soprano.

Lucinda de Orellana, soprano.

Clarita Sanchez.

Leopoldo Gutierrez, Chilean baritone.

Radio In Shanghai, China

By CAL S. HIRSCH

Shanghai, Dec. 15.

After the negating factors of the Sino-Japanese conflict, which started in August, 1937, the war situation in Europe has stimulated non-commercial radio to a large degree in Shanghai and conflicting nationalities in this Internationally important settlement take full advantage of their opportunity to further their propaganda.

In spite of the fact that the Germans had been broadcasting for eight months, the Ministry of Information (British) corporation XCDN failed to utilize opportunities offered until July, 1940. However, once underway, they are now presenting the longest program of any local station from their quarters in the spacious Cathay Hotel, well-known to American tourists and businessmen. In the early English settlement, they do not indulge in invectives against their enemies, but stick strictly to quiet propaganda and build-up statistics. XCDN radiates in English, German, Czech, Hindu-stani, Russian and Italian.

The Germans, on the other hand, never fail to decry British statements. They take particular delight in dissecting any comments which might appear in the North-China Daily News, editorial or otherwise. This paper represents official British opinion.

There is a station in the French Concession, the Portuguese employ the air and the Italians on their own buy time on independent outfit. The Japanese operate three stations in Shanghai, all of them situated in the Hangkow-Japanese-occupied area of the International settlement.

Three years ago, Shanghai boasted of 73 stations; now there are 30. The decline is attributed to the war in China and Japan's censor pressure on local foreign authorities.

Three of the foreign papers, North-China Daily News, Shanghai Times and South China Morning Post, the latter American-owned, give radio and three news broadcasts daily. Of the Chinese stations, Wing On's leading department store (American-incorporated), is the most prominent, while three drugstores and several Chinese papers sponsor their own transmitters. Naturally most of them advertise their wares, interpolated with news bulletins and recordings. Few of them are stronger than 50 or 100 watts and are for local service only.

No Hook-ups

Of the foreign stations, the most popular, XHMA, is rated at 600 watts, while XHMC, missionary outfit, is powered at 1,000 watts.

Shanghai probably boasts the largest number of air-hours of any city in the world, averaging around 350 daily, but of course not one of these has any hook-up whatever. Hook-ups are unknown to China.

Unique among news commentators is Carroll Alcott, who has become known to American fans by his being mentioned in VARIETY as well as in other publications. He is a citizen because his life has been threatened by the upstart Nanking regime. His comments are pungent and bitter at times, appealing to audiences which are anti-Japanese and anti-Axis. Alcott is prospering by buying his own time and re-selling to sponsors such as Maxwell House Coffee and Daggett & Ramsdell, together with local beer and baking concerns. He is on the air the four times daily over XHMA with newscasts.

Radio Reviews

TONY MARTIN
With David Rose Orchestra, Truman
Bradley
Songs
15 Mins.
WOODBURY (Jergens)
With Tony Martin in C.A.B., has now
been rechristened as a show by him-
self (with a billing credit on the
air to Woodbury) produced by the first
(face cream) Jergens. Last night the first
half hour—part 30 minutes on 40 NBC stations. Martin is doing an
early Phil Stewart—"Your Lover"
whispering routine between songs.
He's part of a cast of ladies. In line with this,
Lerner & Mitchell has Martin dish-
ing out romantic maple juice in
buckets.

Tony Martin, who hyped the Andre Kostelanetz orchestra show last year into probably the most respectable personal appearance show Kosty ever had in C.A.B., has now been rechristened as a show by himself (with a billing credit on the air to Woodbury) produced by the first (face cream) Jergens. Last night the first half hour—part 30 minutes on 40 NBC stations. Martin is doing an early Phil Stewart—"Your Lover" whispering routine between songs. He's part of a cast of ladies. In line with this, Lerner & Mitchell has Martin dishing out romantic maple juice in buckets.

It's a high compliment to Martin that he's got enough personality with his idea continuity. As for the songs, David Rose's orchestra did a lot with and for BMI. It goes without need of underscoring that as the only new commercial to come along the way day ASCAP to come along (Jan. 1), the ears of the radio and music trades were especially attentive to what Martin was singing so much about how the couple could be pretty well because Martin rates as one of America's authentic screen-radio song stylists.

The quarter hour ran to muted, restrained song and interlarded references to a new, lovelier atmosphere. You can't help getting the impression you're going to make with the men. The opener was BMI's "We Could Make Such Beautiful Music" together. Then there was a batch of bland romantic mood stuff nicely dished, but a little cramped perhaps because shut off by the music feed from other material on the tape deck.

Tony Martin had caressing personnel messages to say and sing, "I'm gonna kiss your ears alone." There was "The Old, Old Story," "When You Are By My Side," "Some One For My Heart To Sing To" and "There Is No Love Like Home." Both batches of romantic mood stuff nicely dished, but a little cramped perhaps because shut off by the music feed from other material on the tape deck.

The formula never says so in so many words, but the idea is ladies close your eyes—this is Tony singing right at YOU—and we do mean YOU! There are regrets from the girls because of so many things left unsaid, don't you dare to tune in again next week—so many things that concern you and me—our memories—yours and mine...oh, my darling, you are low, so gloomy, giving me another moment all I desire is to make you mine."

You meet such nice people in your dreams.

GEORGE MCCOY
Street Interviews
15 Mins.—Local
Sustaining
11:30 p.m.
WEAF, New York

George ("The Real") McCoy is a graduate from WHOM, Jersey City, where his father got gathered enough attention to warrant a slot on NBC. He is currently in the 11:30 p.m. slot once reserved for dance orchestras. Although the spotting of McCoy in a niche such as a sounds whacky or papery, it does have a sort of sense to it. The gabber has an intimate, sometimes racy, and sometimes outright fresh approach, and this is the right kind of appeal directed to the nightwakers. McCoy furthermore looks like seasoned timber for any of the sponsors who bankroll late-night shows.

Street interviews completely eschew test-your-knowledge questions, and true-or-false quizzing. McCoy sticks entirely to personal trivia, keeps flip on occasion, but doesn't go off the reservation. His trademark is his method of getting a candidate from the audience by muttering, "C'mere, brother" or "C'mere, sister," as the case may be. His questions range from the average education, occupation, love life, hobbies, home town, and all that.

Since McCoy has his mike at the ready, most of his interviewees are out—go to the night before, to the interest. But all told, the speller's knock consists in his quickness with gab, his flirting with personal trivia, and his ability to weave all the talk around to fitting a sock on the chin. His offhand, I don't give a hoot enunciations carry the session toward a consistent, steady note.

When on WHOM he did his stuff from the Paramount Bldg., and the Astor is NBC's sole curtesy to McCoy's graduation into the big leagues. Otherwise he's untrammeled, which is why the night before his finale for WHOM he was seen at that station's sales manager, farewelling McCoy with a mention that he feels as if the lesser station were a prep school for the big time NBC Edga.

HOW DID YOU MEET?

Romance 15 Mins.
WOODBURY (Jergens)
With Tony Martin
WEAF-N.Y., 8:15 p.m.
WEAF-N.Y., New York
(Lerner & Mitchell)

This is part two of the half hour for Woodbury's. Like Tony Martin (part one), the program is dedicated to romance. It is the simple report of how boy met girl. There are prizes \$100, \$50, \$25 each, won for your story on how you met the one and only. The story becomes the property of the program and all who enter will agree to accept as final the verdict of the judges, including the Hon. Bernard L. Schubert, who sold the program to Lerner & Mitchell.

This time it was a traffic accident that brought boy and girl together. The dramatization was light fluff that exploited the mating instinct.

It was a fun time—a melon—of love with a simple kiss, with the clinch a foregone conclusion. Nobody except misanthropists ever spoke kindly of love, this was a contest angle with it irresistible love and search-relicensing giveaways, what a clever boy is Bernie Schubert.

The continuity mentions that Rhett went met Scarlett O'Hara at a dance, and all he had to say was that "your face will look soft and lovely" if you use—they say wear—Woodbury powder. Indeed, little misses, you don't know your own apples, too much hair spray.

Woodbury is the little brother Cupid to the national selective service draft in promoting matrimony. The program has a few more lines to put the just-married couple through a quarrel to a wedding but that was all the time that could be spared from selling Woodbury's bedazzlements.

Land.

CITY DESK

With Chester Stratton, Gertrude Warner, Jimmy McCallion, Karl Swenson, Ethel Owen, Jeff Bryant, George Couloures

Drama 30 Mins.

COLGATE-PALMOLIVE-PEET

Thursday, 8:30 p.m.

WABC-CBS, N.Y.

(Ted Bates)

Newspaper reporting in the front page of the nation's leading dailies.

City Desk doesn't add to the formula. Inaugural program tried via breathless delivery and much scampering about to inject a bit of news through the initial half hour, but it remained only mildly interesting. However, it is the type of show that gathers serial following minds.

Advertisers would have been much better had the principals, characters, girl and boy scribblers, and several supporters, been less strained. Several supporters, been less strained.

They sounded painfully eager to be good, a bang, a bullet, an undoubtedly smooth out. Unfortu-

nately, one of the lesser lights in the east mikes in tones and delivery identical with Victor Moore's style. He is the prime character in the effort of writing due to his murder charge on somebody other than the one now accused.

It may or may not have been glaring, but at least it was possibly the result of dialing stood out. With the boy in the girl's apartment, sans permission and in the throes of banging out an epic, she asked, "Is your creative mood more prolific in my apartment?" Wood.

Wood.

FOLLOW-UP Comment

WGJ, Schenectady, annual New Year's greeting brought to the mike for the first time, not only the bulk of its staff employees, but men and women from other General Electric broadcasting, television, frequency modulation and television. Nineteen different wave lengths are used in GE local broadcasting. Inclusion of people other than those of the company, due to the fact General Electric, having taken back WGJ from NBC, pays all them. For some years, WGJ had been working for G.E.C. A gathering of both sexes, came over from shortwave division to send their good wishes in those tongues. About 50 individuals were squeezed into the studio, and after making rhymed and prose greetings, burlesqued sketches, singing etc. Bill Meinen, WGJ p.a., emcees the program. Program originated at the WGJ studios in Schenectady, after a verbal buildup, Robert S. Pease, manager of GE broadcasting, and then discovered Pease was not in the studio. Pease cut in later with an apology for being late.

W. B. Greenwald has asked FCC

to consent to transfer of control of radio station **WBKB**, Hutchinson, Kansas, to O. L. Taylor, Amarillo, Tex., and William Wyse of Hutchinson.

The Past—and Future—of Transcriptions

By CHARLES GAINES

Secretary, World Broadcasting System

According to all the available information the honor of staging the first transcription goes to Raymond Scott, who conceived the idea of building short programs on phonograph records. This was back in 1928—prehistoric times—when the program manager of a radio station sat with stack of commercial copy and a pile of phonograph records. Scott had the bright idea of saving the combination announcer-engineer-program manager at least two thirds of his job reading the commercial copy and making the music. Scott went further—he petitioned the Government to label recorded radio programs "electrical transcriptions," thereby paving the way for the cleavage which was bound to result when electrical transcriptions began to undergo marked improvement for broadcasting quality while the phonograph records remained phonograph records, primarily for the home market.

About this time a group of executives and engineers headed by Percy L. Deutsch who, since 1913 had been actively engaged in the development of sound transmission, formed World Broadcasting System. These men foresaw the advantage of an affiliation with recognized authorities in the art of sound reproduction so they negotiated for World's license to broadcast under the name of the American Telephone & Telegraph, the parent organization of the

AT&T. Through the efforts of Percy L. Deutsch, the AT&T agreed to let the WBS use its facilities, thus paving the way for the cleavage which was bound to result when electrical transcriptions began to undergo marked improvement for broadcasting quality while the phonograph records remained phonograph records, primarily for the home market.

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Outside the initial impetus given the recording of radio programs by Scott, almost all major developments in the transcription field have, I believe, since been pioneered by World.

It was not until this license the WBS first produced a record, released on 33 1/3 rpm. Up to that time all records were 78 r.p.m.—and phonograph records turn at 78 to this day. For broadcasting there are many advantages in the slower turning recording principle of which is its large size, carrying a 15-minute program, thus paralleling the approved time divisions of radio—the hour division, the units of 15 minutes.

Within a year or two, after World had established a 33 1/3 rpm. process a new and finer recording method was developed in the laboratories of the Bell System. It was to be known as the Vertical type recording. World immediately modernized its studios and introduced the new Vertical recording in 1931. More improvement and development followed, including the 30 rpm. carbon microphone of the Rca vertical process. Here WBS benefited from the engineering skill and experience of Bell, in cooperation with Western Electric and ERPI, as associated companies.

While these developments were going on—in fact from the very beginning of the past decade—the transcription idea, intrigues many advertisers. Those who soothed the fears of those who said the product is limited areas, of course, hailed a method which would permit them to run a campaign in five or six markets widely scattered or close together. At the other extreme, however, were advertisers who annual appropriations ran into millions, and they wanted much more coverage than any station network of that day could provide. Chevrolet and Ford were prime examples.

Chevrolet Pioneers

Chevrolet, with an organization of 10,000 dealers, saw a great opportunity in the 500 radio stations scattered across the land. The first Chevrolet program was built and recorded at WBS was called the Chevrolet Chronicles, a series of hero interviews featuring Medal of Honor men in the American armed forces, and staged with Gus Haenschen's orchestra and Frank Black's Revellers. Chevrolet and Campbell-Ewald agency officials heard this first audition in the WBS offices in downtown Newark. They bought the program on the spot, and created the largest campaign ever to be put on the air up to that time, or for many years to come. They started with 132 stations increasing to 167 before the year was out. With a few interruptions—principally in the summer—and with changes in program structure—this campaign went on from year to year, stepping up the station list to 240, 300, 375 and finally to 400 stations on the seventh year.

This was a dealer cooperative campaign in the true sense, with the dealers paying a share and insisting on more and more coverage. The

project terminated only when government regulatory restrictions on such cooperative advertising were put in place.

The Ford Motor Co. likewise utilized the great flexibility of transcription broadcasting in a campaign which began in 1938 over a list of 354 stations. It was a dealer campaign, and the broadcast schedules were in the hands of the Ford brothers working in cooperation with the Ford advertising agency.

An interesting feature of the series was the "double interpretation" of the use of two or more stations in a key city in line with standard practice in newspaper campaigns.

their schedules—they came back for more.

Now a word as to program trends.

Passing through many vicissitudes down the long devolved road of the last decade, we find the broadcasting day divided roughly as follows:

quoting Vanter's own figures in January, 1940:

Night Programs % of Time Used

Variety Shows 35.52

Dramatic Shows 18.40

Contest and Participation Shows 16.45

Popular Music 8.17

News 7.35

All Others 15.91

Daytime Programs

Dramas and serials demand

85% of the daylight hours. All other divisions account for only

15%.

Yes 85% of daytime radio is today devoted to one type of broadcasting, and again to find transcriptions right at the front. Some of World clients, many of them first families of American business, swear by these daytime dramas. There are no expensive stars in the programs but there is an absorbing human story and a strong selling appeal to the housewives—those purchasing agents of millions of packages of foods, cosmetics, household supplies. Super-cold salesmen supply. Super-cold salesmen come and go, but the soap operas go on forever—selling, selling.

Equalizes Quality

The transcription is an ideal vehicle to carry these 15-minute dramas to the station. Rehearsed to perfection, every program done to a turn, it speeds out to that distant station to await its scheduled appearance.

One of the most effective programs to farmers, built on the premise of giving farmers real honest-to-goodness information on their problems, was conducted by Firestone in a series entitled, "Voice of the Farm." No one network could provide sufficient facilities to blanket the great farm areas.

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No description of transcription advertising could be complete without mention of the facilities for broadcasting these transcriptions. Of the 761 commercial stations in this country, 544 have equipped themselves with special reproducing equipment necessary to conduct vertical wide range transcriptions. This equipment is imposing, due to the number of potentiometers to be turned, and the number of wires required to connect the various parts of the equipment.

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GROWING NETWORK ROSTERS

COLUMBIA

By HERBERT V. AKERBERG

The Columbia Network as of the first of January, 1941, will number 124 stations in 123 cities, as against 110 stations in 118 cities as of the first of last year. Columbia added eight stations to the network, three of which replaced other stations supplying greater power and more intense and wider coverage, while the other five are in regions which had not had heretofore a CBS station.

During the second half of 1940, from July 15, when the last rate card was issued, CBS made facility improvements at the greatest rate in its history. Columbia in 1941 will have at least 17,500,000-watters in its network, the latest addition being the permit for construction of such a transmitter at WKBW, WCB, CBS based in Buffalo. In addition, it has also added a new 10,000-watter, KIRO in Seattle, which has been granted a power increase from its previous 1,000-watt status by the FCC.

Since July 15, 11 CBS stations have been operating at 5,000 watts, all of them having been granted increases from 1 kw. Beside these 11, 16 other CBS stations have been given permission to construct new transmitters at the same increase in power, while nine more stations have been granted permission for power increases of a smaller amount.

Eight CBS stations are building or have built new transmitters, while ten of our stations have constructed new modern studios and installed the latest in equipment. Several of our stations have had their placed on the kilocycle band switched, resulting in a more advantageous audience position on the band.

WDRC, Hartford, and WISN, Milwaukee, have both been given permission to install directional antennae.

The following stations have been operating at 5,000 watts since July 15, 1940 (all previously operating at 1 kw. night):

Akron, WADC—day and night—also new site and transmitter.

Syracuse, WFBL—night.

Portland, Me., WGAN—night—switch to 500 kc—new transmitter.

Topeka, WIBW—night.

Little Rock, KLRA—day and night.

Orlando, Fla., WDOB—night.

Wichita Falls, Tex., KWFT—day—1 kw.—night.

Green Bay, Wis., WTAQ—day and night.

Denver, KLZ—day and night.

Portland, Ore., KOIN—night.

Honolulu, KGMB—night.

The following stations have received Construction Permits since July 15, 1940, including to 5 kw., formerly 1 kw., night:

Des Moines, KRN—5 kw.—night.

Indianapolis, WFBM—5 kw.—night.

Cedar Rapids, WMT—5 kw.—night.

Dayton, WHIO—5 kw.—night.

Charleston, W. Va., WCHS—5 kw.—night.

Fairmont, W. Va., WMMN—5 kw.—night.

Milwaukee, WISN—5 kw.—day and night—move transmitter and directional antenna.

New Haven, WBRY—5 kw.—day and night.

Parkersburg, W. Va., WPAR—250 watts—day and night.

South Bend, WSBT—switch to 930 kc, when WFAM is sold.

Greensboro, S. C., WBIG—5 kw.—night.

Springfield, Ill., WNBBX—5 kw.—day and night—new transmitter and directional antenna.

Wichita, Kans., KFH—5 kw.—night—new transmitter and towers.

Worcester, WORC—500 w. to 1 kw.—day and night.

Anderson, N. C., WAIM—250 watts—day and night—all new equipment and vertical radiator.

Roxbury, Va., WDBJ—5 kw.—day and night.

Chattanooga, WDOD—5 kw.—night—new studios and towers.

Memphis, WREC—5 kw.—night—all new studios and new equipment.

Montgomery, WCOW—250 watts—day and night.

Mason City, KGLO—100 w. to 1 kw.—day and night—switch to 1270 kc.

El Paso, Texas, KROD—100 w. to 1000 watts.

1 kw.—day—500 watts—night—switch to 600 kc.
Great Falls, Mont., KFBF—5 kw.—night.
Seattle, KIRO—1 kw.—day and night to 10 kw.—day and night.
Yankton, S. D., WNAX—5 kw.—night.
Buffalo, WKBW—5 kw.—day and night to 50 kw.

The following stations have made major improvements in their facilities since July 15:
Chicago, WBBM—new transmitter and four new studios.

Cleveland, WGAR—new studios and speech input equipment.
Hartford, WDRC—new five kw. directional antenna for day and night.

Omaha, KOIL—new studios speech input equipment, mobile recording unit.

Philadelphia, WCAU—new studios, equipment and speech system.

Ithaca, N. Y., WHCU—new studios.

Evanston, WEA—new transmitter.

New Orleans, WWL—new studios and auditorium, new speech input and auditorium.

The following stations have been added:

Kalamazoo, Mich., WKZO.
Spartanburg, S. C.—WORD.
Montgomery, Ala., WCOW.
Santa Fe, N. M., KOF.
Phoenix, Ariz., WPH.
Lawrence, Mass., WLAW.
Quincy, Ill., WTAD.
Charleston, S. C.—WCSC.
El Paso, Texas—KROD.

MUTUAL

By FRED WEBER

The year 1940 saw 50 more independent radio stations become affiliated with the Mutual Broadcasting System, thus bringing the total of affiliates in the United States, Canada, Hawaii and Alaska to 168, effective Jan. 1, 1941. A year ago, 118 radio stations were connected with Mutual.

We expect to add many more stations in the coming year, so that our coast-to-coast coverage is complete. Our aim is to see that no listener in this country be deprived of the facilities and service of our network.

In order to increase the facilities of our stations, both members and affiliates, increase their power, improve their facilities. All these adjustments make for better network operations.

Listed below are just some of the major developments that took place among our stations during 1940. Asterisk marks those stations which joined Mutual during year:

Chico, Cal., KHSL—went to 1 kw. Redding, Cal., KVCF—went to 250 watts.

Atlanta, Ga., WATL—250 watts, 1370 kc.

Memphis, Tenn., WMPS—1 kw., day, 500 watts night, 1430 kc.

Jackson, Tenn., *WTJS—250 watts day, 100 watts night, 1310 kc.

Rochester, N. Y., *WSAY—250 watts, 1210 kc.

Hagerstown, Md., *WJEI—100 watts, 1210 kc.

Portland, Ore., KALE—to 1 kw., night, 5 kw. day.

Hagerstown, Md., WJEI—100 watts, 1210 kc.

Salina, Kansas, KSAL—250 watts day, 100 watts night, 1500 kc.

Great Bend, Kansas, KVGB—100 watts, 1370 kc.

*Five stations of Mason Dixon Group (WILM, Wilmington; WGAL, Lancaster; WAZL, Hazelton; WKBG, Harrisburg; WEST, Easton; WORK, York).

Duluth, Minn., WEBC—to 5 kw. day and night.

Wichita, Kans., KSAI—from 1500 to 1200 watts day and night.

Wichita, Kans., KFBF—1000 kc, 5,000 watts. (With other Kansas stations and WHB, Kansas City, formed Kansas State Network.)

Sherman, Texas, KVRV—from 1310 to 880 kc, from 250 watts to 1 kw., from daytime to unlimited.

Harford, WTHT—from 100 to 250 watts on 1200 kc.

New London, Conn., WNLC—to 250 watts day and night.

San Barbara, KDB—from 100 to 250 watts.

Amarillo, KFDA—from C. S. Goch to J. L. Num.

San Francisco, Cal., KFRC—granted permit to increase power to 5 kw. unlimited.

*Corpus Christi, KRIS—1330 kc, 500 watts.

Weslaco, Texas, KRGV—1260 kc, 1000 watts.

*Jefferson City, Mo., KWOS—1310 kc, 250 watts.

*Grand Rapids, Mich., WLAV—1310 kc, 250 watts.

*Duluth-Superior, WEBC, WDSM—former 1290 kc, 5000 watts day and 1000 watts night. Later, 1200 kc, 100 watts.

Wichita, Kansas, KFBF—reduces night power from 3 kw. to 1 kw.

*Greenville, S. C., WMRC—1500 kc, 250 watts.

*Akron, Ohio, WJW—1210 kc, 250 watts.

*Ogden-Salt Lake City, Utah, KLO—1400 kc, 5000 watts.

*Provo, Utah, KOVO—1210 kc, 250 watts.

*Price, Utah, KEUB—1420 kc, 100 watts.

*Birmingham, Ala., WSGN—1310 kc, 250 watts day, 100 night.

*Gadsden, Ala., WBZY—1210 kc, 250 watts day, 100 night.

*Montgomery, Ala., WGM—1310 kc, 250 watts.

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*West Point, Ga., WDAK—1310 kc, 250 watts.

*Klamath Falls, Ore., KPJI—1210 kc, 100 watts.

*Macon, Ga., WBML—1420 kc, 250 watts.

Anarillo, KFDA—granted permit to change frequency from 1500 kc. to 1200 kc.

*Montgomery, Ala., WMSL—1370 kc, 250 watts.

Charlotte, N. C., WSOC—granted permit to increase from 100 to 250 watts.

Rock Island, Ill., WREB—from 1 to 5 kw.

Fort Worth, Texas, KFJZ—granted permit to increase from 1 to 5 kw.

Philadelphia, Pa., WIP—from 1 to 5 kw.

Pittsburgh, Pa., WCAE—from 1 kw. night, 5 kw. day—to 5 kw. day and night.

*Cheyenne, Wyo., KYAN—1370 kc, 250 watts. Joined MBS First station on any network in Wyoming.

Providence, R. I., WEAN—from 1 to 5 kw.

Danville, Va., WBTM—1370 kc, 250 watts.

Roanoke, Va., WSLS—1500 kc, 250 watts. Joined Mutual.

Steubenville, WSVT—1310 kc, 250 watts. Joined Mutual.

*Grand Junction, Colo., KFXJ—1200 kc, 250 watts. Joined MBS.

*Albuquerque, N. M., WFEA—from 500 watts night, 1 kw. day, to 5 kw. day and night.

Honolulu, KGMB—from 1 to 5 kw.

Chattanooga, Tenn., WDEF—1370 kc, 250 watts.

Knoxville, Tenn., WBIR—1210 kc, 100 watts.

New Orleans, La., WNOE—1420 kc, 250 watts.

Mobile, Ala., WMOB—1200 kc, 250 watts.

Selma, Ala., WHBB—1500 kc, 100 watts.

WLSK, New Orleans, to 5,000 (night).

WMB, Indianapolis, to 5,000 (night).

WFBB, Altoona, to 5,000 (night).

WCBG, Pittsburgh, to 5,000 (night).

KM, Fresno, to 5,000 (night).

KYU, Albuquerque, to 50,000 (night).

WGBF, Evansville, to 1,000 (5,000 day).

WLSK, Lima, to 250.

WMB, Savannah, to 5,000 (night).

WVFM, Yuma, (available only with KTAR).

WLSK, Winston-Salem, to 5,000 (night).

KRBM, Bismarck, (available with KGIR and KPFA).

KGLU, Safford, (available with KTAR).

WOPJ, Bristol, (available with WFBC).

WPT, Kingsport (available with WOCE).

WPSA, Montgomery.

WIZE, Springfield, available with WING.

WAML, Laurel, (available with WJDX).

WFOR, Hattiesburg (available with WJDX).

The following presents a quick summary of essential information concerning changes and improvements in the stations affiliated with NBC's two networks, the Blue and the Red. The data included covers the stations of the whole field of NBC facilities which were desired for inclusion in its 35th anniversary edition.

Taking the NBC networks alphabetically from 'B' for Blue to 'R' for Red, the facts of 1940 are:

I

Blue Frequency Changes
KOKO, St. Louis, from 1,250 to 630.

KOH, Reno, from 1,380 to 630.

KERN, Bakersfield, from 1,370 to 1,380.

Blue Power Increases
KUTA, Salt Lake City, from 100 to 250.

KLO, Ogden, from 1,000 to 5,000.

WGN, Birmingham, from 100 (night) to 250 (night).

KKOK, St. Louis, from 1,000 to 5,000.

KOH, Reno, from 500 to 1,000.

KERN, Bakersfield, from 100 to 1,000.

Blue Power Increases
KUTA, Salt Lake City, from 100 to 250.

KLO, Ogden, from 1,000 to 5,000.

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Radio's Soothsayers

Research Men's Prestige — And Income — Up In 1940.

Sales Effectiveness Now Examined More Exhaustively.

The Stanton-Lazarsfeld Mechanical Analyzer Records Listeners' Reactions.

By EDGAR A. GRUNWALD

To most persons in the radio industry, research has progressively evolved from a mere sales-promotion feed through into a high-class form of soothsaying under whose omniscience no mystery of past or future is obscured. Once the boys in the industry hired researchers to drum up little white lies; today they believe them (the researchers, that is—not the lie).

The researchers themselves are not always so convinced of their own infallibility. But the bank accounts

wonderful. They do, acknowledge that the layman's usual dowdy education in mathematics and psychology yields him certain prestige, such as is associated, perhaps, with doctors. And they're glad to be doing so nicely.

In the year just passed, this prescient brother his boost when the Presidential election more or less turned out according to the Gallup-Crossley-Roper specifications. A Presidential race, entangled as it is by the electoral college and state-by-state counting, is more than merely tabulating a lot of 'yes' and 'no' straw votes. The pollster had better be right in the big picture, or he'll be a total failure. Additionally, the race was close this time. So the achievements of Gallup-Crossley-Roper are now generally viewed as giving proof of increasing technical skill.

There is a difference in the concepts, and buyers of research do well to note it. Increasing technical skill really matters; infallibility is a layman's notion.

Under the heading of tail of what happened—important—last year, certain definitions about research must first be established.

For the sake of utter simplicity, it may be said that research is the psychological prying out of certain data, and the subsequent analysis of this information according to mathematical formulae.

Fallacy of Averages

For the past 10 years, buyers of radio research have most always wanted research to tell them two very simple things: (1) how big is my market, and (2) what are the various phases of it. The one-point-bigness—is no headache. But an 'average' is apt to be only a very crude thing.

For instance: if you buy lumber for window sills in Radio City, and got a researcher to measure them, he might report that Niles Trammell's window is 5 ft. wide, Bill Kostka's is 3 ft., and the window in the little powder room is 2 ft. That's an average of 3 1/2 ft. So, if you bought three times 3 1/2 ft. of lumber you would have the right total amount; but if it came in 3 ft. lengths, the calculation is practically useless, since no window is of that size. That's one trouble with an average.

Refining this discussion somewhat, and keeping powder rooms out of it hereafter, it will be apparent that in buying up averages, much depends on the number of samples. And here again, the crudity increases. Suppose you were measuring the average length of human noses. Let's say you took a small sample, and in the sample up pops Jimmy Durante. Most everyone's nose would have a length of around 6 centimeters, but the Schnozz's unbelievable proboscis would come to 9 cm. and throw the whole thing out of whack. The average in a small sample would go up like a thermometer in July.

Big Samples

You protect yourself by getting a bigger and bigger sample, until the 'normal' people (statistically speaking) outweigh the 'exceptions' (statistically speaking). But here is where the crudity of the procedure comes in: mathematically the expanded sample is correct, but humanly it is often unfeasible. The increased research means increased personnel, and with increased per-

sonnel comes cheap labor and cheap results. The procedure gets sloppier and sloppier, and the sample evolves into a kind of white elephant.

Over the past year, the better research people have tried to get away from the sloppiness which comes with size. And in doing so, they simultaneously have tried to get away from the oversimplification of data. Instead, they have tried to substitute correctly—chosen smaller samples, handled by experts and based on better technical precision. Intensification has been taken to extremes, and from it the buyers of research have gained not only their pet plaything—some kind of average—but also qualitative data on habits, economic factors, social factors, etc.

Furthermore, the whole thing is perfectly safe mathematically. In the Jimmy Durante example, cited before, good researchers would have come to the conclusion, as he did, that it was a comediant relying in part on the schnozz. Size of sample dwindles as a prerequisite when careful choice is substituted.

Something Wrong

Here again the Presidential polls emphasized this trend. None of the researchers used very large samples (but they did use complicated ones).

Crossley, in fact, went so far as to toss out the whole solid south plus certain portions of the rest of the U. S. He stuck to the key states and he was right.

The Cooperative Analysis of Broadcasting meantime increased its sample, but this was primarily due to the shorter intervals between calls. In line with intensification, the C.A.B. set up an expectation system to keep a careful check on city-by-city performance. For instance, if one station normally gets a rating of 20 in Chicago, and one day the Chicago staff sends in a rating of 13 in the face of a rising seasonal trend—then the C.A.B. knows that either something extraordinary was going on in Chicago, or else the staff out there had too much eggno. Re-checking in any event determines what is what.

The tendencies toward intensification, however, could not have proceeded without someone to dramatize them, and help them along in other respects. That's where CBS comes in. Other organizations might share some of the glory, but CBS provided the biggest financial feedbag, and—even more important—had the idea men who could fully comprehend this kind of research. One thing, Vic Rennel, advertising sales promotion department, is now working to a pitch where the simple grist of earlier years no longer suffices. Especially with Frank Stanton (research director) more intently responsible for many of the new research developments.

Not the least of Stanton's qualifications for the role of radio research's patron saint is that Stanton is not afraid to stick his neck out. When he wants to get to the bottom of things, he does not shrink from allowing tinkering with hair-brained schemes, he does have a unique curiosity and alertness prompting him to explore avenues otherwise unnoticed. And where he is not the actual originator, he often is the guy who sets the pace.

This was particularly true in the case of radio sales effectiveness studies—another example of research intensification. During 1940 a great many of these studies, comparatively speaking, were brought out under the aegis of various research firms, Crossley, Hooper, Roper, and others, including A. E. Nielsen who geared his to the audiometer (mechanical recorder), all brought out such studies. In many respects there was nothing particularly new about this idea.

But the exception to this idea was that CBS had a hand prominently in it. Sales effectiveness data—that is, data attempting to show much selling impact, radio contributes to the movement of radio-advised merchandise—will surely increase in volume, and in quality during the future. Not only do sponsors demand it, but radio is perfectly glad to frett over this information since

radio—cross your fingers—most always shows up very well.

Another trend is the more careful analysis of programs. This is perhaps the No. 1 nominee for future attention. To date, programs have been measured either by audience ratios, or by actual audience size. But their specific content has not been subject to a great deal of careful treatment, nor have such important factors as the wording and placing of commercial messages been studied in detail. Programs, on the whole, are put together by what researchers (slightly snobbish) call gurus—wise men, which is frequently euphemized as 'judgment' by showmen.

Stanton's Gadget

Horace Schwerin, associated with the Spector agency, highlighted the year's achievements in the direction of program and commercial-message research. His angle is the conception of a program as a series of related stimuli, and his research compares the reactions of the guinea pigs progressively registered by their actions to what they hear. An important addition to this work was the Stanton-Lazarsfeld analyzer—a machine which the guinea pigs can manipulate so that it registers good bad reactions on graph paper.

Lazarsfeld, incidentally, has taken much interest in this matter, as in many other fields of radio research, particularly those of a qualitative nature.

Schwerin's work is further example of probing in which a smaller sample, subject to intensive cultivation, is superior to a widely-sprawling sample. Reactions of the qualitative type, anyhow, do not need a big sample per se. For instance, if you take a swat at someone with an umbrella, he'll duck, and it doesn't take very many such instances to convince you that ducking is the natural reaction to a blast from an umbrella.

On one score, however, researchers remained as mum in 1940 as in any other year. That score has to do with self-promotion. Partially because the soothsaying is gratifying, it deserves itself a promotion. Likewise, very little effort to educate buyers to the intricacies of research methods. But on the other hand, most researchers feel that if you implant a little knowledge into a customer, a little knowledge will prove to be a swiftly dangerous thing. Misreadings of data, erroneous conceptions, etc., may eventually get even uglier than they are now.

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How to Operate in Public Interest

RADIO MEN SHOULD ALSO LISTEN

WGAR, Cleveland, Executive Sketches 11 Points for Meditation on the Theme, 'Station Operation: 1941'

By Eugene Carr
Ass't. Mgr. WGAR, Cleveland

Cleveland, Jan. 5.
Like that oft-time misunderstood word, 'commencement,' its connection with termination, it has established academic enterprises, the end of a calendar year marks not only the punctuation period to a set span in the history of Radio, with accompanying reminiscences and a reunion of ideas, but also the Capital Case of the head of a new chapter as yet unwritten.

Review and rejoice or regret.

Take your choice!

But for me, take a clean, white sheet of paper and roll it into the portable and label it—1941.

It's all right to turn a neat bit of praise of lamentation for the past, but, while we credit to the questionable value of another year of experience, isn't that so much hash for the historian? Is it time to apply that seldom used definition of 'commencement' and admit that we are just starting an epidemic of 'learning how' that will pass to insignificance all that we've thought that we've learned?

Leaving the past of the Industry to the mill and passing the buck on more profound problems to more capable conference room conversationalists, suppose we set down under the heading, 'Station Operation, 1941' a program for general improvement in the handling of the multiple contacts and responsibilities that come in the everyday operation of a station that's in the so-called Radio Business.

Listen More

1. Listen more to the programs on the stations we operate.

(Of course, we are tired when we get him at night. Of course, we've been thinking and talking Radio all day. But, what are we going to know, and more importantly, do we know the answers? And, speaking of that daytime grind, how about taking a couple of days 'rest' at home and listening! There isn't a radio man in the country who doesn't make some suggestion or improvement in his own programs every time he spends an hour listening to his own station.)

2. Inject greater public interest in the commercial programs we broadcast.

(That's right! A lot of stations are near the sold-out point. What's the next step? How about adding an informative, educational or cultural factor to every one of those commercial programs? How about adding those public service and special event broadcasts we are tempted to shelve? Advertisers are ready to buy them.)

3. Give an ever increasing greater service to our respective communities regardless of gain.

(We've admitted that business is good. It means only one thing, to pass on to listeners a greater share of the benefits that result from a heavy commercial schedule. The time will come again and again when everything on the log will have to clear out of the way in favor of spontaneous solid-front public interest. That's the time to clear the boards without a quiver.)

Sell Our Stations

4. Sell our stations as mediums of advertising on the basis of the overall program service to our listeners.

(Sure, we've got to quote rates and availabilities and competitive positions, but why can't we mean more to the time buyer than a spot on the dial at so much a throw. We tell ourselves that we are more than a spot sell the time buyer.)

5. Give the advertiser a better brand of service.

(Let's give him a fair analysis of what we think we can do for him. If we think we can't swing it, let's tell him so! Let's make an honest report on our efforts in his behalf, consider it our responsibility to help him find out just what he bought, furnish him with more detailed information on our outlet, give him a sales-service and not just a good selling! It's no time to go fishin'.)

6. Expand our policies on control over so-called 'pressure groups.'

(Note: The word is 'expand' not 'tighten.' Expand those policies to include any and all of the factions represented by any individual group or organization. Make the speaker speak for all he represents and let him be answered by someone who represents all who oppose him. "That alone will cut down the bickering.)

Improve Employee Relations

7. Improve employee relations. (Yes, we can do more than pay checks and salaries. It takes something more.)

(It takes a stimulation of that type of employee enthusiasm and reaction that comes from a delegation of responsibility; wise counsel and a personal interest. Remember when you were giving Time Signals?)

8. Broader the knowledge of employees as to the Radio Industry in general and specifically, as to the operation of other stations.

(No, it won't cost a corner on all the energy, intelligence and initiative necessary to successfully operate any business. And, after all, some one is going to have to run the joint someday.)

9. Continue that everlasting effort to improve the physical facilities.

(No comment.)

10. Give for a better understanding of the needs of the communities we serve.

(Let's go outside of the building some day for lunch.)

11. Further the long pull purpose of Radio.

(Let's constantly drive for that middle ground of understanding between the upper few and the lower

many by hammering away at each end with the justified doctrines of the other until they are both willing to give up another broad front and once we make some headway along this line, let's keep everlastingly to it!

Undoubtedly, there are many other planks for a program of self-improvement in 'Station Operation, 1941,' and, of course, there are many parts to these parcels. But, the important thing (if you agree) is to start with something, because you can't do much with 'Plenty of Nothing.'

NOXEMA IN CHICAGO

North Side Vs. South Side Quiz Contest Uses WBBM Fair

Chicago, Jan. 5.

Tommy Bartlett and Tom Moore, WBBM staff announcers, show next month for Ruthrauff & Ryan stars, a comedy novelly program and will pit Chicago north-siders vs. southsiders or westsiders.

Two teams will be placed in different studios and asked the same questions in the manner of Noxema's 'United City' contests elsewhere and interborough (Manhattan-Brooklyn) setup in New York.

NBC Frisco Digs Jan. 15

San Francisco, Jan. 5.

Steam chowhys will go to work on the NBC million-dollar Frisco radio headquarters about Jan. 15.

Lease and other preliminary details, including engineering angles, have been getting general workover, with paper prelims expected to be out of the way in the next fortnight.

The Picture of the Year



An Intimate Glimpse of 'Spin and Win With Jimmy Flynn' in Full Spin at Studio 8H In Radio City

Vague Words—But Vital

Congress Said 'Public Interest, Convenience OR Necessity'—Reflections On What Phrase Does, or Should, Mean

By Julius F. Seebach
(Vice President for Programs WOR,
New York City)

first function is that of entertainment.

By the same general yardstick the word 'entertainment' might be considered as having to do with useful and informational services such as time, weather, temperature, home economics, food prices, traffic conditions and all the thousand and one kinds of programs and announcements which help the listener in the mechanics of living.

'Necessity' might then be interpreted as something which is what is needed in the world, substances, comment on world events and even more particularly the providing by stations of ample time for the discussion of important matters affecting the political and economic life of the nation.

All Three Needed

Whether or not Congress originally intended that the words 'public interest, convenience or necessity' should be interpreted separately, the result has been that broadcasters, generally speaking, would still want and confine their range to the first two, leaving the third to imagination. Perhaps rigid interpretation of 'public interest, convenience, or necessity' would afford the broadcaster an alibi for dullness and self protection. As the phrase now stands it serves as a spur to accomplishment and a challenge to the individual broadcaster in calling for originality and ingenuity.

The first question the broadcaster must ask is whether the phrase is used in a strictly legalistic sense—that is whether the lawmakers intended to cover all the shades of a single purpose or whether they mean to indicate three separate and distinct types of service. If the latter is the case, then the word 'interest' to most, then the word 'interest' in its simplest meaning implies that each station has a duty to interest the radio audience, to provide programs that provoke a response, programs that people want to hear and enjoy hearing. In short, radio's

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As to 'necessity' the station which fails to realize the intensity of modern preoccupation with the issues that confront humanity is equally out of touch with its audience and consequently limits its appeal.

Of recent years there has been a growing tendency to combine the elements that make up each of these separate interpretations. Entertainment programs tend to have more intelligent material used in their construction and most particularly programs of convenience and necessity are more often well presented in an entertaining and enjoyable manner. Information and discussion which once upon a time were dry and certain to cut down the volume of listeners have begun to be staged and dramatized in such a way that they are assets rather than liabilities as they frequently were at one time.

Vagueness' Virtue

No matter how the individual broadcaster chooses to interpret the phrase 'public interest, convenience or necessity' the general intent that he has had to give it a great deal of thought. This fact in itself has been a force for the good for it has left to the broadcaster his initiative, his creativity and his sense of civic and communal pride. Perhaps it is a good thing that the lawmaking fathers did not attempt to interpret in cold fashion the meaning of the all-powerful words under which we operate. It is a manifestation that in this system of government under which we function we are still allowed to think for ourselves.

WCAE's New Placements

Pittsburgh, Jan. 5.

New biz repeat five week by Hearst station WCAE follows.

White Laboratories, 75-word anncts, five days weekly for 4 weeks, through William Esty.

Peoples Pitt. Trust Co., station breaks six days weekly to March 16, through Ketchum-MacLeod-Grove.

Summit Hotel participation in Morning Express five times weekly for 32 weeks, through W. Earl Bothwell.

Western Union, five 50-word anncts, direct.

Spear Co., 15-min. show once weekly to April 11, through Walker Downing.

Frank & Seder dept. store, station break six days weekly to March 21, through W. Earl Bothwell.

Equitable Gas, station break 6 days weekly to March 21, direct.

FRISCO STILL PRODUCES PROGRAMS

By WILLIS WERNER

San Francisco, Jan. 5.—Ask anyone whether or not Frisco is still a production center and you'll touch the hottest spot in local radio. Ever since that time, several years ago, when everything (or so it seemed) went south to the freshly built "Radio City" of Hollywood, localites have battled against public lethargy which set in when folks got the idea this burg was only on the receiving end.

Probably the biggest break for the broadcasting boys here was the late Exposition, when what looked like a mountain of figures in the actual pictures, a round-up of studio payrolls and program charts reveals that local stations are keeping between 195 and 250 persons busy originating 95 to 125 network releases per week, some of them, like KGO's "Unlimited Horizons," going transcontinental.

Giving the adding machine a workout on one week's pay vouchers, KGO-KPC bookkeepers find an average of 31 orchestras, 100 artists, 15 anniversaries, 12 programs, 22 engines and three sound effects men (total: 126) generating 85 shows and spots for release on Red and Blue lines. This is in addition to strictly local programming.

Originations range from the aforementioned science show, with dramatic cast, narrators and full orchestra, through serials like "The Five Edwards" and "Dr. Kate," musical shows ("Harmony Inn," "String Serenade"), variety programs ("Prof. Puzzlement") and singles, "Just Between Friends," "Bookman's Notebook."

At KFRC, Don Lee-Mutual unit, something like 50 people are actively engaged in churning out 23 webbers, most of them sponsored, most of them riding at least 30 outlets.

Included are 19 in the crew of the five-a-week "Breakfast Club," while an average of 14 people are needed in the weekly "Standard School Broadcast." John B. Hugo draws top audiences over KFRC, KCOP operates with a 10 a.m. news release.

Locally, KFRC points to its Sunday Night Amateur Hour, 30-minute "Whodunit?" and "Brain Battle," plus intercity participation with L. A. on Quiz of Two Cities.

Even little KXSAN gets into the network origination picture, piping various transcribed plus such live shows as a sponsored religious hour with a cast of 16 to the California Radio System. Also originates Gov. Olson's radio over the same hookup whenever the governor happens to be in town.

CBS isn't so well represented, feeding dance band remotes, occasional participation in the West Coast Church of the Air and part of a Saturday Kid's Quiz, via KSFQ. Station likewise has very little local live-talent production.

Relatively new is Frisco as a transcription producer. Currently, Photo Sound is engaged in waxing a daily serial, reacted in its studios, for sponsored release in the midwest. Also cuts network stuff for shipment to the Hawaiian Islands.

In the purely local field, KYA produces a number of live-talent shots, including Dude Martin's ranchers, seven-man unit airing a full hour six days weekly, a half-hour minstrel show with a cast of half a dozen and a four-piece concert group. Station also boasts daily show starring Lee S. Roberts, composer of the old fare, "Smiles."

PLOT TO IGNORE XMAS

Radio Eds Say Stars Not Sending Christmas Cards

Boston, Jan. 5.

Local newspaper radio editors estimate their usual Xmas card mail from radio stars dropped at least 65%.

Can't establish reason unless there are fewer stars this year as compared to previous seasons.

St. Louis, Jan. 5.

Oscar Zahner, head of Rutherford & Ryan's St. Louis agency, dipped into his own jeans for \$150 with which he purchased five minutes on KMOX to extend Xmas tidings to more than 800 friends, clients, etc., by name.

WHAT IS PUBLIC INTEREST?

Fundamental conflicts over the scope of the "public interest" clause in the Federal Communications Act must be resolved by the Federal Communications Commission in deciding upon special rules to cover network-affiliate relationships. As an aftermath of the recent argument in which only one faction urged the regulators to supervise contracts and operating policies, the entire industry is waiting to see whether a Commissish majority construes public interest, convenience, and necessity as a tent sheltering every individual with an axe to grind or simply—as most barristers contend—a yardstick to be followed in distributing radio facilities.

Out of the potpourri of legal phrases recorded two weeks ago the FCC must find a justification for action—which no matter the direction the regulators take—is bound to have serious repercussions. If the Commissish decides it is obligated to ban or limit exclusivity clauses, time options, network ownership, and other established business customs, it will automatically be plunged into a maelstrom of litigation, besides being denounced by certain Congressional groups for exceeding its authority. On the other hand, failure to lay down some policy prescribing conditions in which chains and affiliates deal cannot help but bring condemnation from critical lawmakers who long have complained the Commissish is dominated by "the interests" and has been shrinking its duty.

Essential question that has to be answered is the relationship between the vague catch-all language which Congress used in both 1927 and 1934 and three or four subsections with meaning in dispute. Specifically, it will be necessary for the regulators to decide the intent of Congress, in stating that no license can be issued to any person "finally adjudged guilty by a Federal court of unlawfully monopolizing or attempting to monopolize, radio communication . . . or to have been using unfair methods of competition." Related question involves the section authorizing the Commissish to make special regulations governing radio stations engaged in chain broadcasting.

Two diametrically opposite philosophies have been demonstrated. The New Deal element in the Commissish, backed up in this instance by Mutual, feels that the tenor of the Act indicated Congress wanted the administrative agency to use every possible means of preventing any monopoly and of insuring the maximum degree of competition and freedom for licensees. Consequently, as Chairman James L. Fly suggested, they feel it is absurd to contend the FCC must passively watch the development of conditions that conceivably might end in cease-and-desist orders, guilty verdicts or consent decrees as a result of application of the Sherman or Clayton acts.

GENE ARNOLD'S ARREARS

Chicago Judge Issues Warrant for Missing Radio Performer

Chicago, Jan. 5.

Gene Arnold, former Chicago radio performer, particularly known for his work on the NBC "minstrel shows," was ordered yesterday by U.S. Marshal Finigan here to pay \$25 weekly for separate maintenance for Mrs. Anna May Arnold of Muncie, Ind. He wasn't in court.

Judge also issued order for Arnold's arrest for \$1,300 arrears on temporary alimony. Arnold was last in Oklahoma radio work.

East's Colgate Renewal

Ed East has a 13-week renewal, his second cycle, from Colgate on the "Ask It Baby" quiz. Renewal was effective Thursday (2).

This account moves from Benton & Bowles to Ted Bates agency, Ab Smith, the producer, going with it.

Virgil Evans' Pinch

Spartanburg, S. C., Jan. 5.

Virgil Evans, former owner-operator of station WSPA here, former South Carolina legislator and candidate last summer for Congress, was arrested Dec. 2 by county sheriff's officers on drunken driving charge. After being held in jail five hours he was released on \$50 bond. Hearing set for Jan. 14.

Evans sold WSPA to Spartanburg Advertising Co. several months ago.

All Members of FCC Bid To Attend Appropriations Probe Jan. 8

Washington, Jan. 8.

Annual Congressional gridironing for the Federal Communications Commission is set for Jan. 8 following collapse of efforts of some of the more sensitive regulators to avoid the customary appearance before the House Appropriations Committee. Defense of the budget request for 1942 was put off when the axe-wielding lawmakers learned that three of the body had alibis for not showing up at the session first called.

Earlier in month the subcommittee in charge of the Independent Office money bill notified the Commissish it wanted all members to be on hand for the questioning. Developed that Chairman James L. Fly, whom the purstring holders especially want to quiz (since last year he was too new at the job to know the answers), was in Florida on a combined vacation, his first in 18 months, and business trip. Absent also were the only remaining member in from start to finish of the chain-monopoly proceedings, and George Henry Payne.

Suggestions that Commissioner T. A. M. Craven has done a good job in the past and could go before the

subcommittee as the chief spokesman, flanked by departmental advisors, were thrown out but the lawmakers overhauled their calendar until the absentees were back.

WLW's Religious Sub For New Year Hey-Hey

Cincinnati, Jan. 5.

For the second successive time WLW faded out the old year with a religious program in preference to New Year's Eve hilarity.

During final quarter-hour of '40 the Crosley 50,000 watt water piped a watch service from the Cadle tabernacle in Indianapolis.

KSL Orchestra to CBS

Salt Lake City, Jan. 5.

The 12 piece KSL Orchestra, under the direction of Reed H. Miller, made its debut over CBS Pacific Coast Network, Christmas night. They will be heard regularly two nights a week, Wednesday and Saturday at 11:30 p.m.

Half-hour release is produced by Parley Baer.

RADIO MINOR OFFENDER IN QUACKERY

Washington, Jan. 5.

Radio broadcasting had a batting average more than twice as good as that of newspaper and magazine competitors in the purity league during 1939-40, according to the latest Federal Trade Commission annual report showing continued desire to avoid misleading and deceptive commercial practices without cooperation to raise the level of blurt.

With misleading claims for drugs still accounting for the largest percentage of trouble, the F. T. C. in the last fiscal year quizzed advertisers in less than 1,000 cases and actually moved against only 532 types of copy and scripts. No breakdown was given on the number of radio programs actually condemned, although the blue pencils said a total of 188 of the combined periodical and broadcasting cases were piroholed following proof of compunction with earlier promise to reform.

Out of the mass of material scrutinized, one-twelfth of the newspaper and mag ads and one-thirtieth of the radio continuities needed more than cursory examination. In the fiscal year ended June 30, the commission received 759,985 copies of commercial scripts, totaling 1,181,837 typed pages. Aggregate comprised 1,072,537 pages from individual transmitters and 445,700 pages of network puffs. Reading an average of 4,570 pages daily, the censors sorted out 3,655 programs for further inspection.

The end of the fiscal period found 979 radio and periodical cases still pending, a jump of more than 200 over the live file at the start of the year. Questionnaires went to 739 advertisers and 109 agencies, with 190 stipulations being signed.

Out of 3,014 commodities involved the commission found 33.4% of the trouble involved drug advertising: 11.2% food, 12.8% cosmetics; 2.3% health devices, 11.2% specialties and novelties, 4.9% automobile, radio, refrigerators and similar equipment; 2.8% home study courses, 1.8% tobacco products, 2.0% oil and lubricants, 2.0% poultry and livestock supplies and equipment; and 16.6% miscellaneous articles, including clothing, house furnishings, kitchen supplies, etc.

PROBE CITY-OWNED WCAM, CAMDEN, N.J.

Philadelphia, Jan. 5.

The contract between WCAM, Camden's municipally owned outlet, and the Mack Radio Sales Co., under which the latter was sold virtually all the time, was declared illegal and scrutinized by the Federal Communications Commission at a hearing on WCAM's affairs, beginning Jan. 29, according to Camden City Solicitor John J. Crean. Crean said the city's legal department had attacked the agreement as illegal, because it had been consummated between Mayor George Brunner and the Mack firm without the approval of the City Commissioners. This contention was brought out by Crean when the Mack group had filed an injunction several weeks ago to prohibit the city of Camden from selling the station, which has been a losing proposition for the municipality since it opened.

The FCC hearing will also probe the affairs of WTNJ, Trenton, N. J., and WCAP, Asbury Park, with whom the Camden station shares time. WTNJ, formed in 1935, had a peculiar spot in the ASCAP-BMI controversy. Because it is owned by a municipality and therefore unable to hold stock in a private corporation, WCAP was unable to buy shares in BMI. The station then signed with ASCAP. It is believed that BMI would make arrangements so that the Camden station could use BMI tunes without purchasing shares.

Ralf Brent Into Army

Atlantic City, Jan. 5.

Ralf Brent, program director of WFPG, called to Fort Dix for induction.

Was set to marry Mary Miller, of Trenton, N. J., during Christmas holidays, but postponed ceremony when called to army service.

Dramatis Personnae In L.A.

By Jack Hellman

HARRY ACKERMAN: At Dartmouth he contributed scripts to New England stations. Now guides Gulf's Screen Guild Show for Young & Rubicam.

SANFORD BARNETT: Director of the Lux show came to J. Walter Thompson from WOR after being a repertorial man on a Jersey City Greelyed show with the Lux "show as well as took another direction when Frank Woodruff skipped over to RKO as film director. On flight to Denver two years ago to interview a special Lux guest he struck up a friendship with the airlines hostess. A year later they were married and have a daughter.

HAL BOOK: Publicity head at NBC was one-time Variety reporter and is forever seeking devices to crack the public's jokes which are not too friendly to radio.

MURRAY BOLEN: Pioneer of the crystal set days, he has had a taste of every phase of radio from building sets to producing the Jack Benny show, his current stint with Young & Rubicam. Started in Frisco and gravitated south three years ago.

ROBERT BREWSTER: A native of Belfast, Eire, he came to this country in 1919 and drew his final citizenship papers last August. He arrived during the war for J. Walter Thompson, was dispatched to Hollywood to take rain on a Peg Moran show. He was held here for subsequent programs and now sits in the control room on Kraft Music Hall.

WILLET BROWN: Second in command of the Don Lee network. Quite the automobile end of the Don Lee.

FOX CASE: Head special eventer and public relations accelerator for CBS. Finds it cheaper to change desks than board seats on State Board of Agriculture and function otherwise clycially. Was one-time reporter and yachting editor on a downtown sheet and is a scientific rancher on his broad acres in Orange county. Knows all the state's big shots and once stalled the Pacific fleet long enough to rig up equipment for a speed event.

DANNY DANKE: On behalf of Hollywood invasion. On behalf of J. Walter Thompson, money spends more for talent than any other radio buyer. Knows the price tag of every picture name. A Bostonian out of Harvard, he speaks the Hollywood language without an accent.

WILLIAM FORBES: Lately moved up as manager of Columbia Management. Was previously sales service manager for CBS western division and joined Columbia after years as attorney for the National Bar Association. Came out as a lawyer but looked at the phone book listing of barristers and decided one more would be too many.

MARY GARVIN: Runs the office for Ward Wheelock and better informed on Coast radio than any gal in the biz. The kind of a Mary that George M. Cohan wrote that duty about.

DON E. GILMAN: Still carries a card in the typographers' union, and previous to his 13 years with the network was Coast correspondent for Christian Science Monitor. Makes more speeches than any other tintah in these parts. Easy to single out as an exec and just as easy to talk to. Belongs to most clubs in Los Angeles, including the City. The City considered it a mild debacle when he moved his headquarters south.

MANN HOLINER: A songwriter who achieved radio directorship of an agency. Last season it was Lenzen & Mitchell; this year it's Benton & Bowles. In the old days he dreamed up teams of tunes for Shubert shows and probably a better showmanship background than anyone with an office desk and now pours that knowledge into the Maxwell coffee kitch.

MAURY HOLLAND: Producer of the Chase & Sanborn program and an actor in his own right. Played juvenile roles in dramatic and musical stock and also toured in vaudeville. Before joining with J. Walter Thompson in 1938 he directed and managed stock companies. Broke in under Ed Gardner on the old "Shell Show" and did the "Howie Wing" serial for Kellogg before taking over the saw show.

HARRISON HOLLOWAY: Manager of the Earle C. Anthony stations KFI-KCEA, Holliday inception his air career way back when "Blue Monday Jamboree" was the hottest coast show. He has staled away from

the microphone with one exception since he became an exec.

HARRY LUBCKE: Headman of Don Lee's television setup, he has an affectionate name for every gadget.

HARRY MAIZLISH: An unshakable believer in his own programs and personally campaigned for Haven MacQuarrie and The Graphic Club both in writing graduate in the net-work directorship. He's at his desk never less than 15 hours of any day. In his office hangs a Shakespearean quotation, roughly, "If this be madness there must be method in it."

THOMAS MCALVITY: About to take his club away from here and snow the eastern coast down. He's been consistently heading of the Lord & Thomas radio forces, he has been moved to New York as top scorer for the agency. The only radio producer to show up at the first airing of a show in talks. Recently married Helen Mack of the films.

WILLIAM MOORE: Something new to radio in the new Coast base of the William Esty office. Out of Stanford, he was first a stock broker and then drifted into publicity, blurring the glamour gals at Paramount and Metro.

BEN PALMER: Were it not for an auto accident in the early '30's he would probably now be stroking his hair and prancing around the hills of the land. A student of Leopold Auer after an intensive study of the violin, he regaled the gobs with his fiddling virtuosity during World War I. Joined Blalban & Katz in Chicago as concert master and moved up as stick waver when the auto crackup crippled his left hand. After a brief session with WBBM (Chicago) staff orchestra, director, sound engineer, what have you, he moved to Winnie Parker, radio chanteuse.

ALEX ROBB: Manager of NBC Artist Service and in show biz longer than any radio exec. Was end man with Honey Boy Evans minstrels and business manager for Amos 'n' Andy when the burr court team was doing shows for Elks clubs in the Midwest. Now NBC's artist service Niles Trammell and Frank Muller were getting radio-conscious and transferred here after a long stretch with NBC Artists in Chicago.

WILLIAM N. ROBSON: One of the we-point-with-pride lads from Columbia now riding herd on the Lenzen & Mitchell Coast gang. Last season he was the personal man on "Big Town." One of radio's "presure boys" who can turn out a new script on a few hours' notice.

HAL BORKE: CBS press head was one-time society editor of L. A. Times and still can't understand how he was ever drafted for the job.

JACK SMALL: Head of the Production Department of the Office. With his production side, Wayne Griffin, has auditioned more shows than any agency in town. For years managing editor of the Fawcett string of magazines, his tenure in radio has been brief.

TONY STANFORD: Has handled more big stories than any producer in the business. He's been writing out a stopwatch. For years with Rudy Vallee, he has had a hand in many J. Walter Thompson shows. Last season he took leave to handle eastern half of Texaco program for Buchanan agency but is now back with JWT looking after Gene Autry's "Melody Ranch."

EDWARD H. STAUFFER: Manager of the Hollywood office for Young & Rubicam. He is one of the town's dandies.

Were it not for that aldermanic paunch he'd be a cinch for military duty. A West Pointer, he passed a year in the cavalry school at Fort Riley, Kas. Left the army to take an editorial post with McGraw-Hill and in 1918 checked in at Y & R. In addition to running the Hollywood office he buys all the talent for the agency's Coast programs.

JOHN SWALLOW: Headman of programming for the Red and the Blue in the western division. One-time automobile editor on a downtown sheet and also the town's first radio ed before going to KFAC. Whips out an electric razor when conversation becomes boring.

EDWARD TAYLOR: Produces Silver Theatre for Young & Rubicam and versed in all phases of

radio. Conducted several orchestras, was staff writer at KBS and once was manager of KCOO.

DONALD W. THORNBURN: The well-groomed business man. From Indianapolis, like NBC's Don, was best man at Wendell Willkie's (remember?) wedding. Took it big when WW met the champ and you know what.

CHARLES VANDA: The little dynamo of Columbia Square has made KNX the clearing house of more new programs than any station in the city. He will always pass us an opportunity and boasts a long string of "firsts." Produced Jesse Lasky's "Gateway to Hollywood" for Wrigley's. Attained present eminence after a brief sortie into publicity, artists bureau and local program direction. He's married to the sister of Beany Ventura and recently built a home with a swimming pool (why should he be an exception?) and has radio ulcers.

ALLEN WEISS: Dapper, circumspect headman of Don Lee network (some 30 stations), has made his domain a romping ground for kid shows. The kiddies built new studio in Hollywood (the old NBC plant) for the radio gang and a hilltop haven for Harry Lubcke's television crew.

CRANE WILBUR: Onetime film and stage star, he is now producer of Edward G. Robinson's "Big Town." Is married to Lenita Lane, actress, and gets a bang out of sending wires to friends advising them that Ventura Snake Farm, as per order, is expressing batch of bull snakes.

WPA'S MUSIC AVOIDS AIR JUST NOW

Washington, Jan. 5—Soft pedal has been decreed for Work Projects Administration musicians, who went off radio last week pending perfection of more satisfactory arrangements for live talent programs.

It is said that WPA will be swapped as long as anybody wants them and some platters will be made during the interlude, but on the whole the Federal agency intends to take the emphasis on radio performances and concentrate more on concert activities.

Row over performing rights was a factor, though it may not be a major concern. While the WPA units generally have stuck to public domain tunes in order to minimize the chance of license trouble, it was felt wise in view of the uncertainty about clearance to make the new policy coincide with the scheduled dropping of American Society of Composers, Authors and Publishers from the WPA.

Live talent programs are not being abandoned completely, but they will be much fewer and for a breathing spell probably none will be staged. Feeling has grown that the music project was skidding in public estimation because of inadequate planning and insufficient financing.

Officially, the WPA is displeased at finding in some cities station managers put in rush calls for music crews to fill program gaps, so that local directors often speeded units to studios without having worked as a balanced menu. With Congress getting ready to go over appropriations again, it was obviously wise to take steps to keep the public from being mislead by possible black eyes.

Growing apathy to canned music also is said to have been scented by heads of the relief activities. The old idea that the WPA units should spread culture, besides providing subsistence for out-of-work performers, is being dusted off. Therefore, more attention will be given to booking of amateur auditions and contests, etc. No point in simply turning out a lot more waxed entertainment, officials think, when people may be lured to expose themselves directly and greater educational benefits will be achieved through better-presented concerts.

While the networks seldom have any idea of the number of people in the good graces of the local stations, they are customers for WPA talent. Disc making has been pretty much confined to the large cities—notably New York, San Francisco, Los Angeles, the country's transmitters at one geles, and Boston—with over half time or another using the platters. Only a small number of platters are out now and these are expected to have made the rounds by another fortnight, when they will be retired.

Chicago's Radio Fraternity

By Dan Goldberg

Chicago, Jan. 5.

EIBERT ANTIN: Executive secretary, treasurer and director of Mutual Broadcasting System; assistant business manager, Chicago Tribune Co.; secretary, Ontario Paper Co.

H. LESLIE ATLAS: Sold WBBM to Stewart-Warner Speedometer, and has remained as a Columbia v.p. and general manager. Also a director on the board of stations WJWD and WIND. Before radio was with his father in the Frank Atlas meat packing and later, the Atlas Produce Co., of which he was president from 1919 to 1925. He lives on Sunridge farm, where he raises show horses.

Ralph Atlass: With his brother, Ralph Atlass—Executive secretaries to the WLS radio station and its network (some 30 stations)—has made his domain a romping ground for kid shows. The kiddies built new studio in Hollywood (the old NBC plant) for the radio gang and a hilltop haven for Harry Lubcke's television crew.

William A. Bacher: Many years before he was appointed by Col. R. McCormick to be chief of WGN programs and productions, Bacher was a dentist, but he gave up dentistry for radio. He graded it in 1928 commercially when he got the producer job on the Matline Fairy Stories kid show. From there he went to the Ence Crime Club, the Famous Jury Trials, and then to the musical shows, "Log Cabin," "Show Boat," "Beauty Box Operetas," "Hollywood Hotel" and grandly the "Good News" show, followed by the Texas "Star Theater" show. Then he came to WGN in 1929.

Barrett D. Butler: President of WLS and of 100-year-old Prairie Farmer, is in his 70's. Has been in the newspaper business for more than half a century. Founded newspapers in Omaha, Minneapolis and St. Paul, and held interests in papers in Kansas City, Des Moines and other midwest cities. He bought Prairie Farmer in 1908 and took over WLS in 1928, with the intent of cashing in the sunshine by buying KOY in Phoenix and later the Arizona Farmer.

Harry Kopf: Kopf, now chief of the NBC Central Division in Chicago, had been advertising salesman since the time he left college. He even served in advertising and selling at Illinois Midway Tap for "System" magazine at this period of takeover by McGraw-Hill of which Edgar Kopf was then vice-prex. In 1929 Kopf went to work for the Literary Digest but left it two years later to join the sales staff of NBC in Chicago. He recently took over the chief chair of NBC in Chi when Sidney Strotz was shifted to New York as NBC program manager.

W. E. Macfarlane: President of Mutual Broadcasting System. Macfarlane has been with the Chicago Tribune organization since 1907, in 1910 becoming manager of the classified advertising department, which position he held until 1927. In that year, he was appointed advertising director for the Chicago Tribune and the following year was named managing editor of the Tribune.

Segal's Office: Declined yesterday (Tuesday) to disclose who the corporation's principals were. John Shepard, 3rd, has had the Yankee Network in operation for the past 12 years, but apparently is not licensed to do business in New York state; hence the granting of the right to use the "Yankee" tag to Segal's client.

A Yankee in New York

Albany, Jan. 5.

Yankee Broadcasting Co., Inc., has been chartered to conduct a general broadcasting business with principal offices in Manhattan. Capital stock is 200 shares, no par value.

Charles Segal: Head of New York, is married to Marion Claire.

Alfred Weber: At 39, Weber has 20 years as a conductor. In 1924, the present musical director of WGN directed the Chicago Civic Opera orchestra.

Jack Van Volkenburg: With Columbia since 1934, John Van Volkenburg is now assistant to the Chicago office. He left Batten, Barton, Durstine & Osborn agency in Chicago in 1932 to take over as manager for KMOX in St. Louis, coming up from St. Louis when Don Thorburn shifted to the west coast. He also plays the trombone.

John Weber: At 39, Weber has 20 years as a conductor. In 1924, the present musical director of WGN directed the Chicago Civic Opera orchestra. Two years from that date he had made his debut as director of the Royal Opera at Bremen, Germany. In 1929 he went to Italy to conduct at the Opera House in Florence. In 1933 he became staff conductor with NBC in Chicago. He recently returned to the United States and joined the Fox.

Charles Segal: Head of New York, is married to Marion Claire.

Pious-Cantor Comic Team

Albany, Jan. 5.

Minerva Pious and Charlie Cantor: Individual character comedians on various network commentaries in recent seasons. They came for a tour of the state South program replacing Nan Raye and Maude Davis, who bowed out of the series last week.

New pair made the first of five scheduled appearances last Friday night (G). They're both regulars as singles on the Fred Allen show.

Cedric Adams Sold Fast

Minneapolis, Jan. 5.

Cedric Adams: Local comedian and newscaster goes over from International Harvester to Twin City Ford dealers, starting first of new year. WCCO reports that six days after his "Nootime News" six-day weekly 12:45 p.m. spot, was sold for sale and 10 days before the old sponsor's contract was up, the show was bought.

International Harvester had sponsored Adams for 86 weeks.



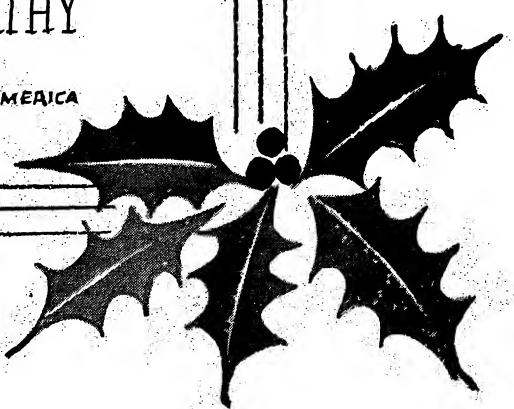
The Season's Greetings

FROM

EDGAR BERGEN

CHARLIE McCARTHY

EXCLUSIVE MANAGEMENT
MUSIC CORPORATION OF AMERICA





For the smaller of our Good Neighbors....

The children are beginning to hear it in Chile . . . in Cuba . . . in El Salvador and Argentina—in city and village schools of Central and South America.

"Transmite la Cadena Radiodifusora Columbia".

Soon they will know the phrase well:
"Transmitted by the Columbia Broadcasting System."

For with the new school year, Columbia's eleven-year-old American School of the Air crossed the sea southwards and there became the *"Radio Escuela de las Americas"*.

The Americas. Plural.

Thus the Columbia Broadcasting System launches an international educational venture big in design, large in hope for the future of these American hemispheres.

For children who study together, who sing the same songs, have the same heroes and legends, know the same history . . .

Such children develop, ineradicably, the ties and links that make all the loyalties and brotherhoods of men.

* * *

What is the American School of the Air which is now "geographically the world's most extensive educational enterprise"?

Simply, it is text-books given voice, plot and human personality—it is history and natural science and current events dramatized and acted; it is music sung; literature heard. It is daily classroom education over the air.

Over eight million U. S. school children and their 200,000 teachers used the American School of the Air programs during the last school year. Five days a week this classroom radio project, the only educational program of its scope on the air, went out to classrooms in all 48 states and in Hawaii.

And now it will go to classrooms all over the Americas. Thirteen nations in the Western Hemisphere have already accepted the



Argentina	Brazil	Chile	Costa Rica	Dominican Republic	El Salvador
Bolivia	Canada	Colombia	Cuba	Ecuador	Haiti





invitation to participate; years of shared education in the patterns of free minds, of democracy, may profoundly help in weaving together the future of their nations and ours.

That is the profound purpose of this new international venture.

Secretary of State Cordell Hull has said this of the School of the Air of the Americas:

"It would be difficult to devise a form of international cooperation which holds more promise for the deepening and broadening of understanding between the people of the American republics and which may be of more general benefit to these countries."

"Transmite la Cadena Radiodifusora Columbia." To the Americas. Plural.

Already this year 160,000 teachers have sent for the Teacher's Manual of the *School of the Air*, a manual designed to help the teacher make the best use of this classroom project. The 1940-41 issue is now printed in Spanish and Portuguese as well as in English. This 96-page booklet is yours for the asking—in any of the three languages. Columbia Broadcasting System, 485 Madison Ave., N.Y.C.

The boys and girls who hear these programs will one day be the statesmen and voters, the educators and law-makers of their countries. To weave them together more closely by

★ ★ ★

The Columbia Broadcasting System

Guatemala	Honduras	Nicaragua	Peru	Philippines	Uruguay
Mexico	Panama	Paraguay	United States	Venezuela	

In Further Advancing Its Position of Leadership in
the Field of Independent Radio Program Production

TRANSAMERICAN

Expresses Its Appreciation for the Confidence
of the Following Advertising Agencies by Whom
We Are Now Employed.

Aubrey, Moore & Wallace, Inc.	Williamson Candy Company
N. W. Ayer & Son, Inc.	Frank H. Fleer Company
Blackett-Sample-Hummert, Inc.	General Mills, Inc.
Blackett-Sample-Hummert, Inc.	Procter & Gamble Company
Compton Advertising, Inc.	Procter & Gamble Company
Geyer, Cornell & Newell, Inc.	Nash-Kelvinator Corporation
Geyer, Cornell & Newell, Inc.	Joseph Schlitz Brewing Company
Hutchins Advertising Company, Inc.	Philco Radio & Television Corp.
Lennen & Mitchell, Inc.	John H. Woodbury Company, Inc.
Lennen & Mitchell, Inc.	P. Lorillard Company
O'Dea, Sheldon & Canaday, Inc.	Chilean Nitrate Educ. Bureau, Inc.
O'Dea, Sheldon & Canaday, Inc.	Charles E. Hires Company, Inc.
Ruthrauff & Ryan, Inc.	Quaker Oats Company

96.34%
of FRESNO FAMILIES LISTEN TO
THEIR LOCAL STATIONS

KMJ has more than $\frac{2}{3}$ of the
Fresno Listening Audience

Station Audiences in Fresno, California

KMJ—Basic Red Coast Network - - - 68.22**

KARM—Basic CBS Coast Network	28.12
Combined Don Lee Network	1.18
All "Outside" Red Stations	.40
All "Outside" CBS Stations	.26
All "Outside" Blue Stations	.22

Source: Facts Consolidated Survey, published 12/10/40

**KMJ Has the Highest Rating of Any Coast Station

K M J
FRESNO, CALIFORNIA

Directed by.

CARLO DE ANGELO .

Hilltop House - - Wheatena Playhouse

The O'Neils - - The Birthday Party
Mandrake, The Magician
Ellen Randolph

TED STRAETER

His Piano and His Orchestra

3rd Consecutive Season FÉFÉ'S MONTE CARLO, N. Y.
5th Consecutive Season TED STRAETER CHOIR
on the KATE SMITH HOUR, CBS

- - - o - - -

COLUMBIA RECORDS

Best Wishes

For the New Year

from

OSCAR BRADLEY

Music Director

Gulf Screen Guild Show

ARCH OBOLER

MAJOR BOWES'
ORIGINAL
AMATEUR HOUR
(Chrysler
Corporation)

LANNY ROSS
(Franco-American
Spaghetti
and Macaroni)

ALICE FROST
and MARTIN GABEL
In "BIG SISTER"
(Rinso)

"THE SHADOW"
Mystery Dramas
("blue coat")

AUNT JENNY
"REAL LIFE STORIES"
(Spry Shortening)

"YOUR DREAM
HAS COME TRUE"
(Quaker Oats)

EDWARD G. ROBINSON
in "BIG TOWN"
with Ona Munson
(Rinso)

BEN BERNIE'S
MUSICAL QUIZ
with Carol Bruce
(Bromo-Seltzer)

COURT OF
MISSING HEIRS
(Ironized Yeast)

BETTY WINKLER
In "GIRL ALONE"
(Quaker Oats)

"UNCLE JIM'S
QUESTION BEE"
(Spry Shortening)

"GRAND CENTRAL
STATION"
(Rinso)

"VOX POP"
(Kentucky Club
Pipe Tobacco
AND
Julep Cigarettes)

"SMOKE DREAMS"
Musical Variety
(La Fendrich Cigars)

JOHN J. ANTHONY
in the
"GOOD WILL HOUR"
(Ironized Yeast)

1940 Our Biggest Year in Radio

*And the increased business of
our clients made it possible*

• Topping even last year's all-time high in billing, Ruthrauff & Ryan has just finished the biggest radio year in this Agency's history.

Significantly enough, much of this record billing came from old clients—advertisers whose steadily increasing business, even in the face of difficult times and intense competition, made the increased advertising possible.

In achieving this success, Ruthrauff & Ryan has not been wedded to any one formula, nor limited to any particular kind of show. Among our programs are included Comedy, Musical, Dramatic, Variety, Daytime Serials, Audience Participation and "Spot" Broadcasting.

Another important success factor is this Agency's sales-minded attitude toward "commercials." Our "commercial" writers are chosen for their salesmanship—for their ability to sell through the spoken word.

Would you like to know more about the radio background of Ruthrauff & Ryan—one of the few agencies in America with complete radio facilities in the East, Mid-West and West Coast territories? We shall be glad to arrange an interview at your convenience.

RUTHRAUFF & RYAN, INC.:

NEW YORK Advertising CHICAGO
ST. LOUIS • DETROIT • HOLLYWOOD • SAN FRANCISCO • SEATTLE • HOUSTON

★
**GEORGE BURNS
AND
GRACIE ALLEN**
★

EXCLUSIVE MANAGEMENT
LESTER HAMMEL
WILLIAM MORRIS AGENCY, INC.

SPAM
A Product of
GEORGE A. HORMEL & CO.
7:30 P.M., EST—MONDAYS—NBC
Batten, Barton, Durstine & Osborn, Inc.

"The Voice of Memphis"

WREC

5000 Watts Day and Night — 600 Kc.

POWER—(5000 Watts Day and Night (CP))

+
FREQUENCY—(600 Kc.)

+
EQUIPMENT—(The Most Modern and Complete Studios and Broadcasting Equipment in the South)

=
RESULTS!

Swinging Out Happy Holiday

GOLDEN GATE Quartet

FEATURING SPIRITUALS IN SWING

* CURRENTLY
UPTOWN • NEW YORK
ON THE AIR
CBS NETWORK
FOUR TIMES WEEKLY

* DIRECTION
COLUMBIA ARTISTS, INC.

Holiday Greetings

JACK LEONARD

Management
COLUMBIA ARTISTS, INC.

In Its First Year on the Air

\$331,350.00

Was Distributed to the

45 HEIRS

WHO WERE LOCATED BY THE
52 WEEKLY BROADCASTS OF

The COURT of MISSING HEIRS

• IRONIZED YEAST, Sponsor

• Ruthrauff & Ryan, Inc.
Via CBS Network

• Authors
JAMES WATERS
ALFRED SHEBEL

Management
WILLIAM MORRIS AGENCY, Inc.
New York London Chicago Hollywood

1898-1941

We are grateful to the artists and managements who, for 42 years, have found a significance in our symbol, and who, for service and showmanship, have looked to.....

...“the Agency of Show Business”

WILLIAM MORRIS AGENCY, Inc.
Rockefeller Center New York CIRCLE 7-2160
NEW YORK • LONDON • CHICAGO • HOLLYWOOD

VARIETY

IS
THIRTY-FIVE
YEARS OLD

* * *

Congratulations

FRED ALLEN

WABC - - - Wednesdays, 9-10 p.m., E.S.T.

TEXACO STAR THEATRE

WALTER BATCHELOR,
Manager

SEASON'S GREETINGS

From

**SELENA EARLE
ROYLE and LARIMORE**

STARS OF STAGE, SCREEN AND RADIO
STANLEY RICHARDS.
Press Representative

SEASON'S GREETINGS

LOUIS KATZMAN

Musical Director

HEARST RADIO

SEASON'S GREETINGS

ROY SHIELD

MUSICAL DIRECTOR

CHICAGO DIVISION, NBC

My Sincere Appreciation to the Radio Editors for Voting My Children's Program, FIRST In The Radio Daily, and Motion Picture Daily 1940 Polls.

Happy New Year

IRENE WICKER

The Singing Story Lady

N.B.C. Blue — 5:15 E. S. T.

Monday thru Friday

5,000 WATTS

DAY and NIGHT



To Sell New York
Sell Its Leaders

WQXR reaches the great New York trading area with a strong clear signal broadcasting fine music, news and intelligent comment.

—a tested way to sell a product where mass media will waste much of your appropriation — to extend the appeal of a low-priced product — to test any product inexpensively in a market of known buyers.

INTERSTATE BROADCASTING CO., Inc.
730 FIFTH AVENUE, NEW YORK

*Lively
Showmanship*
WINS LARGER AUDIENCES
in the
**INTERMOUNTAIN
MARKET**
FOR
KDYL
The POPULAR Station
Salt Lake City

Representative
JOHN BLAIR
& COMPANY

NBC
RED
NETWORK

'THE O'NEILLS'

By JANE WEST

NOW RADIO'S MOST POPULAR
FAMILY BRINGS YOU MORE
LAUGHTER TEARS AND HEART-THROBS

Presented by Ivory Soap - 99^{1/2} lbs pure

LISTEN TWICE DAILY
N.B.C. Red Network, 12:15 to 12:30 P.M., EST
IN...
WABC - 5:15-5:30 CBS
COAST TO COAST
DIR. COMPTON ADVERTISING AGENCY
MGT. ED WOLF-RKO BLDG., NEW YORK CITY

SEASON'S GREETINGS

HENRY SOUVAINE, INC.

30 Rockefeller Plaza
NEW YORK CITY

CHARLES T. GILCHREST

Former Radio Editor, Chicago Daily News,

Has Joined the Executive Staff

of

RADIO FEATURE SERVICE, INC.

Chicago

New York

... Hollywood

—EARLE FERRIS

**E
D**

**E
A
S
T**

Colgate Ask-It-Basket
Renewed for 1941

NBC ARTISTS SERVICE
RADIO-CITY, NEW YORK



HEAVEN, to Advertising Men, is not some nebulous, misty space...scattered with angel-wings and harps. Heaven is here...and now...today. Heaven is where the Dollars Grow.

Heaven is where a myriad "Stars" shine so brightly, through day and night, that Sales drop down to the Business Man's lap like stardust flung by a million comets.

Heaven is where you can put your money...and get returns...not alone from your own star...but from all the blazing skyful of meteors selected by hundreds of other advertisers, just as determined to shine as you.

Heaven...in short...is the NBC RED NETWORK.

For the RED "Stars" have been filling the air-waves, day and night, since the first evening of radio. Even by day, their light won't grow dim. With all 7 peak-popular daytime programs...the programs women listen to most...the Red keeps drawing its listeners back. They are afraid of missing something they love.

By night, the air fairly crackles with "starlight" with NBC RED's brilliant entertainers...musicians, comedians, newscasters, great actors...names with such glitter that NBC RED has 4 of the first 5 CAB rated evening programs...7 out of the first 10...10 out of the first 15. Look at it another way. Of the first 15 leading nighttime programs, NBC RED has Nos. 1, 2, 3, 5, 6, 9, 10, 11, 12, 15.

So naturally, from Sunday through Saturday...the nation keeps listening...keeps looking to RED as you'd search the Heaven to find the "Big Dipper." They know NBC RED has the comets...the starlight...that far-away outshine all other networks.

They listen...and golden stardust falls into your basket ("till" to you!)...The Stardust of Sales...not alone from your message...but from 14 bright years of prestige and distinction in all RED NETWORK programs.

This national audience naturally has great confidence in what the RED offers. They listen...they buy.

Here, indeed, is a Heaven for any advertiser. Why not take a piece, for yourself?

NATIONAL BROADCASTING COMPANY.
A RADIO CORPORATION OF AMERICA SERVICE.



GREETINGS FROM

TITO GUIZAR

Management: COLUMBIA ARTISTS, INC.

PERCY FAITH

Management: COLUMBIA ARTISTS, INC.

MAXINE SULLIVAN

THEATRES AND RADIO

—
“FLOW GENTLY SWEET RHYTHM”
—

A Columbia Feature

Sundays at 2:35 to 3:00 P.M., WABC
—
COLUMBIA RECORDS

Management: COLUMBIA ARTISTS, INC.

GREETINGS FROM

LEITH STEVENS

Management: COLUMBIA ARTISTS, INC.

CONGRATULATIONS VARIETY AND SEASON'S GREETINGS

DEL SHARBUTT

Management: COLUMBIA ARTISTS, INC.

Congratulations and Continued Success to Variety, and Sincerest
Thanks to Jack Bertell, Columbia Artists, Inc., and All Other Agents
and Managers Who Have Furthered Our Dancing Career

ESTELLE and LEROY

Management: JACK BERTELL, C.A.I.

Congratulations Variety and the Season's Greetings to All

KENNETH ROBERTS

Management: COLUMBIA ARTISTS, INC.

CONGRATULATIONS VARIETY AND HOLIDAY
GREETINGS TO ALL MY FRIENDS

TERRY LAWLOR

Now Appearing at the DEMPSEY VANDERBILT
MIAMI BEACH, FLORIDA

Management: COLUMBIA ARTISTS, INC.

BEST WISHES TO ALL FOR THE NEW YEAR

LARRY ADLER

Management: COLUMBIA ARTISTS, INC.

SEASON'S GREETINGS

THE HARTMANS

Management: COLUMBIA ARTISTS, INC.

SEASON'S GREETINGS

MARTY MAY

Direction—LARRY PUCK, Columbia Artists, Inc.

ALL GOOD WISHES

JAMES FLEMING

Direction: COLUMBIA ARTISTS, INC.

BEST WISHES FOR 1941

BARRY WOOD

Management: COLUMBIA ARTISTS, INC.

SEASON'S GREETINGS

RAY BLOCK

Management: COLUMBIA ARTISTS, INC.

STILL ANOTHER BIG REASON WHY WNEW DELIVERS MOST FOR YOUR MONEY IN N.Y.C.



*Special
Bulletin*

WNEW GETS BIG INCREASE IN
NIGHT-TIME POWER

Goes to 5000 Watts
On or about Jan. 1, 1941

And at the same time our new directional antenna goes into operation—
sending your advertising message into
New York homes with ever-increasing
strength.

FIRST IN THE U.S.A. **IN SHOWMANAGEMENT**

(Independent Stations)

—VARIETY

"Here is a station . . . which has evolved a formula for entertainment on a consistent level that has driven a wedge of appeal deep through the New York area . . .

"Having been smart enough to evolve a formula, WNEW has been smart enough to ballyhoo it to the trade and public."

There it is—not in our words but in Variety's! SHOWMANSHIP (Martin Block's "Make Believe Ballroom," Stan Shaw's "Milkman's Matinee" etc.) plus BALLYHOO (The only New York station ever to take full-page newspaper ads). No wonder WNEW delivers twice the audience of any other New York independent station* at one-third the cost of any New York network station! No wonder you get more for your money in the greatest market in the world—when you use WNEW!

*According to independent surveys—sent on request.

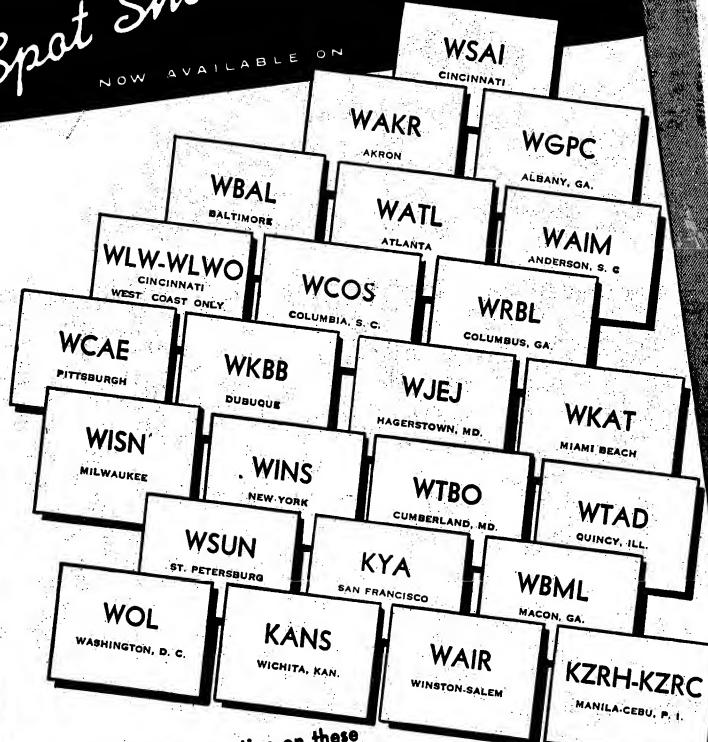
WNEW NEW YORK

SERVING NEW YORK AND NEW JERSEY 24 HOURS A DAY
5000 WATTS BY DAY • 1250 KILOCYCLES • 1000 WATTS BY NIGHT

Nationally Represented by John Blair & Company

Spot Shot!

NOW AVAILABLE ON



For complete information on these stations — any time — quickly

CALL

INTERNATIONAL RADIO SALES



NEW YORK
20 E. 57th St.
PLAZA 8-3500

LOREN L. WATSON General Manager
CHICAGO
326 W. Madison St.
CENTRAL 4547

SAN FRANCISCO
Hearst Building
DOUGLAS 2538

KATE McCOMB

"Mother O'Neill"

OR

THE O'NEILLS

6TH YEAR

NBC-CBS

Season's Greetings

DON McNEILL
8TH CONSECUTIVE YEAR
GUIDING
NBC BREAKFAST CLUB
CHICAGO

HOLIDAY GREETINGS

TED WEEMS

And His Orchestra

WHEELING

A Fort Industry Market

LUCK — AND — SPEED

ELEVEN-SIXTY!

That's *WWVA's* spot on the dial and a hot combination it is! Toss an ELEVEN with the galloping dominoes and you collect. Run like 'SIXTY' and you're going some!

Yes, it may be a coincidence that we command ELEVEN-SIXTY and again we may be pretty hard up for an idea for this 'Variety' advertisement, but the combination certainly has dealt out a lot of speedy wins for advertising dollars.

Your dice, Mister! Shoot and ELEVEN-SIXTY will do the rest!

— C.B.S. —

BLAIR Represents Us



WWVA

CONGRATULATIONS FROM
PETER VAN STEEDEN

CONDUCTING
"MR. DISTRICT ATTORNEY" and
"DR. PEPPER PARADE"

SEASON'S GREETINGS

BERNARD HERRMANN

Management COLUMBIA ARTISTS, INC.



The ONLY Radio
Transmitter of this
or greater power
within 75 miles of
Sioux City



Completed!

THE FIRST
Coast-to-Coast
NEWS WIRE FOR RADIO
Exclusively!

Uniting its eastern and western radio wires on January 5, United Press created for the first time in radio history a coast-to-coast news wire for radio exclusively.

Simultaneously United Press established new radio news bureaus at Denver and Salt Lake City; added substantially to its radio facilities in the Portland, Oregon; Los Angeles and Kansas City bureaus.

With a single great network now spanning the nation, United Press offers newscasters the fastest, fullest news service in radio.

WHAT THIS MEANS TO Newscasters!

- * Faster national and foreign news coverage.
- * Fuller regional news coverage.
- * Full day and night radio news coverage throughout the nation.
- * Full Sunday radio news coverage, nation-wide.
- * Availability, for the first time, to many stations of a news wire written and edited expressly for radio.
- * Availability, for the first time, to all stations of the 10 United Press Radio News Wire Features—spot-news bonuses United Press alone provides.

UP

UNITED PRESS

THE MODERN NEWS SERVICE



holiday greetings

Betty Grable

-
-
-
-
-
-
-
-

AIR FEATURES

INC.

247 PARK AVENUE

NEW YORK

THE FIVE NOVELTY ACES

• • •

Shining Forth Daily

on
Griffin's 'Time to Shine'

WLW

NOW IN ITS 114TH WEEK

JOHNNIE OLSON

Wisconsin's Most Popular
Master of Ceremonies
*Sends Greetings to
Friends Everywhere*

NOW BROADCASTING

WTMJ, Milwaukee
And Special Network
For Eight Brothers Tobacco

SEASON'S GREETINGS

To My Friends and Listeners

from

ALICE REMSEN

**EASY
ACES**

Greetings for 1941

from all of us who work in radio at
J. Walter Thompson Company

NEW YORK

Dorothy Berry
 Isabel Black
 Clementine Bourda
 C. Annie Boyer
 Samuel Carter
 Ruth Clark
 Robert T. Colwell
 Wickliffe W. Crider
 Richard Eastland
 Charlotte Ellsworth
 Annette Facciano
 James Fitchette
 Louise Franklin
 Jessie Fullerton
 John Gourlie
 Bayard H. Hale
 Rosemary Hall
 Louis Hartzell
 Cora Hochstein
 Richard Howland
 Elsa W. Jelsik
 H. Calvin Kuhl
 John D. Leinbach, Jr.
 Thomas D. Luckenbill
 Marion L. MacSkimming
 Lucille Mafucci
 Robert S. May, Jr.
 Katherine McMahon
 Virginia Merrill
 Dorothea Mohrmann
 Robert L. Mosher
 Linnea Nelson
 Alison Nott
 Frank O'Connor
 William Payoki
 John U. Reber
 Eunice Scott
 Stanley Schloeder
 Carl Seaberg
 Mildred Smith
 Abbott K. Spencer
 Virginia Spragle
 Nelis Steiger
 Sylvia Stevenson
 S. Cadwell Swanson
 Eleanor Taylor
 Anna Terwilliger
 Tiffany Thayer
 Muriel Thompson
 Jane Van Alystine
 Lillian Wallace
 Muriel Waugh
 John Whedon
 Anne Wright

CHICAGO

Buckingham W. Gunn
 Mary Hallisey
 Marjorie Lamie
 Mary Lou Wickard
 Margaret Wylie

HOLLYWOOD

Sanford Barnett
 James S. Beale
 Joe Bigelow
 Robert J. Brewster
 Marguerite Bryson
 Helen Bushee
 Carroll Carroll
 John Christ
 Dorothy Credille
 Daniel Danker, Jr.
 Helen Drusel
 Pauline Eagan
 Emarie Hartman
 Edward C. Helwick, Jr.
 C. Maurice Holland
 Harry T. Kerr
 Olga Kuzell
 Norma Lindblom
 Richard Mack
 Margaret McLaughlin
 Virginia Meyers
 Henry Owen
 Marygale Redmon
 Paul Rickenbacker
 Ronald Ross
 Myrtle Smith
 Antony Stanford

SAN FRANCISCO

Wilson Cosby
 Helen McGrath
 Barbara Van Ronkel
 Frederick B. Wilmar

ARGENTINA

BUENOS AIRES

Annette Arciprete
 Eduardo Guillaume

AUSTRALIA

SYDNEY

Mary Armstrong
 Montague Chadwick
 Jean Charlton
 Henry Dearth
 Leslie Dinning
 Samuel B. Dobbs
 John Evans
 Philip F. Mygatt
 Stanley J. Quinn, Jr.
 Mildred Roantree
 Gwenda Southwell
 John Stevenson

CANADA

MONTRÉAL

Hugh Kemp
 Joseph E. MacDougall
 Jean Mason
 Thomas H. Moore, Jr.

TORONTO

Vera M. Barlow
 Enid Blakey
 Helena B. Easson
 Mary Louise Haley
 R. Howard Lindsey
 Edmund C. Rice
 Kathryn E. Stevenson
 Alma A. Venables

ENGLAND

LONDON

Isabel Barnett
 Guy R. Bolam
 Phyllis M. Boss
 Anna L. Bowthorp
 Freda M. Brooker
 Harold F. Brown
 Richard Cough
 Florence Lloyd Jones
 Nellie L. Mabane
 Stanley J. Smart

J. Walter Thompson Company

NEW YORK

CHICAGO

SAN FRANCISCO

MONTRÉAL

TORONTO

HOLLYWOOD

SEATTLE

LATIN-AMERICAN DIVISION

*Also—Offices in Principal Foreign Countries

To **VARIETY****WEISS & GELLER, INC.**Advertising Agency for
AXTON-FISHER TOBACCO CO.
Makers of Twenty Grand Cigarettes**WOLF ASSOCIATES, INC.**Producers of
"YOUR HAPPY BIRTHDAY" PARTY
NBC Blue—Every Friday Night*Holiday Greetings***MYRT and MARGE**

MYRTLE VAIL and DONNA DAMEREL

10th CONSECUTIVE YEAR ON CBS

The Outstanding
WBEM—CBS
Star*Tommy Bartlett*REALLY SELLS FOR
THESE SPONSORS *

Kitchen Klenzer
Big Jack Laundry Soap
Automatic Soap Flakes
Linco
Juno
Noxzema
Burry's Biscuits
Nelson Bros. Furniture
Bird-Sykes Automobiles
Dutch Mill Candies
Evans Fur
Bowey's Dari-Rich

SEASON'S GREETINGS**MARTIN BLOCK****SEASON'S GREETINGS**

From

TED COTT LEONARD LIEBLING**ROGER WHITE****"SO YOU THINK YOU KNOW MUSIC"****WIDEN JOB OF
KEN DYKE, NBC**

NBC has revised its sales promotion setup. Ken R. Dyke will now co-ordinate all such activities with the newly created title of Director of Promotion. Clay Morgan, who was director of institutional promotion, moves into Niles Trammell's office as assistant to the president.

Three other new posts have been established. One of these goes to E. P. James, former advertising manager. James becomes Broadcast Network promotion manager. Charles B. Brown moves out of the job of promotion manager for national spot and local sales, and takes over as Red Network promotion manager. W. C. Roux assumes Brown's former spot.

Dyke's authority will also extend over the research and statistical divisions, and he will report directly to Frank E. Mullen, v.p. and general manager.

Farley, Helen Craig on NBC
Ex-Postmaster-General James Farley will participate with Helen Craig of "Johnny Belinda" Jan. 7 on WABC, New York, in a program for the League for the Hard of Hearing.

One of the public interest series of the Greater New York Fund.

* See TIME, July 1, 1940, pages 44 and 45; TIME, December 9, 1940, pages 61 and 62; LIBERTY, October 12, 1940, page 31.

Best Holiday Wishes**VIRGINIA PAYNE**

CELEBRATING EIGHTH SEASON

AS

"MA PERKINS"



presents

★ IN CHICAGO TONIGHT

A star-studded half-hour variety show where names like Gary Cooper, Laughton, Bartholomew, O'Brien, Bennett, Scott, Ellington, Waller—and Murray, Hope, Ritz, Lum & Abner, Penner—present the best in drama, music and comedy!

★ THE CHICAGO THEATRE OF THE AIR ★

Operettas presented and streamlined for millions instead of hundreds—music with box-office appeal—and box-office names like Claire, Melton, Pearce, Gorin, Bonelli, Carter and Kullman!

★ THE CHICAGO SYMPHONY ORCHESTRA ★

Bringing to Chicagoland their own symphony music in a regular series of Thursday evening concerts, Doctor Frederick Stock conducting!

★ THE CHICAGO OPERA COMPANY ★

90 minutes of the world's finest operas—incorporating showmanship and mass appeal!

WGN—"The Voice of the People"—thanks these stars and organizations for the part they played in making WGN the first station in Chicago and the first Chicago station in the middle west!

50,000 watts

WGN, Inc.

720 kilocycles

Eastern Sales Office—Norman Boggs
220 E. 42nd Street, New York, N. Y.

441-445 North Michigan Avenue

Chicago, Illinois

Member of the Mutual Broadcasting System

Pacific Coast Office—Paul H. Raymer Co.
Los Angeles—530 W. Sixth Street
San Francisco—Russ Bldg.

1 out of every 140
people in the U.S.
has SEEN the

WLS NATIONAL BARN DANCE

925,000 IN ALL

Since the WLS National Barn Dance moved into Chicago's Eighth Street Theater in March, 1932 (the Barn Dance itself is 16½ years old), 925,000 people have paid 75¢ each to see their favorites of the Old Hayloft in person.

Here, then, is another evidence of the good will Chicagoans and the people of Mid-West America have for WLS—a good will that extends also to the other programs on the station and the advertisers who sponsor them.

IN OTHER WORDS

If everyone in Vermont, Delaware, Wyoming and Nevada came, they would almost equal the 925,000 who have SEEN the program.

COOPERATE AND FEAR NOTHING SEZ FCC

Washington, Jan. 5.

Added assurance that normal operations of the broadcasting industry will be upset as little as possible is found in the Federal Communications Commission report for the year closed June 30.

Great emphasis is placed on international and defense aspects of regulatory work but the kilocycle cops reaffirmed that they are not planning to crack down or to mix into purely industry affairs so long as ample competition is forthcoming. The review of the 1938-40 period stressed the vital relationship between all types of radio communication and the national safety, while the regulators pointed to the need for closer international harmony through better broadcasting service, particularly to Latin-America.

Vast improvement in transmission to South and Central America was recorded, due to the rule requiring DX plants to step their power to 50,000 by Jan. 1. (No comment was made on the proposed hemispheric network by Columbia Broadcasting System.) In talking about international service, the Commish remarked that nine plants were operating with maximum juice by September.

'South America is subjected to a barrage of transmissions from European stations which are more favorably located for such communications,' the report said, adding that henceforth the United States stations will obtain better coverage in the Latin-American republics, the report said. 'A number of United States broadcasting and manufacturing companies expend large sums of money annually in the operation of these international broadcast stations to promote goodwill abroad for the United States, although very little monetary return is received.'

Hayden With Bergen

Richard Hayden, English legit comedian, joins the Edgar Bergen program Jan. 19 for five broadcasts, with options. It'll be his first regular radio stint in the U.S. He planes to the Coast in a few days for the assignment.

Actor's first stage appearance in the U.S. was in 'Set to Music' two seasons ago, and he was a hit. He drew attention at that time with his 'Mr. Carp' creation, a take-off on an English lecturer. Subsequently appeared in 'Two for the Show.'

National Representatives: JOHN BLAIR & CO.

THE PRAIRIE FARMER STATION

Burridge D. Butler, President

Glen Snyder, Manager

SEASON'S GREETINGS

PROF QUIZ

BOB TROUT

BILL GERNANNI

SEASON'S GREETINGS

GUY LOMBARDO

AND HIS ROYAL CANADIANS

LADY ESTHER

MONDAYS
10 P.M. EST
CBS NETWORK

HOTEL ROOSEVELT
NEW YORK CITY
NOW

Management—MUSIC CORPORATION OF AMERICA

JOHANNES STEEL

On the Air for
MODERN INDUSTRIAL BANK
WMCA seven nights a week—7:45 to 8 P.M.

Little Brother of the Roosters

The Early Bird May Not Always Catch the Worm—But He Does Meet Some Other Nice Birds—The Autobiography of an Early Get-Upper

By PAT BARNES

(Conductor of 'Morning in Manhattan' Which Opens WEOF at 6:30 A.M.)

The birds I'm talking about (four of 'em) catch the 5:15 a.m. with me every morning. Every morning! Every morning—but Sunday. The early bird is the friendly variety—not the inquisitive kind—just the plain, loveable American type. For the 5:15 a.m. Bird will address you through the faint rays of the setting moon—with a cheerful "Good Morning," and after the opener, the conversation invariably blends into the charitable, beautiful and necessary things of life, such as—"Gosh, the moon is beautiful this morning," and "The big dipper, isn't it plain?" or, "You know, I'm sort of mixed up—is that the Northern Star, or Jupiter?" Never does the conversation enter into the theme of "tossed about, it may segue into "What time do you get up to catch the 5:15? 4:30? That's about my time—I set the clock ahead 10 minutes, so maybe it's 4:20. I usually get about eight hours sleep. The missus sets the table at night—all I do is turn on the gas—in five minutes the coffee perks—the toast is burnt—I have my breakfast."

Then the next segue takes place in the conversation. "Nice sky going to be a cloudy sky," oh, there she comes across the bend—the 5:15! So four of us hop aboard and are greeted by the brakeman who stands in between the coaches, with his hand on the train-cord (seconds count at 5:15).

One morning I mentioned to the brakeman that I would feel a lot better if he would look out on the platform. Any morning now, I might be rushing for the last coach. He put such fears to route with the remark, "I pick you birds out as we are

coming into the station—I won't miss you."

We have two coaches full of "Early Birds" when we arrive. Grand Central. One tow-headed Bird (never wears a hat or cap) always runs up the long and steep steel-steps (our 5:15 arrives at the Lower Level). I mention this incident because this Bird does exactly the same thing every morning—he approaches the stairs with the gait of a well-trained jumper—turns on the speed—leaps three or four steps at a time and when he hits the main floor of the depot, he falls back into his former slow gait. Never has he missed the dash upstairs.

Arrived in Manhattan

Now we are...Manhattan. The time is 6:07 (don't forget that it's A.M. still). Then you can (and we do) stand right smack in the center of Fifth Avenue, Radio City, and shout "Hello" and you'd get a taxi. By this time we have met and been greeted with cheerful "good-mornings" plus the usual weather comments—by other early Birds (or Owls), icemen, policemen, and those Birds who shine those big brass, or bronze doors—and let me tell you those Birds who polish said doors, do their work under the tell-tale and penetrating spotlight of perfection—with rub-Wigglely—step back and compare their results with the scrutiny of a Michelangelo.

Here we are at NBC—6:15—still A.M.—the only door that is open at that time in the 85 story RCA building is the one on 50th street.

As we enter the revolving door, it gives us a friendly pat on the back, and we are greeted by the night watchman. We step over cables from the ingenious machines with headlights, that scrub and polish, and make like new acres of blocked

concrete, bordered with shining brass bands, set in the floor. Then to the freight elevator which runs all night, carrying artisans of all nations to tasks that make for the efficiency of this giant building. Fifth floor is our stop—then through the long hall with the low ceiling and into Studio 5-A—it's now 6:23—the engineer is already on the job testing and tossing such words into the "milk" as "Woofer," "Woof," "Woofie," "Woof—100"—time coming up—6:28—30—W.O.O.F—where are they at Port Washington?—W.O.O.F. 95—O.K. here is Pat Barnes—then the announcer arrives and after the National Anthem, which is standard identification—then "It's morning in Manhattan with Pat Barnes." Theme: and the P.B. theme) "Entry of the Gladiators," you get the drift with "6:35—The Friendly Gladiators with their morning ritual—Always Faithful—ack it high on your shield of honor—and all the success of this day is yours—so heads up—shoulders back—chins out—a New Day, and it's yours..."

And the show on. Who listens? Golly, folks from all over. In every walk of life. For example, a lady from 100—"Tonic goodness," writes. "We can get something besides hillbilly in the morning." (On part 2 of "Morning in Manhattan" we use semi-classical music). Another lady from upstate N.Y.—"I start my day with you, and oh, it's so good. Please accept enclosed dollar for coffee. I can afford it. I have two rooms." A doctor, "Thanks for the delightful program. You ring with me on all our major calls, and boy, do we appreciate you welcome." Yet another from Park Avenue—and Main Street, thank you!

LURID IS THE IDEA

Rochester Auto Club Makes the Details Gory Over WHAM

Rochester, N. Y., Jan. 5.

WHAM launches dramatic series called "Ambulance on the Way," sponsored by Rochester Auto Club and designed to promote traffic safety. Shows are dramatizations of actual accidents taken from police files, but using fictitious names. Writer Wayne Shoemaker, material leans to lurid angle for strong effect, and sponsor's plea says if one life is saved as result of programs, club will be satisfied it is worthwhile.

Quarter hour show goes on Tuesdays at 6:30 p. m. and closes with a ready report of moving violations for the week and prizes are offered for best essays of 25 words or less on how dramatized accident could have been prevented. Prizes are \$15, \$10 and \$5 and getting big response.

Most hectic spots at NBC and CBS these days are the copyright national memory for musical compositions. Arrangers, directors, production men and sundry others keep his phone ringing all day long. They play, sing, hum or whistle a few bars of music, which Wirges immediately classifies as ASCAP or non-ASCAP. Occasionally he has to have the selection repeated, or sometimes he has to write down the notes and play them on his piano in the office.

Churches' Free Use

Detroit, Jan. 5.

Under terms of a free license, Detroit's churches will be permitted to use all sacred music and arrangements owned by ASCAP. The gratis permit even extends to the churches' numerous early morning devotional broadcasts as well as their private services, it was indicated.

We granted the license in conformity with our desire to serve the public interest," John G. Paine, general manager of ASCAP said. "We collect on music played for profit."

Previously, Dr. Clarence Hill Franklin, executive secretary of the Detroit Council of Churches, had prepared a list of church hymns not owned by ASCAP, and the churches were denied the use of the society's music.

Trials' to Michigan

Chicago, Jan. 5.

Five stations of the Michigan network plus WTOP, Toledo, have been added to the NBC-Bleu hook-up of "Famous Jury Trials" for the William Candy Co. Michigan net outlets added are WFDF, Flint; WJIM, Lansing; WIBM, Jackson; WELL, Battle Creek and WBCM, Bay City.

Set through the Aubrey, Moore & Wallace agency here for the Oh Henry candy bar.

Columbia, S. C.—Caldwell Cline, formerly with WBT, Charlotte, N.C., has joined announcing staff of WIS, Columbia.

HONOR RADIO EDITOR

Alice Quinlan of Boston Herald-Traveller Gets Orchid

Boston, Jan. 5.

Alice Quinlan, radio editor of the Boston Herald-Traveller, was presented an orchid and publicly recognized in a special program by WCOP for her "constructive policies in making the New England public radio conscious."

The presentation was made by George Crowell for the station.

Grombach Sues WWL

New Orleans, Jan. 5.

Civil Judge Nat W. Bond signed an order Thursday (2) directing WWL and the Chilean Nitrate Sales Corp. of New York to show cause why a preliminary injunction should not be issued against them for allegedly violating a contract. In the petition requesting the injunction, WWL is made defendant in a \$25,000 suit directed against it, while the Chilean corporation is sued for \$75,000 by Grombach Productions, Inc., New York.

WWL is made a party to the suit because it presented a transcribed Transamerican program for the advertiser which Grombach Productions alleges was produced in violation of a contract.

SEASON'S GREETINGS

DON VOORHEES

Anniversary Greetings

FROM

EDDY HOWARD AND EDGAR A. GUEST

Appearing on

"LAND O' LAKES" Program—NBC BLUE

EDDY HOWARD Guest Starring Jan. 10
AL PEARCE SHOW

Opening on Jan. 10

Empire Room, PALMER HOUSE

Chicago

COLUMBIA RECORDS

Exclusive Management

W. BIGGIE LEVIN, 612 N. Michigan, Chicago

THE MOST
CONSISTENTLY POPULAR
DAILY RADIO SERIALS
are our productions

IRNA PHILLIPS

Author and Script Supervisor

CARL WESTER & COMPANY

360 N. Michigan Avenue

CHICAGO

Greetings!

EDDIE CANTOR

On the Air Every Wednesday Night
9 P. M. EST—NBC

For

IPANA
SAL HEPATICA

Thanks to

YOUNG & RUBICAM, INC.

Who's Who of Frisco Radio

By WILLIS WERNER

San Francisco, Jan. 5.
Emil Brisacher, head of Brisacher-Davis. With 21 years as head of his own agency behind him, Brisacher was radio pioneer in the West. California was one of the first to test daytime radio for women's shows. At one time his Caswell Coffee operetta series held the radio long-run record. His agency handles the "I Want a Divorce" show, "Who's Dancing Tonight?" (Samuel's Jewelry), Ten Crown, Mounds, Acme Beer, Hastings Clothes (Fulton Lewis), etc. Brisacher is noted for magazine help-planning shows, as "Dance and True Story," etc.

Beth Brunton, owner, KJBS-KQW. The dark horse of Frisco radio at the moment, Brunton is a man to keep an eye on, standing a good chance of snagging 50 kw. for

KQW and with it a CBS line held by KSFQ.

Harry Bucknell, head of Red network sales division in Frisco. Formerly in Michigan, commission grain & buckwheat followed sales line East Coast in '24, shifting to Media Records in '27. Became space buyer and office manager for Lord & Thomas two years later, thence moved to Frisco Chronicle as promotion manager before joining NBC in '39. Handles Gallen-Kamp Wesser Oil, Sperry Flour, Cardinet Candy, etc.

Walter Burke, ast General Manager, Pacific Div., McCann-Erickson. One of the most active agency men on the coast, he joined the firm 20 years ago in New York, picked up in market research. Originated the first telephone-coincidental survey in 1927 for the Standard Oil Co., a

client whose weekly symphony holds the long-run record for a 60-minute web show. Also handles seven-a-week, two hour concerts on KECA, Los Angeles and KYA, S. F. for public utility accounts. Active in A. A. A. A.

Marjold Cassen, Erwin-Wasey. With 15 radio years to her credit, this energetic gal writes and builds complete shows or any part, recently having handled "Mine to Cherish" and "Good Morning Tonight."

Carol Coleman. This chap holds the strange record of being the radio department of two agencies—KFWB and KQW. Coleman & Gardner and M. E. Harlan, a member of Sidney Gardiner Agency's radio unit, are a "freelancer."

Lincoln Deller, general manager, KSPQ. University of California lad was ad manager of Motorland in 1930. This led him to the Don Lee (Cadillac-LaSalle) organization and thus into radio via KGB, San Diego, as manager, 1932-35; 1935-38, with CBS in New York (Radio Sales, station relations), 1938-39, general manager WBT, Charlotte, and so to Frisco in Feb., 1940.

Ed Franklin, owner, KJBS. An Iowa boy who got his start with Gene O'Fallon at KFEL, Denver in '21, Franklin joined KJBS in '33 as announcer-producer and worked his way up to manager. Flies a plane and once roosted about in the oil fields. Pioneered in use of classical music discovering its local popularity almost by accident when fans began asking for it.

George Gage, Lord & Thomas. Head of the Media and Research department, Gage is local time buyer for the agency, paving way for the production staff handling such accounts as Roos Bros. department store, Safeway Stores, Rancho Soups and Southern Pacific railway. Has long record in advertising and research, including service with McCann-Erickson and Sunbeam Raisins. Once owned his own newspaper in the middlewest.

Gene Grant, in charge of Blue net sales, S.F. Originally from Minnesota, he did newspaper and agency ad work in Los Angeles prior to joining KFI as salesman in 1929. Shifted to Frisco in '35 to join NBC and has been with KGO and KPO since.

Arthur J. Kemp, Pacific Coast sales manager, CBS. Veteran of publicity and advertising with various agencies, including the Honig Cooper Co. (now Erwin-Wasey), Kemp's radio tours of duty include KJX, KNX and KFRC, as well as Radio Sales for CBS in Chicago.

Leon Livingston, head of his own agency since 1921, and a veteran of advertising since 1910, he has pioneered in radio since 1928, best known

of the first to place radio time on a Sunday. This was the "Home Sweet Home" three-hour show on Don Lee in 1927. Handles Langdon-Redford United Bakeries and other major accounts; although Livingston himself was slow in capitalizing to radio. In his own words: "I have been buying radio time for clients (usually against my will) since 1928." Most of his radio production is handled by Bill Day and, until recently, Louis Crosby.

Charles Morris, Frisco sales manager, CBS. Came into radio via investment brokerage, first serving with Don Lee at KFRC.

Harold H. Meyer, manager KYA. Entered radio in 1928 in Philadelphia, coming from street-car advertising field. Went through all departments of ethering and shifted to WFIA, Clearwater, Fla., in 1930, remaining until he moved to WSN, St. Petersburg, Fla., in '32. While there, he won "Warmer shorts contest" Early in '40, East again with the New York Broadcasting System, thence to KYA this summer as manager.

A. E. Nelson, v.p. in charge of NBC's KPO and KGO. Nelson was in insurance and auto finance before becoming proxy of WIBO, Chicago, in 1923. NBC service began at KOA in 1933 (after FRC extinguished WIBO) and before coming here he was at KDKA and for a time was New York director of the Blue Network.

William Pabst, Jr., manager, KFRC. Los Angeles born, Pabst drifted into radio via newspaper, joining KFEL, Los Angeles after leaving Standard. From sales and promotion for Cads and LoSelles, he moved to KFRC at the time when radio began to realize it was a business and introduced business systems to replace "happy-go-lucky methods, soon winning elevation to management. Originated numerous shows including "Phantom Pilot" and "Meet the Past." Set something of a record last fall with a single program totaling 6,000,000 packed inside of one month, including Standard Oil, Chirardelli's Chocolate, Langendorf Baking and Tea Garden (regional "Want a Divorce").

S. H. Patterson, owner of KSAN. Entered radio on March 7, 1926, via a program he produced and through selling spots. First with KFKF, Denver, he purchased KVOR in Colorado Springs in 1933, and became radio director of the Western Networks. Operated KVOR three years, sold it and bought KGCG in San Francisco, changing call to KSAN and building complete new studios atop Merg Mart. Also president of New Frontier Broadcasting Co. of Cheyenne, operating KFBC.

Walter Purdon, Brisacher-Davis. With Brisacher since '34, Purdon has dabbled in many pioneering shows, including "Who Am I?" daddy of the radio-gag show. With the Western Networks, which was succeeded by California Conserving Co., Watson, Calif., producing, producing. Purdon also figured in the "Divorce" and "Who's Dancing?" picture, and created an early quiz show, "Oh, Teacher!" on KPO for a tailoring firm which drew record

audience. Working with him is Wes Settemer, who first put Bing Crosby on the air in the days of the Demi-Tasse Review for MJB Coffee Ward. Ingram, sales manager, KFRC, University of California, '31. First with KJBS. Moved to KFRC in '35 as a salesmen and a little over a year later won his present post.

W. E. Ryan, sales manager, KGO-KPQ. Named to his present position in '39, coming from a similar post with Foster & Kleiser, outdoor display firm.

Lindsey Spight, v.p., John Blair Co. A veteran of NBC, this energetic exec began an editorial and advertising career on newspapers before he was out of Oregon State Agricultural college, winding up as merchandising manager of the Los Angeles Times which he left in 1929 to join NBC's coast staff, during his four years with the web he organized the sales traffic department and from '32 to '33 was commercial manager of KPO, handling the station at the time it was taken over by NBC. Resigning, he helped organize the Blair agency, becoming v.p. and Pacific Coast manager. For the past four years he has conducted a U. of Cal. class in Radio Advertising.

Massie Smith, S. F. office, Long Advertising, Crest, one of "Prof. Puzzlevit" (Gallen-Kamp Shows), antedated only by Prof. Quiz.

Bob Stafford, executive v.p., Westco. Joined Westco in '33, an agency dealing primarily in radio accounts. Handles Sperry Flour (including "Dr. Kate" five-a-week on the Coast Net), Red and Salvatore's news on radio, six-wide for mystery breakfast foods) and General Mills (including Wheaties baseball broadcasts).

Haan J. Tyler, sales manager, KSFQ. New addition to the Frisco roster is this Chicagoan, with 18 years of newspaper, magazine, agency and station advertising experience. Formerly Southern California manager for Fred A. Peters and Radio Director for W. J. H. Dunham Co. Tyler previously served with the Broadcast Checking Bureau and McFadden publications. Handled the "O.Henry" spot campaign, first spots to bring fan mail from listeners.

F. B. Wilmar, Helen McGrath, J. Walter Thompson. This pair handle Thompson's coast radio activities, largely spot. Wilmar joined the agency in '32, coming direct from Stamford, Conn. McGrath, a California girl, has been with the agency's media sector for 12 years.

John Wolfe, Photo & Sound. Handles network and indie transcriptions, including daily strip show, "Sparks of Friendship" for Sparks Soap. Got into radio on a dare from a grain exchange firm in 1925, singing a song with Ned Tollerine on KOIL. Fair clicked.

San Francisco—Karl Barron, formerly of KYA, replaced George Tolin, resigned, on KROW announcing staff. Barron formerly was with WFBF, Baltimore, and WIP, Philadelphia.

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COLUMBIA BROADCASTING SYSTEM

Congratulations

VARIETY

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*First of radio's script serials, which has
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CBS Network • Mondays thru Fridays

5:5-15 P.M., EST—CBS
11:30-11:45 A.M., EST—For Pacific Coast—CBS
8:15-8:30 A.M., EST—WOR (Transcriptions)

ASCAP-RADIO: BLOW BY BLOW

ROUND ONE

Radio comes romping out of its corner and starts jabbing with its BMI. latter opens an office. New York and hires clerks. ASCAP continues to smile, and offers nothing in the way of a counter blow. It just keeps flexing its muscles by working on a new radio licensing contract. As far as the sideliners in the trade are concerned, the two-some's antics call for a yawn and so it's given, unanimously.

ROUND TWO

Radio again moves out aggressively. ASCAP is suddenly hit with one blow whose source is still a mystery and it sets up a yell of "foul." Gene Buck, recovering in Arizona from a serious bronchial condition, is picked up on a warrant issued by some obscure justice of the peace in Montana and thrown into the clink. Buck stays there for six hours while his local friends scurry out for cash to bail him out. Buck terms his arrest part of radio's "national smear campaign" against ASCAP and the Arizona governor vacated the warrant. Nevill Miller would have been surprised if nothing to do with the punch. The networks also plead innocence and ASCAP socks the N. A. B. with an eight-page statement: "This is a case of the law being used," blasts ASCAP, "to further purely private commercial interests." Attempts to service ASCAP officers in New York with similar Montana warrants had been barred by N. Y.'s Mayor Fiorello H. LaGuardia. ASCAP comes out of this round red-faced and puffing.

ROUND THREE

Not much else but sparring in this round. ASCAP is on guard for another last one, but radio merely keeps tapping away with its BMI punch, though quite short on knowing how to handle it effectively. John G. Paine, ASCAP general manager, invites Miller to come over. He goes. Nothing comes of the meeting. The BMI thing still used merely for a threat. Nobody's round, and nobody cares.

ROUND FOUR

ASCAP takes the initiative at the bell. It comes rushing out with its new radio licensing contracts neatly wrapped and tied. Edward Klauber, CBS executive v.p., invited among other representatives of the broadcasting industry, does a sudden walkout of the ASCAP board room while Paine is reading a prepared statement. Paine writes William Paley, complaining about Klauber's "bad manners" and asks that somebody else be delegated to confer for Columbia. Paley shoots back a billet doux of his own, but without any lavender scent. He tells Paine he's surprised that anybody should peep about a guy working for him (Paley) and adds that he's amazed at Paine's dictating to CBS, one of ASCAP's largest customers, who shall or shall not be delegated to deal with it. Miller raises another statement. He attacks what he calls ASCAP's "Shylock position" and states that even though the new contract makes concessions to small stations, it still means a 100% increase for the broadcasting industry. Sideliners began to wonder whether the money that ASCAP wants the networks to pay or Klauber's etiquette is the issue, but vote that this round has been the juiciest so far.

ROUND FIVE

Radio gets hot with its BMI again. The BMI punch is beginning to take on form with the padding of the performing rights to such catalogs as M. M. Cole, Hinds, Hayden & Eridge and (partly) Southern Music. ASCAP parries this with sneers about the stuff containing everything else but popular music familiar to American listeners. Radio's sharp comeback is along the lines of, "That's something we'll never create a right way by adding young American tunes that hasn't been given a chance to get into ASCAP." It jobs at ASCAP again with a BMI broadside charging that not only has ASCAP frozen out budding young American genius from its membership but that it gives 80% of its writer income to 20% of its writer members. The rest of the round is filled with flying statistics. Statistics are dry, and so is the rest of the round.

ROUND SIX

ASCAP starts shooting its new contract form all over the country by U. S. mail. CBS writes its affiliates to ignore them. CBS shuts down the information that ASCAP publishers used to get in advance about their scheduled plugs. Radio finds that the U. S. Department of Justice has suddenly popped up again in its (radio's) corner. The Department talks about reviving the 1934 suit and issues subpoenas for ASCAP files and records. ASCAP hits back with a plea to a Brooklyn federal judge for specifications and out of this encounter comes assurance from the assistant attorney general on the case that the information he gets from ASCAP will not get into the hands of the N. A. B. as happened, ASCAP charged, after the blowup of the 1934 case. Radio's round by a wide margin.

ROUND SEVEN

Encouraged by the Government intercession, radio starts negotiating for the Metro music catalogs. Price quoted: \$4,300,000. The thing drags along and in-time blows up so much conversation. While radio has its thoughts on becoming a bigtime publisher via the Metro deal, ASCAP shocks the trade by actually calling in the press to tell its side of the radio tangle. It's the first time that such an ASCAP invitation has been extended in 25 years and the membership wonders whether ASCAP is about to enter an era of open-door, open-classification, open-payoff, etc. A round of surprises but little action.

ROUND EIGHT

Atmosphere turns real hot (August) and the battle starts coming to a boil. NBC and CBS introduce rules about the number of BMI tunes that must be included in a remote

The Radio-Music Fight Started As a Waltz—But Now They're Slugging

By BEN BODEC

To get a clear picture of what the antagonists, the American Society of Composers, Authors and Publishers, and the National Association of Broadcasters, were squaring off about when the bitterest rancor for 1940, it will be necessary to go back somewhat, and briefly, into the history of commercial radio. The feud between the two contestants dates back 15 years, when ASCAP got a court verdict against WLW, Cincinnati, and then informed all broadcasters that if they wanted to go on using ASCAP music they must obtain a license and pay a fee. For the first six or eight years the ASCAP management thought so little of the future development of radio as a money-making medium that it was content to let the budding industry ride along on what it considered a nominal pro quo.

Not until 1932 did it pass through its first standard form of contract which called for a cut on the广播er's commercial business as well as a sustaining fee. The indie stations protested loudly but the proposal of a commercial tap of 2% for the first year, 3% for the second, and 4% for the third, was okay with the networks, and so the terms were set. The indies continued to denounce the "oppression of the music front" at the subsequent annual conventions of the National Association of Broadcasters. In 1934, the indies through N. A. B. prevailed upon the U. S. Department of Justice to haul ASCAP into court on anti-trust charges. After a couple of weeks of trial the case was suddenly dropped. Evidence adduced at the time showed that Government special counsel, Andrew Bennett, had prepared anything but an airtight action.

At the next N.A.B. convention Jimmy Baldwin, the then N.A.B. managing director, was designated to act for them in the negotiation of the next ASCAP contract. There had been talk at the N. A. B. convention about insisting upon a contract that would apply the fee at the source of the program, which meant collecting directly from the networks on network commercials. This angle, so the recalcitrant indies later charged, proved a potent bargaining instrument for ASCAP in what the former described as ASCAP's strategy to divide and destroy. While Baldwin sat in his suite at the Hotel St. Regis, N. Y., with the negotiating proxies of 300-odd small stations, and waiting to hear from Gene Buck, ASCAP pres, as he was promised, the networks closed a deal with ASCAP, raising the commercial ante to a straight 5% for five years. Baldwin didn't know that the deal had been consummated until he was called by a tradepaper man and informed that the network had just sent out a wire to their affiliates that their network agreements required that they have a licensing contract from ASCAP.

The indies continued to burn at ASCAP. Their tactics against ASCAP shifted. Bennett quit his Government job and became the spearhead and mastermind in a campaign of harassment which involved starting all sorts of suits against ASCAP and introducing hostile legislation in every state possible. According to ASCAP's estimate this campaign cost the organization over \$800,000, not including the losses of revenue in such states as Washington, Montana, Nebraska and Florida. During this period ASCAP had its legal reps fighting in as many as eight state courts and at least three times up before the U. S. Supreme Court on issues produced by these legislative moves.

Neville Miller succeeded Baldwin, and his predecessor's No. 1 headache, ASCAP, became his. Miller explored all highways that had been covered and then informed ASCAP officials that he was prepared to sit down and discuss a new contract with them. This was in the summer of 1939. What happened after that produced double versions: Miller charged that Buck had set an appointment with him and on the stipulated date Buck was on the West Coast. Buck retorted that Miller had misunderstood him as to his availability, and anyway, there were other officials at ASCAP's N. Y. home office with whom Miller could have talked terms. ASCAP had meekly let it be known that the next contract would include a direct fee on network biz.

N. A. B. in the interim, setting up a reservoir of music which the broadcasting industry could call its own. As mastermind of this project Columbus lent one of its own lawyers, Sidney M. Kaye, and Broadcast Music, Inc., was born. By the end of 1939 Kaye and Miller were active making the rounds of N. A. B. district meetings, selling them on the BMI proposition.

As the belt rang for the 1940 edition of the ASCAP-radio battle ASCAP was seated in one corner, confident and amused at what it had heard about its opponents' proposed Sunday punch, "something called BMI," while in the other corner chaffed radio, eager to show it could cut the opposition down to size.

sustaining program. ASCAP pulls its prime publicity stroke to date, a special number of *Variety* (144 pages) in which it tells the story of ASCAP to the trade. Issue precedes the opening of the N. A. B. convention in San Francisco by a few days. At the convention itself the delegates agitate themselves into a solid front against ASCAP and vote to perpetuate BMI even if there's a deal with ASCAP. Paine flies to Frisco and seeks to get a hearing before the convention, but the request is given the thumb. Convention steerers say they're afraid his appearance will provoke riot. Paine goes home without a hearing.

Ed Crane, the Montana broadcaster, meanwhile makes his peace with ASCAP and there's a similar repudiation of him on the Washington State horizon. Before the N. A. B. convention is a day old radio further shows its solidarity by agreeing to the new BMI contract which applies the commercial fee at the source. The atmosphere is still hot, and the feeling between the antagonists is getting more so.

ROUND NINE

As the fight takes a potent momentum broadcasters friendly to ASCAP urge that it invite over the committee that the N. A. B. had previously appointed to do the negotiating of an ASCAP contract. ASCAP rejoins that it will talk to any representative or representatives of broadcast operations and waiters away to see what radio will say to this. Radio says nothing but goes on appealing for more BMI pledges. ASCAP cuts loose with a series of letters to broadcasters, advertisers, advertising agencies. Atmosphere has cooled off, and so apparently have the contestants.

ROUND TEN

Radio is showing signs of knowing how to give rhythm to its crosses and to roll with the punch. ASCAP's propaganda keeps stressing the "broadcasting barons" tag. Radio hits back with "music monopolists." ASCAP's propaganda makes capital of BMI's lineup of German and Italian catalogues, saying that it's all as Hitler and Mussolini would wish it, and radio now yells (foul). ASCAP warns that radio's proposed boycott will keep the familiar Irish songs off the air, and radio wants to know since when is Mr. Gallagher and Mr. Shean's "Celtic air"? And so goes the slugging on the propaganda front.

A third guy suddenly pops into the ring. He calls himself a "name band leader" and walls that if this thing doesn't stop it will be bad. So the third party pleads that the antagonists stop fighting so that they can find a peaceful solution. He runs from one contestant to the other asking what's all the bickering about and just what will it take in concessions for the two to sit down and talk it out. The third guy soon finds himself in circles and getting nowhere and he, before dropping the olive branch for the baton, issues a statement that radio doesn't want peace but wants to deprive the American listener of the finer things in music so that it (radio) can build up its own monopolies. As a parting shot the third party accuses Nevill Miller of being a more skillful sidestepper than Will Mahoney. Miller retorts that the third guy belongs in ASCAP's membership ranks anyway and that he got his wires crossed on what Miller had actually asked for as a condition for peace.

So many volunteers have by this time gotten into the ring that the sideliners has difficulty making out the actual principals or distinguishing the principals from those who cry that they're being caught in the middle and are afraid of being hurt. A round marked by more confusion and complication than actual progress by either contestant.

ROUND ELEVEN

Radio scores its biggest solo of the set-to. It comes up from the floor with this one. The Sunday blow has finally arrived in all its flower and fury. BMI has won away from ASCAP a publishing firm, E. B. Marks, that's been collecting \$85,000 a year in royalties from the performing rights group. BMI has guaranteed Marks \$250,000 a year for five years. ASCAP pooh-poohs the figure. Says it doesn't need because ASCAP wants into a lot of legal trouble with ASCAP writers if it uses the American lyrics to the public domain music and American copyrights in the Marks catalog. The freelance lawyers on the sidelines prick up their ears at this crack. For the first time they see an opening for them in the ASCAP-radio hostilities.

ROUND TWELVE

As ASCAP comes out for this one it spies a familiar face. It's the U. S. Department of Justice, from 1934. Holding off radio with one hand, ASCAP carries on a conversation with the D. of J. out of the other side of its mouth. The words are not clear but they sound something like "constant decree." Radio tries to come in close so that it can get a line on the conversation but finds that ASCAP has developed a new technique. It's not only snarling with its left hand but it's doing the same spanning job with the right side of its mouth; the left hand doesn't seem to know what the right side of the mouth is doing.

Radio is nonplussed only for the moment. It keeps watching the right hand, as well as the right side of the mouth, for a quick one, but informs the sideliners that it's glad to see that ASCAP has finally recognized the errors of its ways and wants to reform. ASCAP, speaking out of the left side, points out that the right side of the mouth is merely rehashing possibilities with somebody who has been a perennial thorn but might turn out a friend in need. Anyway, adds ASCAP, the settlement of this old feud won't affect the other radio.

Few are the strains of ASCAP music that are still in radio's hair as the 11th hour approaches. Soon it's the stroke of midnight. The New Year is greeted with shouts. The bells ring and people embrace and wish one another peace, prosperity and the best. But ASCAP and radio are still in there slugging—the refrain of *Jeanie with the Light Brown Hair*.

All of a sudden there's a commotion in the back rear of the auditorium—the cops break in flashing criminal indictments from the Department of Justice. The joint is raided.

1940 WASN'T ALL ASCAP-BMI

**Europe, Unionized Pluggers,
Congarhumba Vogue, Vital
Legal Decisions During Year**

By ABEL GREEN

The music-radio battle-of-the-century—BMI versus ASCAP—is a separate chapter reported elsewhere in this issue. Suffice it that 1940 provided the music men with many a dull moment.

It was the year of the big congarhumba vogue. It continued seeing rhythmed classics purveyed to the public for hoot-and-ear appeal. It saw a boom on wax. It witnessed the birth of jukebox film shorts—"slottoes"—as another evolution.

There were big legal issues in the course of the year. Most salient, of course, was the 100% endorsement of the copy-right owner's basic rights in a song. This was the WNEW test case wherein Judge Learned Hand in N. Y. federal court ruled, in effect, that a music copyright is virtually a monopoly protection for its owner, and that no other rights could be superimposed thereon. Thus, an interpretive artist on disk couldn't claim some sort of derivative protection. This was the outcome of a drive conducted by the National Ass'n of Performing Artists which pushed test cases in which WNEW stood on the point that no special license from the respective artist, singer or orchestra, is necessary to broadcast a record which once paid for, can be used at will. This despite "restricted for home use" legends that went on the wrappers of the records.

Another significant decision was that upholding the music publisher's renewal rights to a song copyright when the tune is written under an employment contract. This specifically refers to Shapiro-Bernstein's victory on "Come Josephine, In My Flying Machine," on contention that Al Bryan and Fred Fisher had first authored the number when under his to the music firm, hence the renewal rights rest with S-B, and not with the writers, as normally.

HOLLYWOOD DOWNBEAT ENRICHES 'B'WAY

Nothing exciting occurred to affect the filmusical allies of Tin Pan Alley, due perhaps to the fact that Hollywood's toner cycle was on its downbeat in 1940. Much more filmusical activity is augured for this coming season. However, the Coast picture production hiatus on musicals carried a number of name librettists and songwriters back to Broadway, benefiting the stage proportionately. Highlight, of course, was G. Deaderick's concurrent Broadway musical comedy hits, including two with scores by Cole Porter, written by Irving Berlin.

It reshuffled certain writing teams, and also established a unique precedent in the case of Richard Rodgers and Lorenz Hart who refused to do any screen tunesmithing unless they could mail their chores in from Broadway. This was agreeable to at least one company, RKO Radio for which R.H. did a score by remote control.

The bandleaders too, took a back seat in the general ASCAP excitement. Where last year they were too vivid with their demands for tunes, the record showed up the maestros not too brilliantly when it came to picking tunes for their own bands.

For example, Tommy Dorsey's Sun Co. did very well for itself with "I'll Never Lie Again," catapulting ex-band pianist, Ruth Lowe, into national attention. The Lombards, long owners of Olman Music Corp., and credited with being among the most astute song material pickers—from other publishers' catalogs—couldn't do much for their own firm. They finally came through with a mild hit in "I Can't Love You Any More." Ditto for Fred Waring's Words & Music firm, and the other maestros with private publishing adjuncts.

Artie Shaw, whose peripatetic career on and off the podium, after he had been doing with "Prenzel's" a Varsity recording which is largely credited for starting that Southern Music (BMI) tune to unusual rhumba attention. Shaw's "Begin the Beguine" arrangement a couple of seasons back was similarly credited with renewing interest in that Cole Porter composition.

BIG 1941 problem now—assuming there is no early ASCAP-broadcasters "peace"—is how to exploit popular songs. Radio's values were self-evident. The old-school and more laborious methods via theatres, cafes, dance-halls, etc., are all right, excepting that the vaudeville (variety presentation) houses are not set up as in yesteryear's vaude heyday when "landing a song" was a standing feature of the tune court.

Yet many a vet music man looks to this harp-back for former methods to possibly resuscitate the sheet music biz into its former 1,000,000-copy song hit classification.

The radio schism comes at a time when sheet music biz is good. It had its ups and downs, but now the U. S. public is in better spending mood and biz has been rather strong.

FINED FOR PAYOLA

The songpluggers, now unionized, and dignified as "contact men," were excited anew during 1940 about payolas and one of them suffered a \$100 fine, but from the summer on, ASCAP-versus BMI eclipsed almost everything else.

The European blitz was a further setback. It blocked foreign funds. It curtailed sales abroad, since currency could not be exported from England or the Continent, and naturally damaged the flow of any good material.

To the rescue came Robert L. "Woodpecker" Song and Peterboat Serenade. "There'll Always Be An England became cable news for morale purposes, but it ended there.

Smut tax works for the jokers threatened legislation for a time; and ASCAP ordained a penalty on any publisher or writer-members who became identified with questionable lyric material. The threat served its purpose well for it curbed the purpose pronto.

"She Had to Go and Lose It At the 'Astor,' 'She Really Meant to Keep It' and 'I'm Virgin But I'm on the Verge,' by ASCAP member Paul Dennerle," climaxed the smut song cycle. Eli Oberstein's Varsity and Royale records (ultimately into receivership) got some attention for a spell with "Astor," as novelty sellers, especially on the coin-machines.

In another sense, Cole Porter's "But in the Morning No-

and latterly 'Another Old-Fashioned Please'" (this one radio-taboo because of the booze implications) got the frown on good taste. There have been instances in the past in songs like "Thank Your Mother, Thank Your Father," with punchlines, "though your father's name was Stanley, thank God that he was manly," getting the radio brushoff.

JKUKEBOX PROBLEMS

The evolution of the jukers created a new problem on how to license them, both for performing rights and for mechanicals with result. The Music Publishers Protective Ass'n is holding off until the slottoes stabilize themselves. It's for this reason that Broadcast Music, Inc.—which the ole debbil BMI again—moved into the slottoes, taking in with certain jukers, including the James Roosevelt-Mills Novelty Co. bunch.

Disks boom sales witnessed prices being cut, with greater volume turnover.

Pluggers had their usual headaches. Many objected to being held up for fancy \$1.50 couverts and "premiere" supper prices, and by concerted action taught one avuncular hotel lesson.

The broadcasters' spleen, of course, singled out the music contact men for even greater ire. The radio talent, on the other hand, sympathetic to the ASCAP cause, because of the wealth of material, was cooperative if insistent. The band leaders staged sundry luncheons for them, too, felt they were unwittingly "put in the middle" but that sort of mediation maneuvering likewise didn't achieve anything like what Governmental "consent decree" pressure finally did.

ASCAP was building up during 1940 a sizeable war-chest by withholding portions of dividends from writers and publishers alike. However, the 1940 final quarter's melon of \$1,300,000 parred that of a year ago. At the same time it was agreed to split up the \$800,000 war-chest because such sizeable cash reserve would entail too much of a U. S. tax.

THOSE 'DRIVES'

"The sheet" became a gag with the 'drives' for this or that song. It was no secret that a 'drive' would place almost anything No. 1 on the breakdown, and soon it became a specialty of the bandleaders who refused to become part of such artificial hype. It became even greater gag when BMI started publishing its "Picnic Makes Perfect," "There I Go," "The Same Old Story," etc. It even got "Turkey in the Straw" and "Jeannie with the Light Brown Hair" up the top.

Radio okayed "Stinky" (song) for air usage, and radio had its private little joke also, right after a Hitler speech, by having the NBC studio orchestra precede the address with a thematic, "You Grow Sweeter As the Years Go By." (This broadcast was the occasion of Der Fuehrer's seventh anniversary address to the Nazi party.)

The Orrin Tucker-Bonnie Baker vogue with "Oh Johnny" made it miserable for present-day songwriters who squawked that the publishers were dusting off their catalogs and resurrecting oldie "cute" songs in line with the cycle.

Even Victor Herbert came in for a revival with "Indian Summer," a minor reworking of "Yesterdays."

The Latin vogue kayaned singing largely and Glenn Miller furthered it with his style of moderated swingology.

Jimmy Campbell went bankrupt in London and later evacuated for the U. S., having returned to Britain by way of Australia the preceding year. Ralph Hitz, the hotelier died. Reg Connally and Irwin Dash evacuated Britain to the U. S. Artie Shaw staged a comeback via the Boris Morros studio, "Second Chorus." E. R. (Ted) Lewis, of England sold out his U. S. holdings in the American Decca Company. Jack Kapp meantime pushed Decca to the fore as a No. 1 disc company.

Shapiro-Bernstein opened 1940 with "South of the Border" as the No. 1 song and closed 1940 with "A Nightingale Sang in Berkeley Square" (one of the few English imports) although Jack Robbins disposed Louis Bernstein for top honors last year by pointing to "Deep Purple," "Stairway to the Stars," "Moonlight Serenade" and "Over the Rainbow."

S-B the No. 1 firm in 1939 with "Barrel Polka," "South of the Border," "My Prayer," "Penny Serenade" and "Cinderella Boy" on My Arms." Incidentally, all these were from foreign sources in 1939, which is evidence anew of how sharply the importation of tunes dropped with intensification of the Axis aggressions.

On the Care of Bass Fiddles

Not new but worthy of preservation in VARIETY's 35th anniversary round-up is the letter of a San Francisco bass addle player to the executive in charge of the premises. The letter:

"May I respectfully direct your attention to a deplorable condition that exists in the bass fiddle shelf behind C. Studio?"

"I realize that this matter lies without the province of your department, but I have a strong sense of direction to forward it where it might do some good."

"The shelf in question is located in front of a window which supplies what we jocally call the 'air' to 'C' studio. The window must be left open in order to preserve life in the studio, but the unhappy result is that all of the San Francisco fog that blows in condenses on the bass fiddles and soaks them so thoroughly that I hardly know when to use a bow or a bloter."

"The effect on the tone is disastrous. My poor fiddles, which once had the sonority of a cathedral organ, now sound like a row of carelessly tuned lamp kidneys played with ping-pong paddles."

"Furthermore, the excessive moisture causes the instruments to come apart. I have already taken two bulldogged home in a pillow case and have slight hope for a bird."

"I shouldn't trouble you about this affair were it not for the fact that I am running out of fiddles."

"Under separate cover I am forwarding two guppies and a sprig of ivy that I found growing in my Stradivarius the last time I used it."

Top 15 Sheet Sellers For 1940

South of the Border (English Import)	S-B
Oh, Johnny.....	Forster
Scatterbrain	BVC
Careless	Berlin
Indian Summer	Mark
In an Old Dutch Gar'en	Harms
When You Wish Upon a Star ("Pinocchio")	Berlin
Woodpecker Song (Italian Import)	Robbins
Playmates	Santy
Make-Believe Island	Miller
God Bless America	Berlin
I'll Never Smile Again	Sun
Blueberry Hill	Chappell
Only Forever ("Rhythm on the River")	Santy
Ferryboat Serenade (Italian Import)	Robbins
Filmusical	

70,000,000 Discs Sold

LONGHAIR STUFF OUTSELLS POPS AT MOMENT—PRICE CUTS HELP MERCHANTS—NO BANDS 'MADE' DURING YEAR BY SOCKO RECORDINGS

By Bernie Woods

During the 12 months just closed the recording companies accounted for the sale of approximately 70,000,000 discs covering all types and styles. That figure tops by about 12,000,000 the 1939 sale, which was officially placed at some 58,000,000.

This year, however, the recording companies themselves can take a large portion of the credit for substantially increasing the over-the-counter traffic. In late summer the sales were ahead of last year, but they were not heading for what could be termed a marked improvement. Then competitive price slashing in the field of classical issues was started, and as a result the factories of both Victor and Columbia went under forced draught to keep up with the demand. As sales zoomed the production end of all three major companies required double shifts to keep ahead of the tide of buyers.

The response to the Columbia and Victor cuts to a uniform \$1 a platter for the best classical music obtainable has resulted in the setting of sales figures that will show 1940 as a year in which more serious' music was sold than ever before in the history of the record business. Pop stuff took second place to longhair. That's a form reversal that probably won't last, however.

Price Cuts for Pops, Also

Victor initiated a cut in the pop field, too, following Columbia's lead by almost a year. Columbia dropped from 75¢ to 50¢ late in the fall of 1939. It wasn't until late summer of 1940 that Victor decided it should do the same. Dropping to the 50¢ selling level was a move Victor claimed it would never make and evidence of the fact that it intended sticking by that claim, and that the cut was decided on suddenly, is in the movements of the Sammy Kaye band. Kaye switched to U. S. Records' 35¢ Varsity label and later returned after Victor had dropped to 50¢. Kaye's only reason for leaving Victor was based on his anxiety to get out from under the 75¢ selling price. He felt the high tap was hurting his sales. At the same time he wouldn't switch to the same company's 35¢ Bluebird issues because of the opposition bands on that label. If Victor at that time had made any plans, or was thinking at all about revising its selling price, presumably would have been told and would never have moved to another company. It was only a short time later that the cut to 50¢ was announced.

Oberstein's Troubles

Toward the end of the year Eli Oberstein's battle to keep U. S. Records in operation began staving off legal dissolution and by related actions and what is expected to be disposition of the assets of the company, while hunting new financial backing. Case has been heard before. Irwin Kirtz of the federal court for some time.

There were no bands 'made' by outstanding records during the year as in 1939. Probably the most notable and lucrative tour because of click records were made by the two Dorseys. Jimmy's band hit high grosses during a fall tour, much of it attributed to click made by records of Toots Camarata's arrangement of "The Breeze and I" and the closely following "Six Lessons from Madame La Zonga." Tommy's band also hit high grosses in the east and midwest on the way to the Coast, after scoring solidly with "I'll Never Smile Again."

Glen Miller had hits like "Tuxedo Junction," "Pe-6-5000" and others, but no one that approached the success of the Dorseys. Other platters, like Miller and several other bands have been accused of making records for record companies for their own good. Gene Krupa is another band that was moving steadily forward on records, but after turning out some 48 sides in 25 weeks—of which 24 straight were pop tunes—sales sloped sharply.

Splitting up the sales between the various companies is an almost impossible job. November and December are always the two best months of the year in selling and those two months of 1940 were phenomenally heavy. Columbia claims that during November it disposed of 2,600,000 platters of all kinds. Decca's sales were supposed to have been well over 2,000,000 for the same period.

VICTOR OUT TO PRIME DISC BOOM IN SOUTH AMERICA; CHANCES UNCERTAIN

Spanish Records an Export Item From Buenos Aires, Santiago, Rio and Mexico City—Dead Carlos Gardel Still a Top Seller—Durbin Tops Yanks

By Ray Josephs

Buenos Aires, Dec. 25.

Launching of a new long-range sales and promotion drive by RCA-Victor, reports of equally extensive plans by Columbia and steps by other companies in the field add up as an indication that the phonograph record biz here is due for a "succeed-or-bust" campaign. Despite music-loving qualities of the entire South American continent, the market here never succeeded in reviving sales as in the U. S. following the first impact of radio. Some here believe that Latin will never again be mass disc buyers, and that the more continental the less coin for each outfit in the trade.

Others just as emphatic insist that if it could be done in the U. S., there's no reason platter sales here can't be worked up into a real item. Add it may take longer, because everything south of the border moves at a slower pace.

Point is that Victor, which has been 60 and 80% of the market (depending on which figures you take), believes the upturn is bound to come and that other firms are soon folding money around to help it. They've brought down Daniel Des Fodes, for some years head of the Victor Foreign Recording Division in Camden-Swiss bone, but a U. S. citizen, he slings a dozen lindos and has a terrific enthusiasm which, if he doesn't slow down, may carry him through. Unofficially, Victor claims sales have gone up 50% in October and November, though critics point out everybody concerned wants to wait and see if it's a real trend or a flash in the pan. Des Fodes is working only in B. A., which is headquarters for Argentina, Uruguay and Paraguay. Victor also manufactures in Santiago, Chile (territory includes Chile, Peru and Bolivia), in Rio de Janeiro (controlling Brazil), and in Mexico City, which handles most of Central America.

Odeon Is Second

Second place is now held by Odeon, an English outfit formed by headquarters in Amsterdam. Odeon gets the bulk of its sales from locally pressed copies of matrices imported from the States and England. Spain once shipped lots to all companies here, but the Civil War killed that, and there's been no revival so far.

Odeon also has factories in Santiago, Chile, and Rio, each working independently. Argentina is the only export market on an eye toward setting up a local plant. Columbia did considerable recording both in Rio and here when they sent engineers Glenn Pickett and Adjutor Thoreau along with the Stokowski Youth Orchestra. Waxings of Argentine bands were tied up in a mix-up with SADIAC, local counterpart of ASCAP.

The local stuff varies in each country.

(Continued on page 144)

McHugh-Dietz Would Enjoin Durante's Song In Carroll's Niter

Hollywood, Jan. 5.

Jimmy McHugh and Howard Dietz are consulting attorneys on legal action against Earl Carroll, in whose niter, Jimmy Durante, is singing "Fugitive from Esquire."

Dietz was written by McHugh and Dietz for "Keep Off Grass," last season Broadway musical, in which Durante sang in that show. Number is said to be used without permission of ASCAP or the writers. Carroll recently cancelled his ASCAP license and declared he would play along with BMI, although, paradoxically, Carroll is himself an ex-songsmith and still an ASCAP member.

DANCE STYLE TRENDS IN 1940

By Bernie Woods

The emphasis toward quieter swing today even extends to swing originals. No more do listeners hear the wild, seemingly unarranged stuff that used to drive 'em out of hotel rooms and to spin a dial to another station. Originals are either in the rhythmic, muted style of Glenn Miller's "Tuxedo Junction" and a flock of others along that line or they're more carefully arranged. Such a reversal of form, doesn't mean that hot music is going out, but it does mean that hot stuff is receding to its sensible dimensions. There will always be exponents of it just as there always will be a market for it, either on records or personals.

Flexibility

A year or so ago there were few big name bands, outside of outright sweet groups, that were flexible enough to handle any style of music. Today there are comparatively few that can't work a listener up to a pitch with driving, then rarely fluctuate the engineer's end with smooth ballads. And a good many can turn on Latin tempos as well.

One band booking exec claims that there are so many good bands on the market that the band-loving public finds it difficult to single out a favorite. In short, the effect of the available is to be lost among a large group. Feverish building of new bands of two summers ago and the isolated but nonetheless steady forming that has been going on since is responsible.

Some observers hold that records alone cannot make a band. Click recordings must be backed up by extensive radio time. And competition for enough air time is so keen that it's virtually impossible to get enough of it consecutively. Four weeks, eight weeks or a month isn't enough to sufficiently impress the band on the mind of the public. It has to be a long stretch, maybe six months, and a stand of that length may be prohibitive for many reasons. It may be either too costly, inasmuch as many bands now pay for their own wires or it may be that the band would be working in the spot less salaried than it comes to operate. It would be like a Army band, the band would more than likely exhaust its own or its backers' bankroll.

Quest for Style

Hunting for a style with which to crack the consciousness of the major portion of the band public is a problem. The only band to use something in 1940 the others hadn't tried much before was Will Bradley. His boogie-woogie recordings of "Beat Me Daddy, Eight to the Bar" and others, brought him attention, but the tempo hasn't enough popular appeal to get to the masses.

As regards one-nighters it's termed a "herculean task" to lay out successive single date tour for operators which, despite their comparative newness, are rated strong from a musical standpoint. The one-night trail has undergone almost a complete metamorphosis in the past few years. Once it was possible to send almost any calibre of orchestra on the road and make money, both for the band and spot owner. Today only the most powerful class "A" bands consistently rate their cost, and there are only about eight or 10 in that category.

New bands consistently break the hearts and pocketbooks of operators

because their popularity isn't strong enough to divert attention to them and away from the numerous distractions that have eaten away much of the one-night trade in the past several years. One operator told VARIETY that his peak year (the earnings were running smoothly) wrote an \$88,000 profit into his books. Last year (1939) he dropped \$19,000 and he was very much afraid that 1940 wasn't going to prove any more lucrative. He claimed that juke boxes and the small tavern bands which came into being following repeal were responsible. He wanted to know whether any young couple wouldn't prefer small tavern bands where the only cost is for what they are ordering to paying an average "75¢ to dance and then have to pay additional for eats and drinks.

At the present time theatre are the best bet for making money on the road, then, if the band ever reaches solid prominence, it can shoot into one-night ballrooms with little to fear. Music Corp. of America's one-night department, under Harry Moss, has been most active in organizing theatre trials. Moss has built up a string of one-two-and three-day openings, and the results are encouraging. Established and semi-established bands under varying arrangements. Some pay the usual guarantee and percentage, others allow a 50-50 split above operating expenses, and some pay straight guarantees. Such payoffs, of course, rest on the type or calibre of band.

Popularity ratings of the lists of bands in existence haven't changed much. Jimmy Dorsey and Woody Herman have probably made the best strides forward. Dorsey's surge through 1938, when the public was through 1938, when the public was through 1938, when the public was produced less in gross than in the year following, but that the difference was slight. The biggest year was 1937, but with 1940 only inches behind it on money. For 1937, 1938, 1939 and 1940 the intake of sales to have fluctuated so little that it is almost unbelievable.

With the turn of the New Year, the Par has operated an even five years, to the week, with a band and acts working in front of them on the raised platform. It has gone over many occasions but only once in 260 weeks has it dipped down to the red and then not deeply. It is doubted whether any theatre in the country can equal that record from 1936 to Jan. 1, 1941.

A coincidence is that the 260th week, bringing the Par to its fifth anniversary, created a new high in boxoffice taking amounting to \$77,500. This was scored by "Love Thy Neighbor" (Par) and the Tommy Dorsey band on the stanza ending New Year's eve, the second week of the show.

BMI Reveals Sheet Sales

Broadcast Music, Inc., disclosed last Friday (3) that it had shipped 68,000 sheet copies of "Practice Makes Perfect" to date. Figures it gave on more current tunes were "There I Go," 111,000; "I Give You My Word," 42,946; "I Hear a Rhapsody," 29,000, and "So You're the One," 26,000.

"Practice" rated as one of the most plugged tunes in recent years. BMI which ships through Music Dealers Service, Inc., allows the rest of the publishing business 30, 60 and 90-day return privileges.

Broadway Paramount's Band Policy Under Weitman-Kalcheim Operation, Grossed Nearly \$10,000,000 in 5 Yrs.

By Roy Chartier

With the arrival of the New Year, ending its fifth year of so-called picture show and first run pictures, the Paramount, New York, is reported to have grossed close to \$10,000,000 in that period. This makes the flagship of the Paramount chain and the home of its major film outfit, the most successful theatre operation in the country, if not in the world, in point of profits shown. It probably averages \$1,000,000 a year net profit including the theatre and film rental to Par.

Playing to a remarkably consistent business, the receipts for each year have varied only slightly. It is understood that the first year was through 1938, when the policy was

to drop considerably from day to day, following, but that the difference was slight. The biggest year was 1937, but with 1940 only inches behind it on money. For 1937, 1938, 1939 and 1940 the intake of sales to have fluctuated so little that it is almost unbelievable.

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33 Weeks Some Grosses Above the \$50,000 Mark

Over five years a total of 39 weeks of 260 weeks, or more than \$30,000,000, despite the fact that the scale of admission has ranged from only 25¢ to 55¢. Better than \$60,000 has been grossed on six different occasions. During the past five years the theatre has played only two outside pictures, being the show-window for Paramount product first run in New York. The doubleton bought outside did not go over \$50,000 each.

The policy that has been so profitable to both the Paramount distribution department and the theatre which the company owns, was inaugurated Christmas week in 1933 with "The Bride Comes Home" (Par) and the Glen Gray orchestra. An instant success, the receipts loomed to \$55,000 from the less than \$10,000, which had been struck several times previously when the Par was in straight films.

The policy for the pitband idea as conceived brought with first run films were Robert M. Weitman, managing director of the N. Y. Par, Harry Kalcheim, who books the talent, and Harry Barnet, highly astute showman. Both are always in close contact with Leon Neiter, their superior in the Paramount theatre department, who has no knowledge of the Par and other interests.

From the appreciable losses that were occurring at the Par in many instances during 1935, they evolved a policy which gained steady support and has been emulated elsewhere. Weitman and Kalcheim work together closely as a team. The former attends personally to the management-operation of the theatre, Kalcheim to the booking of talent, but as a combination they supervise

the rehearsals of the shows, other production matters, and blend their efforts in scheduling of talent with films, available, etc. Weitman sees much of the Par and a great deal of booking, discusses salaries with Kalcheim, and "upstair" in Paramount, plots dating, etc., while on the other hand, in order to keep abreast of things, Kalcheim also covers pictures. He sees not only Paramount's own, but those of other producers, notably musicals, so that he may at any time inform of talents.

In doing considerable traveling to see bands and other talent, as well as covering virtually every night club in New York and Chicago, to see if there's anything coming along that might be used at the N. Y. Par. Weitman similarly makes many of the niteries in New York. Occasionally he, too, goes out of town to catch a band or a personality.

Background of Both

Neither Weitman nor Kalcheim are oldies in the business. Coming to the N. Y. Par seven years ago, the aggressive but much-liked Weitman was house manager until the summer of 1934. A graduate of the old Public Relations Department, he was then at the Ristoro, N. Y., for 18 months, then managed the Par, Brooklyn, for five years and subsequently was Publix (Par) city manager over five houses then operated by Paramount-Publix Greater N. Y.

Kalcheim, in charge of Paramount's own booking agency (Artists Booking Office), has been with the company eight years. He was house manager until the Par joined Vaudeville Managers Assn. in Chicago and with the old Keith (RKO) circuit in N. Y. In addition to buying talent for the Broadway Par, he books the Chicago, Chicago, and occasional shows for Par in Detroit, Buffalo, Minneapolis, Atlanta, Springfield (Ill.) and other spots.

In five years a total of 71 different bands have played the theatre, 20 of them coming back on repeat. As to specific artists, which have also been booked, record being the 13 weeks Red Skelton played the house in nine months. He is booked for two more weeks. Bands and personalities are very often optioned for additional engagements when they are booked.

Among bands and personalities who gained in moderate or great measure in popularity (and salary) during the past five years were Glen Miller, Shep Fields, Artie Shaw, Dinah Shore, who was booked on the basis of a record she made; Rufe Davis, who earned a picture contract on the strength of his Par performance, recommended by Adolph Zukor; Jane Pickens, Frances Langford, who had been in vaude; Buddy Clark, Nicholas Bros, at the theatre seven years ago; Abbott and Costello, who were in the Par during their first year, but are now "hot" as a comedy team; Ella Logan, Kay Kyser (at many times less the money he now commands); Gene Raymond, Charles Barnes, Sammy Kaye, Andrews Sisters, Jimmy Dorsey, Jan Savitt, Raymond Scott Quintet, Teddy Powell, Ann Miller (now in films), Cass Daley, Tony Martin, the Inkspots, Merry Macs, Woody Herman, Blue Barnet, Eddie Lang, Daniel Kang, Chick Webb, Bill Fitzgerald, who is an outstanding example; Gene Krupa and Harry James. Latter two were brought in almost immediately after they left Benny Goodman to form bands of their own.

Additionally, house has played virtually every band of importance in the business, helping to create bigger demands for them and lesser-knowns elsewhere. Horace Heidt, Abe Lyman and Ted Lewis are among the few that haven't

A SALUTE TO BOB WEITMAN, MANAGING DIRECTOR, AND HARRY KALCHEIM, BOOKER, PARAMOUNT THEATRE, NEW YORK

A SALUTE

to the Showmen of Bob Weir and Harry Hale

The stage band pool
of the New York
Paramount Theatre
has proven the sus-
taining value of live
talent on our stages!



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HARRY KALCHEIM, BOOKER, PARAMOUNT THEATRE, NEW YORK A SALUTE TO BOB WEITMAN, MANAGING DIRECTOR, AND HARRY KALCHEIM, BOOKER, PARAMOUNT THEATRE, NEW Y

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HARRY KALCHEIM, BOOKER, PARAMOUNT THEATRE, NEW YORK A SALUTE TO BOB WEITMAN, MANAGING DIRECTOR, AND HARRY KALCHEIM, BOOKER, PARAMOUNT THEATRE, NEW YORK

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Casa Loma Orchestra

GLEN GRAY

RKO BUILDING
ROCKEFELLER CENTER, NEW YORK

December 24th, 1940

Dear Bob and Harry:

We have never forgotten that you chose us to be the first band in your present successful policy at the New York Paramount.

We do know that this policy could not have been such a great success over a long period without great effort and thought on your part.

We have never had a finer or more pleasant association during the ten years that our band has been in existence.

With every good wish for continued success from the boys in the Casa Loma Orchestra and myself, I remain,

Sincerely,

Glen

GLEN GRAY AND THE CASA LOMA
ORCHESTRA

Mr. Bob Weitman
Mr. Harry Kalcheim,
Paramount Theatre,
New York, N.Y.



Congratulations to
Two Great Guys

BOB WEITMAN
HARRY KALCHEIM
FROM
DEAN MURPHY

Direction
PHIL TYRKEL

BARRY WOOD

"Your Hit Parade"

VICTOR RECORDS

Congratulations

to

BOB
and
HARRY

The Merry Macs

In Sincere Appreciation
To **BOB** and **HARRY**

From That Drummin' Man

Gene Krupa

Congratulations to
BOB WEITMAN
and BEST WISHES
for
Continued Success

Eugene Levy
Ritz Newburgh

Congratulations BOB and HARRY from

DICK and GRACIE

DICK STABILE, JAN. 10, SYRACUSE HOTEL, SYRACUSE, N.Y.

GRACIE HARRIE "CRAZY WITH THE HEAT"



The All Girl Orchestra Of

The Hour of Charm With

Their Conductor Phil Spitalny

Congratulate Their Pal

BOB WEITMAN

A SALUTE TO BOB WEITMAN, MANAGING DIRECTOR, AND HARRY KALCHEIM, BOOKER, PARAMOUNT THEATRE, NEW YORK

BOB and HARRY

May You Be Held Over for Years

JANE FROMAN

General AMUSEMENT CORPORATION

THOMAS G. ROCKWELL, President

ARTISTS REPRESENTATIVES  100 BROADWAY, NEW YORK BUILDING - ROCKEFELLER CENTER

NEW YORK
CIRCLE 7-7550
CABLE ADDRESS
G-E-N-A-M

ADDRESS REPLY
TO NEW YORK

January 1, 1941

Dear Bob & Harry:

I am happy to have the opportunity to join in the celebration of the Paramount theatre's fifth anniversary in musical presentations by sincerely acknowledging the fine, sympathetic and understanding handling which has always distinguished the appearances of our artists at the Paramount.

Sincerely,

Tom Rockwell

Messrs. Robt. Weitman & Harry Kalcheim
Paramount Theatre
New York City

TGR:VK

Benny
Goodman

Season's Greetings

NAN RAE and MAUD DAVIS

(Mrs. Waterfall)

Kate Smith Hour Every Friday Night

Opening Paramount, New York
Jan. 15, 1941

Direction: WILLIAM MORRIS AGENCY

Best Wishes to
BOB WEITMAN and HARRY KALCHEIM

WILL BRADLEY
AND HIS ORCHESTRA

Featuring RAY McKinley

BILTMORE HOTEL 8th WEEK

Exclusively COLUMBIA RECORDS

Management: WILLARD ALEXANDER, WILLIAM MORRIS AGENCY

"Hold On to Your Hats" boys—here we go into the sixth year
—Congratulations

MARTHA RAYE

CURRENTLY STARRED IN
"HOLD ON TO YOUR HATS"
SHUBERT THEATRE, NEW YORK

Mgt. WILLIAM MORRIS AGENCY

To Bob and Harry, a toast, for having directly made it possible for audiences in New York—and indirectly, for audiences all over the United States—to hear the LIVING interpretation of the great songs which our songwriters have written and are still writing.

JONIE TAPS.

Congratulations
BOB WEITMAN
GEORGE WALSH

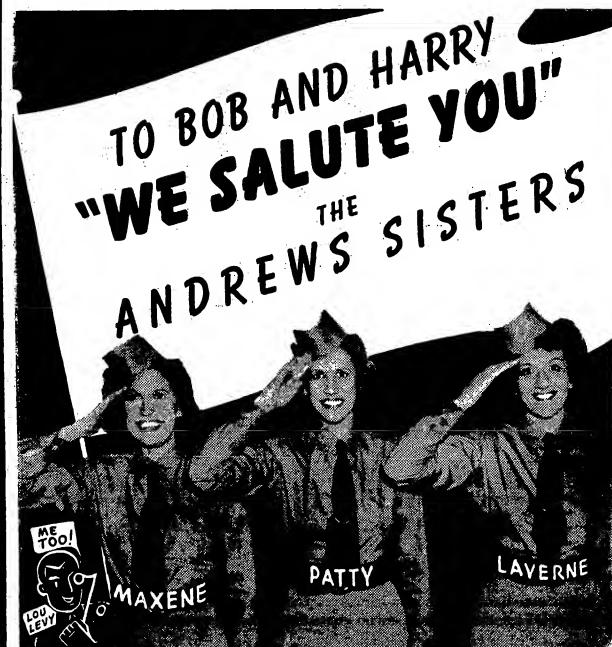
A SALUTE TO BOB WEITMAN, MANAGING DIRECTOR, AND HARRY KALCHEIM, BOOKER, PARAMOUNT THEATRE, NEW YORK A SALUTE TO BOB WEITMAN, MANAGING DIRECTOR, AND

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A TRIBUTE TO TWO WHO ARE TOPS—
BOB WEITMAN
AND
HARRY KALCHEIM
FROM
BEA WAIN
LUCKY STRIKE HIT PARADE
VICTOR RECORDS
Dir.: GENERAL AMUSEMENT CORP.



To BOB WEITMAN and HARRY KALCHEIM
As Personalities—With Affection
As Showmen—With Respect

WOODY HERMAN
THE SAME GOES FOR US
Goldfarb, Mirenburg & Vallon

CASS DALEY

HARRY JAMES and His Orchestra
Send Season's Greetings to
BOB WEITMAN — HARRY KALCHEIM
And All America

CONGRATULATIONS!
VAUGHN MONROE
and His ORCHESTRA
• CURRENTLY
STATLER HOTEL, BOSTON
• BLUEBIRD RECORDS
Personal Direction: JACK MARSHARD
• Exclusive Management
WILLIAM MORRIS AGENCY

It's
Thanks-Giving in January

Cab Calloway

MANY, MANY THANKS AND
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ARRANGER COMPOSER CONDUCTOR
RADIO MOTION PICTURES THEATRES

KEN SISSON**Big Band Incomes**

Continued from page 113
royalties his cut from the popularity of his band on records can be placed at \$26,000.

Adding those figures up places Kyser's income over the past 52 weeks at \$1,050,000. But in that period the leader managed to squeeze in a number of guest shots, etc., on radio programs or whatever was handy. He doesn't do many for obvious reasons. Neither does he do 'em on the cuff. Add another \$20,000 for miscellaneous activity.

In Miller's case radio, too, is his leadoff item. Three-quarters hours weekly for Chesterfield has him \$5,000 a week, including extras for transcriptions of two of the network shows, which are rebroadcast locally in New York, just as Kyser's shows are repeated. Combination of the live and transcribed shows, which are taken off while the live shows are airing, makes Miller's total from radio \$260,000. He started broadcasting for Chesterfield the first week in 1940.

MILLER'S 27 Weeks

Miller spent some 27 weeks on location during the past year, most of it at the Pennsylvania hotel, New York, where he's current. Another two were spent at the Sherman hotel, Chicago, during the summer. Such work pays him about \$2,000 weekly, but in a number of weeks at the Penn the band was responsible for phenomenal business, setting a mark for the number of cover charges paid in six days which still stands. Such drawing power is reflected, of course, in the band's payoff check under the usual percentage agreement a top band rates. With everything included Miller's stands at the Penn and Sherman should have paid him around \$75,000.

The Miller one-night situation was uneasy. That is his opportunities along that line were confined by the demands of the band's regular broadcasts. Instead of filling a week with single dates during the summer the band played an average of three every seven days. Of the four remaining one evening gave the band a rest and the other three covered the broadcasting. Each single date, however, was at good money. The band was sold at prices similar to Kyser's. Around \$1,500 with a percentage in between. The band also got \$200 for college dates and private parties. He played in the neighborhood of 60-65 which set his gross from that quarter at \$150,000, roughly.

Theatres contributed a neat share to the band's ledgers, too. Miller sandwiched in three weeks at the Paramount theatre, New York, while still at the Penn last spring and then picked up another six or seven out on the road. With salaries, which probably averaged \$10,000 a week, and percentages, he could have rolled up an overall take of \$120,000.

40,000 Platter Average

Records were the making of Miller's band along with air time. During 1940 his Bluebird issues were on almost every weekly Victor release and the major part of them were snapped up by the record companies, we're. He must have made and issued at least 90 sides, or 45 records. For a while his platters were averaging 60,000 sales each. That's a lot of wax. It's safer to quote an average of 40,000 sales per release over the year. At that rate he would have sold a total of 1,800,000 platters.

Miller's record deal with Victor calls for \$350 guarantee, a side against a royalty of 5% of the gross sales figure. At that rate his recording activities probably paid him \$35,000, or a bit less.

Though Kyser and Miller cleaned up a sizable amount of cash it shouldn't be forgotten that the figures represent gross income, not net. It's a safe bet that the two wound up with no more than \$350,000 between them as their end. The net is impossible to determine accurately, but Kyser may have gotten \$200,000 and Miller \$150,000. The fact that there isn't much difference in what each hung on to either in the above estimates of the actual figures, is due to the much larger cut attributed by Kyser to Federal coffers. The higher the gross, etc. There are numerous other expenses besides taxes that spread the gross, too.

To begin with there are commissions ranging from 10% and 20%; salaries of the musicians; cuts to financial backers (only in Miller's case), and a flock of other details that only ledgers reveal. But, who's complaining?

*
*Seasons
Greetings*
*
Along
The Santa Fe Trail
*
Trade Winds
*
The Sidewalk Serenade

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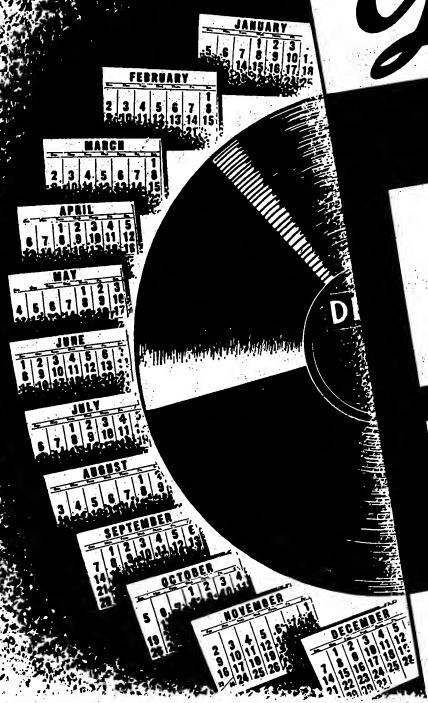
SEASON'S GREETINGS

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Greetings!

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ALL YEAR 'ROUND

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SEASON'S
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To All My Friends

SAMMY FAIN

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A LOVER'S LULLABY
FALLING LEAVES

* 1940 has been a swell year. And before 1941 steps in, here's a sincere handshake of "thanks" to all the band leaders, singers, program directors, music machine operators, and everyone else who, by helping to put my songs across, made every day in this year such a happy one.

This goes double for my two best friends, Horace Heidi and Bill Lackenbauer of Jewel Music Company.

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MAIL TO 1941!

As 1940 draws to a close, the American Federation of Musicians looks back on its 45 years of progress filled with the feeling of satisfaction that comes from the joy of a job well-done.

From the fledgling born on October 19, 1896 at Indianapolis, it has become the largest union of creative professional artists in the world. Aggressive leadership, unity of purpose and cooperative action have been responsible for this growth -- have enabled the Federation to overcome all difficulties in its never ceasing drive to increase and consolidate the economic status of its members while elevating the art standards of the profession at the same time.

The Federation faces 1941 confident that the sphere of its jurisdiction and influence will broaden while past gains are being further consolidated.

It is in the true Christmas spirit that the American Federation of Musicians and its Locals throughout the United States and Canada extends to all its members and to all its friends in show business, its sincerest wish for a happy and prosperous 1941.

Sincerely,
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James C. Petrillo

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Present their brand new "boogie woogie" arrangement and descriptive lyrics to the world famous "THE MEMPHIS BLUES".

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Yesterthoughts
*
Moonlight And Tears
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M. WITMARK
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RCA BLDG. NORMAN FOLEY, Prof. Mgr. NEW YORK

Season's Greetings
JULIAN T. ABELES
745 Fifth Ave., New York

Latin Disc Drive

Continued from page 134

try. Argentina likes tangos, Brazil marches and sambas; Central America is strong on marimba music; Cuba prefers its own rhumbas and congas; Chile prefers the tango. From the total sales point, Argentina is 1st, Mexico 2nd, Chile 3rd, Colombia, despite its comparatively small population, 4th, Brazil 5th and Cuba 6th, with the rest of the continent trailing away.

Victor's Argentinian band best sellers include Francisco Lomito, Osvaldo Fresedo, Juan D'Arienzo, Pedro Lawrence, Edgardo Donato and the Orchestra Radio Victor. Each of these tango outfit has its own style and followers and as in the States certain numbers and arrangements occasionally jump way ahead of the others. Odeon's best tango groups (called "tangas") are Raulino Binggo, Enrique Rodriguez, Vicente Carro and Roberto Firpo, the latter having been at it since 1909 which shows that once you click here, you can stick around for a long time.

Gardel Still Big

Next to the tango craze in sales are tango singers. Victor's Libertad Lamarque and Armando Ledesma also happen to be No. 1 screen and radio draws. Others on Victor best selling lists include Carmenita Del Moral, Hugo Del Carril and Hector Palacio. The late Carlos Gardel, sometimes described as the Valentino of Argentina, is still a top seller. One radio station here never lets a day by without a five-minute session of his waltzes. Odeon's best sales are chalked up to "Charlo," Mercedes Simone (also a film actress) and Azucena Matizani.

New stunt Des Fossés is trying to boost on this type of sale is the sending of expeditions into the interior to record native music. Because three-quarters of the population of Argentina lives outside the federal capital of B.A. and everybody here, big city dweller or not, is familiar with estancia or camp life, Victor thinks this may be goldmine. A big traveling crew headed by Juan Carlos Casas recently returned from the northwestern section of the country with a lot of stuff. Records not yet on the market in the States garnered a lot of newspaper space and many go. Also expected this kind of tour will have a certain sale to teachers, music groups and collectors of folklore.

Next to tango bands and native singers, best sellers are certain foreign stars, most of them Mexican. Tito Guizar, Pedro Vargas and Juan Arvizu are smash everywhere in S. A. but Brazil which is Portuguese-speaking and naturally cares little for the purely Spanish. But Jean Sablon who made a personal tour here this season is also big, especially in Argentina which has long prided itself with French associations.

Concert Sellers

No. 3 place is held by individual artists like Heifetz, Rubinstein, Marian Anderson, Marjorie Lawrence, etc. Noteworthy that those who have made p.a. trips get the top point to be remembered when cash return on such trips remains insufficient. Another instance of this sort of local boy reverse is that when plans were announced for a tour by violinist Menihin, sales of his discs increased.

Swing is last, although improving steadily in record sales. Tommy Dorsey, Artie Shaw, Glenn Miller rate best in the Victor lists with Goodman also strong. Odeon which handles Decca here (95% of the platters are issued under the Odeon label) however, declares Deanna Durbin in both sweet and hot tops anything on anybody's list. Other jive faves.

Other stars with Herman Miller, Andrews Sisters, Ella Fitzgerald and Chick Webb English band leaders Harry Rose (who made a p.a. here several years ago), Victor Sylvester and Ambrose are also good, especially with the big British population in Argentina. Odeon has a local U. S. type swing outfit, the Santa Paula Serenaders who sell well here and also in England, and Eddy Kay, another B. A. cafe band, records for Victor.

One listened to only by the international set is the 52d Street style of swing is getting a greater and greater play in S. A. Rhumbas and congas are just beginning to catch on in Argentina and Chile. The Cuban is coming in here via the States oddly enough, and that's due mainly to the pix. Similarly such European hits as the "Beer Barrel Polka," which was known here a long time ago under another name, never clicked until they were dressed up in New York and then sent back.

IT'S BANDFILMS—NOT VAUDEVILLE

By Joe Schoenfeld

What little soul vaudeville had left passed out, except in a few isolated instances where the budget rather than the desire prevents complete obliteration. In place of variety entertainment is the bandshow; in place of humor as the backbone of a stage layout is the percussion acrobatics of a drummer, or a coined word, vaudeville, is now virtually

The coined word, vaudeville, is now virtually misnomer. Bandfilms would be more appropriate. Another expression now obsolete is "copy-acts." Bands are copy-acts, and so are most of them. There are jazzy drummers, jazzy trampers, wide-cladened, wooden-faced singers; pale-faced and blue-jowled musicians (all without makeup), and an always-smiling leader, to whom none of the musicians pay any apparent attention. That's now the core of what was once vaudeville.

Confining the conformity, the very same mistakes made by the vaudeville that once was are being made by the bandshow of today. Plus the sameness of material, personnel and routine, there's also the grave error of inflated salaries and agents inciting theatre bookers into false competition. Theatres built the bands into the big money class, and at the same time built themselves a Frankenstein.

MCA's Sales Tactics

The past year saw two incidents that must have given many a showman cause for wonder. Both concerned Music Corp., of America's famous "Baker" circuit. The one on Baker's First MCA sold Horace Heidt's orchestra away from the Strand and to Loew's State, when there was only slight difference in the salary bids, and after the Strand had been dickered for some time, and shortly thereafter, there was a similar situation involving Orrin Tucker's band and Bonnie Baker. In the latter case, MCA sold the band away from the Strand to the Paramount after WB had received a virtual okay on the deal.

In the Heidt instance, MCA claimed that the salary offered by Loew's was \$1,000 higher, and, besides, WB took too long a time making up its mind. The excuses were a little more involved regarding the Tucker-Baker combination, but the basic idea was the same. MCA claimed that WB couldn't deliver a picture it had promised for the band's date. The film happened to be "All This, and Heaven Too," starring Bette Davis and Charles Boyer, one of the year's outstanding grossers. What MCA couldn't explain was why a band getting as much money as Tucker's (\$35,000 for three weeks at the Paramount) should worry so much about its supporting film.

It was obvious in both the Heidt and Tucker-Baker cases that MCA was working the old gag of playing two ends against the middle. Result was that WB for a short while barred all MCA bands out of its theatres, but this was soon straightened out with a promise from MCA to behave. Since then MCA has been probationary in the Warner booking office.

MCA's "probation" notwithstanding, the fact remains that the bandbooks are still the mainstay of the show business, because they are virtually the only headliners left. As such, they feel they are in the position to write their own tickets so far as salaries are concerned, and when the agents further hypo competitive bidding between bookers it's like slathering the goose that lays the golden eggs. Sooner or later band salary inflation will hit such a peak that theatres will find it impossible to even get a Mexican standoff, with insult added to injury when the band also gives itself the right to name the picture the theatre is to play concerning its engagement.

High cost of bands, plus the added cost of supplementary acts, probably had much to do in keeping the amount of theatre playing time in 1940 down to the 1939

level. Few theatres can now make a go of it with straight vaudeville, while on the other hand few theatres can afford to pay the salaries top bands demand. Also, many theatre operators are beginning to wonder at the great variance between a name band's hotel or niterly salary, and the wage they demand for a theatre appearance. It's granted that the radio wires in the hotel and niterly dates are worth plenty to the band, hence the low rates (understandable, but the figure doesn't seem to fit), the difference is \$500-700.

A name band playing a newly opened New York niterly currently is a prime example of this. It's getting \$1,400 weekly, which includes the wire costs, in the niterly; it rarely gets below \$6,500 weekly in theatres.

Eddie Sherman's Place

In all other respects, the stage show business stood still in 1940. There were extremely few additions or dropouts, and stages continued lighted only in those major circuits. Instances where they were absolutely necessary. It's the same story in the larger circuits. At present time is held by an indie, Eddie Sherman, all of whose houses are doing well, while, on the other hand the major circuits continue to claim that stage shows are a nuisance and virtually cost them money.

That's something of a conundrum, inasmuch as the indies are showing profits with poor film, while the majors, with the pick of film availability, can't seem to make a go of it with shows. On the other hand, where the majors make an earnest try to "sell the stage end, as at the Paramount, Strand and State on Broadway, it's a success. It's the same story in the larger circuits. There's little selling and showmanship elsewhere.

In view of this it's not surprising that none of the majors took much of a forward step in reinstating stage shows. RKO shows a gain in playing time over the same period last year, when it had three and a half to six weeks currently. On the other hand, Warner Bros., Loew's and Paramount stayed the same, and these three combined have little more regular playing time than Eddie Sherman, who buys only for indie houses.

Sherman's book, considering the status of major playing time, is remarkable. His full-weekers are the Hipp, Baltimore; Fay's, Philadelphia; Carmen, Philadelphia; Adams, Newark and Howard, Washington. Added to these are the State, Hartford, playing the top-priced bands and shows three to five days weekly; State, Baltimore, Majestic, Paterson, and Tower, Camden, split-weekers, and Broadway, Pitman, N. J., one-day stand. During the summer, Sherman also buys the shows and band for the Atlantic City.

One other indie book of some consequence is Arthur Fisher's. He books the two Brandt full-weekers, Flatbush, Brooklyn, and Windsor, Bronx, plus a number of smaller stands which play anywhere from two days to split-weeks. The remaining indie bookers are either asleep, or strictly concerned with five-and-dime stands.

Outlook May Improve

Unlike 1939, when the Brandts made a costly attempt to revive vaudeville at the Audubon, N. Y., and Carlton, Jamaica, there wasn't an important try during 1940 to reinstate stage shows anywhere. Only town to figure somewhat was Detroit, where the Michigan and Fox tried to live entertainment, but only on an occasional basis.

The story of 1941 may be different, however, due possibly to the consent decree in the film industry but more probably to the Government's defense spending, which has renewed industrial activity and employment over the entire country. There should be a renewed demand for stage shows, plus the ability of the public to pay the higher admissions they call for, with the result that the major circuits' current combined playing time of 13 regular weeks may be hyped to twice that amount, and more.

So chalk off 1940 as just another stage wait.

Some 1910 Vaude Salaries

(Reprinted from VANNER, Dec. 10, 1910.)

Published again at this time because of the comparison with present day—when bands get as high as \$12,500 weekly in theatres, plus production, without causing much stir.

The salaries paid people to appear in vaudeville have become common newspaper talk, the amount running to heights hitherto unknown in the arts.

The prices paid people to appear daily for a few minutes seem incredible to the lay public. Suspicions of "press agent," the outside public still doubts, always keeping in mind the number of minutes they have seen the artist upon the stage without stopping to reflect what may have been the labor required, or the hours of patient waiting before recognition came to command the large salary from the vaudeville manager.

"Break" acts are paid big sums, but only for a spasmodic appearance.

They do not live long on the vaudeville stage. A season at a high figure for the "breaks" is an exception. More often a few weeks suffice to wear off the poverty or the freakishness of what they may present, or which may be presented by them. Sometimes it is the Julius Steger name. That often carries an act.

further along than the ordinary "break" can go.

In the U. S. strong acts now playing which have appeared this season native and foreign, individuals and productions, the following receive \$500 or more each week: Hundreds of others draw less than that:

Gertrude Hoffman \$1,000
(P. G. Williams) 2,900
Eva Tanguay 2,500
Gould & Suratt 2,500
Bayes and Norworth 2,200
Barrymore Romeo 2,000
Lillian Gish 2,000
Pauline 2,000
Annette Kellermann 2,000
Alice Lloyd 1,500
Julian Eltinge 1,500
Hite & Donlin 1,500
Andrew Mack 1,500
Mathewson and Bayes 1,500
Edwards' Song Revue 1,500
Dazie 1,500
Heath 1,500
Fann Ward 1,250
Albert Hubbard 1,250
Kolecy & Shannon 1,250
Maclyn Arbuckle 1,250
Clarice Mayne 1,200
Frank Keanan 1,200
Bigelow & Jajos 1,000
Hilda Spong & Co. 1,000
Futurity Winner 1,000
George Beban 1,000
The Julius Steger 1,000
Laura Jean Libby 1,000

Carrie DeMar	.....	1,000
Rock & Fulton	.....	1,000
Adele Ritchie	.....	1,000
Russian Dancers	.....	1,000
(Martin Beck)		
Governor's Son	.....	1,000
Gov. Wm. C. Cox	.....	1,000
Radio Shop	.....	900
Russian Dancers	.....	900
(William Morris)		
The House Top	.....	900
The Couriers	.....	900
Pia	.....	900
Lionel Barrymore	.....	900
Leading Lady	.....	900
William Farnum	.....	900
Scrooge	.....	900
The Philadelphians	.....	900
W. M. Willard	.....	900
Ballet of Light	.....	900
Operatic Festival	.....	900
Star Bout	.....	900
John Lawson	.....	900
Ross & Bowen	.....	900
Murphy & Nichols	.....	900
Chip & Marble	.....	900
Bathing Girls	.....	900
Rigollette	.....	900
Elton Ardene	.....	900
Pop World Ballet	.....	900
Grapevin and Chance	.....	900
Mason & Keefer	.....	900
Paris by Night	.....	900
Frank Sheridan	.....	900
The Hold Up	.....	900
Clara Belle Jerome	.....	900
White & Sturt	.....	900
Dan Burke	.....	900
High Life in Fall	.....	900
Harold Tilzer	.....	900
World Gold and Nelson	.....	900
The Coopers	.....	900
Yorke & Adams	.....	900
McCutys	.....	600
Biancia	.....	600
College Life	.....	600
Lily Lena	.....	550
Little Strangler	.....	550
Sammy Davis	.....	550
Rooster Monkeys	.....	550
Ed. F. Leonard	.....	550
Cliff Gordon	.....	550
Dope	.....	550
Mrs. Gardner Crane	.....	550
Edna Aug	.....	550
'The Code Book'	.....	500
McWatters and Tyson	.....	500
Roeny & Bent	.....	500
Joe Welch	.....	500
Camille Oper	.....	500
Samuel Morton	.....	500
Dunn & Glazier	.....	500
Fred Nible	.....	500
Julian Rose	.....	500
Genaro & Bailey	.....	500

The Whirly-Girly Burly

By ANN CORIO

BOSTON, Jan. 5.

Burlesque 1940—R. I. P.

The "P." can only stand for prosperity. For, while burlesque was being tearfully laid out and buried, with adjectives of its bygone glory strewn over its grave, the funeral music had the ring of cash at the boxoffice.

Burlesque along with aviation and munitions enjoying a wartime spurt. Nothing seems to sooth disturbed thoughts as well as strip-teasing. Blackouts in Europe call for more blackouts in America on the stage.

Even the other amusement fields discovered burlesque irreplaceable. Burlesque was the best policy. A guy can't afford to look like a bum, and he can't afford to pay \$100,000 worth of dressing up if he needs to bet on the numbers any longer. It got so that all the musical comedy comics were being heckled by veterans of 42nd Street. For \$4.40 you could see burlesque and meet society, besides.

Ann Corio

Izzy Hirst, undoubtedly hired by the railroad companies, took burlesque to the road and the 42nd-streeters saw America first. What a recruiting officer is to a boy farm—join the navy and see the world—the Hirst chain is to chorus girls. Hirst even turned the tables. He gave us a chance to see the navy. He opened a theatre in Norfolk, Va.

Traveling with a burlesque unit has become an adventure like crossing the Atlantic. Companies depart in an atmosphere of bon voyage. They take the fast train out of St. Louis and if they don't arrive in Pittsburgh in three days an alarm is sent out. Then the B. & O. searches its records to make sure the troupe hadn't been routed via Mexico City.

Competition during 1940 resulted in better economic conditions for the strip-teasers. In 1939 the average got billing and \$75 a week. Now they're getting \$200 and their name in smaller type. The managers even became extravagant in ad space. One, through a composing room error, used an inch of white space, but wasn't discharged. Chorus girls who were bawled out to third strip in the afternoon.

Vaudeville and musical comedies, which had raided burlesque for their stars, got taste and class out of it. Hollywood's new girls, stars like Charlie Kemp and Billie Haggerty, plus good novelty acts, "Girls in Blue." He even undertook the revolutionary step of putting in a dance team. It got so that there was entertainment as well as sex in the shows, and the managers couldn't believe it but these shows did more business.

Theatres A Is—N. S. G.

Probably the war kept that other bugaboo of burlesque from being improved—the condition of the theatres. After experiencing the dressing rooms of some theatres, who would love the London subway shelters.

The moral standing of burlesque was high last year—the managers made the performers put in such long hours that the troupe had to run, not walk, to their hotel and back to the show. The townspeople never had a chance to talk to the strip-teaser who could do the distance from the theatre to the hotel in 20 seconds.

Not only in New York did burlesque put on the high hat. An outfit town that had been for delinquents and college graduates for its chorus lines. There was a constant call for burlesque people for the stage and pictures, while more and more actresses, and Broadway and night club showgirls went into burlesque.

Much Burley Publicity

Burlesque had a well-publicized year. Billy Rose, who sounded more like Mike Mok, that refugee from a city editor and now Rose's press agent, decided that there was no more sex in a tease and said in the American Weekly: The weekly had me answer him and uphold the poor man's "Ziegfeld Follies." Billy's objections to burlesque were so contradictory that it turned out he didn't like it because we had no swimmers in our shows.

Winchell called it strip TNTeasing. The American Weekly also let me tell what I thought about strip-teasing. I'm not going to say what I think, but the Louis Moxie, say what he didn't like about burlesque. Then the Louis papers decided that news was any story without the mention of strip-teasing, so burlesque took to the air. There were so many programs on the radio that Raymond Gram Swing got letters asking if he had ever been a straight man.

Burlesque had a hectic year. Jerry Pingel, a St. Louis electrician, became the Max Factor with spotlights and had some of the strippers asking to carry their own electricians. A noted billposter got into difficulties for his habit of covering up the Wilkins paper. Jackson Beck, the radio actor, tumbled out of a box at my performance at the Eltinge (N. Y.) theatre, undoubtedly from trying to count the house. He was more angry than injured, but couldn't sue since he was in on a pass.

I went legit while pictures went burlesque. Mrs. Desi Arnaz did a strip in an RKO picture. Lucille Ball is a fine actress, but after the Hays Office got through any candy butcher would have been more exciting.

The mayor of a large eastern city confessed to me during my summer theatre performance that it was the first time he had seen me without wearing a fake mustache. I went to Harvard for an interview with a learned scientist—who told me he wanted to give me a masters degree—MOGS—Master of the G String. He asked me not to tell the papers about it—they sneaked away and called the Associated Press.

Hirst missed a valuable opportunity to get even for legit's raid on my time by not wiring an offer to Katharine Cornell. Al Somerby, of the Old Howard (Boston), saw the crowded houses at our showing of "White Cargo" and immediately advertised Bob Ferguson and Max Coleman, in "Romeo and Juliet." A critic discussed the issue "Is Corio for the Library?"

The future of burlesque? An invisible entrance and exit to burlesque houses is the crying need. Without it the owners will have to depend on better talent, theatres at least up to 1930 standard, and less emphasis on girls—more on laughs.

Music Cutlys 600
Biancia 600
College Life 600
Lily Lena 550
Little Strangler 550
Sammy Davis 550
Rooster Monkeys 550
Ed. F. Leonard 550
Cliff Gordon 550
Dope 550
Mrs. Gardner Crane 550
Edna Aug 550
"The Code Book" 500
McWatters and Tyson 500
Roeny & Bent 500
Joe Welch 500
Camille Oper 500
Samuel Morton 500
Desi Arnaz 500
Ed. F. Leonard 500
Dunn & Glazier 500
Fred Nible 500
Julian Rose 500
Genaro & Bailey 500

What's Become of the Vaude People?

By Hal Halperin

Chicago, Jan. 5.

Until the present, someone has been constantly insisting the reflexive jerkings of Vaudeville's dead body, for the drawing of a new breath of life, so it hasn't been good taste to inquire into the fate of Vaudeville's sons and daughters since she died.

Now, no one will deny that vaudeville is dead, even that her spirit has gone, so the subject is a proper

Indeed, it's pertinent, if for no other reason than because those who sit so snugly in the protocol of Mother Radio, Mother Night Club, and Mother Pictures need reason to say to themselves, "What will happen to me should my guardian pass?" or become so disabled I can't get along from here?"

Is there aught of something happening to radio, pictures, night clubs only the worry of an alarmist. Maybe. And then, maybe not. One has only to remember Theodore Tillotson's poem about the Persian King who asked his advisers to formulate a piece of wisdom which would be true forever. The advisers brought back these words: "Even this shall pass away."

Vaudeville left a few orphans in fortunate circumstances, but she left a great many more who were all that orphans of the best tradition are supposed to be. These latter have had to find a new way of making a living. Many—probably the majority—have fitted themselves for a different branch of show business, and attained huge success. Al Shean and Jim Morrison, for example, went from Vaudeville to legit, and the former has since gone into pictures, successfully. Others have followed a similar routine.

Gold Is Radio.

Radio has mothered countless vaudevillians—Jack Benny, Fred Allen, Bob Hope, Ken Murray, Eddie Berlin, Burns and Allen. Still others have gone into pictures—Ginger Rogers, Martha Raye, Billy Gilbert, Fred Astaire. Night clubs have also taken their share, but the majority, as always with a majority, have had to content themselves with something less.

For a while, this "something less" was the WPA Theatre and, when this also died, they were left as, though, only poorer and still more hopeless. Now the "something less" includes club dates, cafes and State Fairs for the most part—all of them furnishing the average performer with a better living than the WPA Theatre did, with all credit to that organization, notwithstanding, for it accomplished a tremendous thing in its time.

Club dates have never been unknown to vaudevillians, but they were never considered a main source of income, then or now. Changing from vaudeville to club dates requires a different training and technique, but not as great as would change from vaudeville to night clubs. Club dates became an "easiest way" for literally hundreds of performers and

today they depend upon them; an average of one a week, to give them their living.

These dates are played before sports, political and fraternal organizations; conventions, private parties and gatherings of every kind. They pay from \$25 to \$100 a show, and are meat for vaudeville performer—who, better than any other class, know how to handle crowds.

Some acts have merely adapted their old routines to fit such date requirements; others, especially comedy turns, have fixed up something entirely new. Several of the higher paid turns use merely a framework and fit it in differently each time, using gags, incidents, and inside stuff on the audience to which they're playing. This necessitates getting together with an organization head-man several days in advance to get the dope and learning a new act for every performance, but the acts doing it find it pays off in money and extra dates.

Small cafes and honky-tonks have their share of vaudevillians. Some will play the Cat and Fiddle in vaudeville, change place weekly and have at least one ex-vaudeville turn on every bill—a hand-to-hand balancing act, a juggler, even a chatter team occasionally.

In Case Business

Many small cafes are owned by former vaudevillians, people, who not only run the business, but also tend bar and put on a show week after week. Sometimes, as in the case of Ann Boyce (formerly of Boyce & Marsh), it's a husband and wife affair. They own a little spot near Santa Monica, Calif., and Miss Boyce is greater waitress, piano-player and singer. Her husband tends bar, jingles and sings behind it, and leads community singing in the evenings.

Sometimes, too, it's merely working for somebody else. During the last two years, stages behind bars have come into vogue and a regular show hall is run off as part of the bar's attraction. In Chicago's loop alone are some six, of this type, and more being added. The Sherman Airdrome, Yankee Doodle, Capitol, Elmer's, and one of the biggest anywhere, Russell's Silver Bar, which employs some 20-odd performers at all times.

Speakeasy Acts

Then, of course, there are performers who have developed a social life. The blonde, blonde (formerly of Walters & Braundt) is an outstanding example. She is having considerable success as a comedy waitress in night clubs and hotels, getting almost as much as when her act worked in vaudeville at a salary of \$250 a week.

This list hasn't included the many commercial fields into which performers have gone: floor-walkers, travel information bureau, tearooms and sales jobs. They're too numerous to mention, but it does show that, while vaudeville may have died, vaudeville performers have been able to accept the condition and gone on into something else which provided a place for their talents—even though those talents had to be slightly altered. The important thing is, vaudeville performers were able to alter 'em.

attractions' with the result that the profits were affected to such an extent that the fight was called off around 1912 and the two wheels merged. The Western Wheel went out of business but 10 or 12 of the acts from the Western Wheel went over to the new wheel. The only title which was permitted to be retained on a Western Wheel attraction was "Follies of the Day," which I first produced on that wheel in 1908 and thereafter up to 1926, I continued to produce on the Columbia Circuit. This was the name adopted by the newly merged circuit, and its shows soon elevated the standard of the theatres, to the point where they became strong competitors of the Broadway revues and musical shows.

\$5,000-\$6,000 Shows Up to \$25,000!

Whereas a burlesque show in the early Western Wheel days would cost about \$5,000 or \$6,000 to produce, it was not unusual for shows on the Columbia Circuit to cost \$35,000 to produce, which is what the last editions of my "Follies of the Day" cost. Others who produced lavish productions on the Circuit were Jean Bedini, Max Spiegel, Dave Marion and Jack Slager.

Around 1927, the march of time, the advance of progress, the end of the cycle or whatever you choose to call it, saw the passing of burlesque, but long before this, however, many of its stars graduated into other branches of the amusement world.

The Broadway shows, motion pictures and radio.

Great Talent Incubators

The schooling that was given to the talent which was developed in this type of burlesque could not have possibly been obtained in any other branch of the theatre. The passing of this burlesque has made the amusement business much poorer, but it has certainly helped the supply of talent, while the future will be affected even more so unless Burlesque, in some form, in keeping with the trend of the times, is revived.

If it isn't, where are you going to find successors to Al Johnson, Eddie Cantor, W. C. Fields, Bert Lahr,

Bobby Clark, Joe E. Brown, Al Shean, Joe Penner, Ray Bolger, Jack Haley, Jack Pearl, Jim Barton, Ted Lewis, Fanny Brice, the Watson Sisters, Sophie Tucker, the Dolly Sisters and thousands of others.

Follies, L. A., Running 36 Years.

The wheels naturally do not include a number of the indie stock burlesque houses scattered over the country. As instance the Follies, Los Angeles, which has been playing stock burlesque uninterrupted for 30 years; the Capitol, San Francisco, which plays burlesque an average of 25 weeks a year; Casino, Boston, long a stock house, the

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The Broadway shows, motion pictures and radio.

FAIRS, CARNIES OPEN UP FOR VAUDERS ACTORS

Burlesque May Be Anemic, But It's Far From Dead

By Joe Schoenfeld

Who was it that said burlesque is dead?

Outside of New York, burlesque is more than holding its own with every other type of stage entertainment. And in the metropolis, it once also counts such \$4.00 burlesque as B. G. DeSylva's "DuBarry Was a Lady," now touring, and "Panama Hat," the strip misfits, nude tableaux and low-life likeites are doing very well, too, these days.

The Minxy style of entertainment may be in a state of putrefaction, but it is a lusty and kicking decomposition brought on by the burlesque theatre operators first, the moronic audiences second and the lazy comics third. The strippers only follow orders.

Burlesque's survival, in fact, prosperity, can only be based on the great demand for it from the fringes of the country. Though a family-type entertainment such as vaudeville can barely keep what head it has above water, the dirty slapslap and sloppy G-stringers manage to keep going, and very profitably, most instances, without the buying public first asking what picture is playing.

While a vaudeville act has tough sledding to book 20 weeks a year, the so-called Midwest Circuit, a cooperative group of operators, which has 12 weeks played in 13, and Izzy Hirst's wheel, which has 13 weeks played in 14. It's a miracle in vaudeville currently if an act can be routed for 13 weeks with only one week's layoff in between. And how many road companies get 25 weeks outside of New York.

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newly instituted policy at the Tivoli, Brooklyn, and, of course, the other New York houses like the Star, Brooklyn; Gailey, Republic and Eltinge in the Times Square district; and Triboro in Harlem.

As expected, the renewed industrial development over the entire country, due to the great defense spending, plus also the great concentrations of men for training in army cantonments and naval reservations, is giving burlesque a added impetus. The first burlesque recently when Hirst added to his, the Gailey, Norfolk, Va., where burlesque hasn't played for 15 years at least. The house in the old days housed Keith's vaudeville, but that was so long ago that none of the half of that naval stronghold noticed the transition from family entertainment stripping and dirt.

As in New York, burlesque operators are out in the country, more and more, the "new" ones engaged comedy to the stripping and nude tableaux. Thus further restricted, with few comedy chances in front of the olio, comic naturally became even lazier. Now they aren't even bothering to use their memory, merely reusing, week after week, a half-dozen scenes that keep getting dirtier with use. And with the increased stress on stripping and dressing scenes, the talking women in burlesque seem to become a rarity. Mostly they are slingers playing straight in comedy scenes with about the same degree of talent as their no-talent stripping.

Graduates From the Wheels

Despite this, however, several burlesque comics have been graduating out of the wheels and into the picture. No. 1 in this respect is Rags Ragland, in "Panama Hat," now Broadway's new pet comic. Red Marshall, in the ill-fated "All in Fun," is another, gaining a reputation in a higher form of entertainment. Phil Silvers ("Yodel Boy" and Metro pix), Joey Faye ("Man Who Came to Dinner" on the road), Sid Stone (road "Life With Father") and Joe Devlin, currently playing character parts in pictures, also used burlesque as a stepping stone in the past two seasons.

Abbott and Costello

But the top click to come out of burlesque in recent years was the team of Bud Abbott and Lou Costello, originally under a five-year exclusive contract with Universal Pictures. They came to the front via Kate Smith's radio program, duplicated this success in the Shuberts' Streets of Paris on Broadway, and last summer starred on their own commercial radio show. Considering their vaudeville appearances and now, their film work, this team has run the gamut of virtually every form of popular entertainment and comedy.

Carnivals, fairs, which were formerly strictly the refuge of gaudy, noisy carnivals and the fairs to day have stepped up their quality and are using the best available talent. They realize that their public is considerably wiser in the old days, and are ready, willing and able to pay real salaries for performers. The old-time cheapie side-shows have been kicked out of the alley and replaced by top-notch reviews.

By DAN GOLDBERG

Chicago, Jan. 5.

With vaudeville as a career continuing to decline in importance and as a means of gaining a real livelihood performers are increasingly finding a bright outlet for talent in the outdoors field, particularly carnivals and fairs, which were formerly considered strictly the refuge of

gaudy, noisy carnivals and the fairs to day have stepped up their quality and are using the best available talent.

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Gentle Host

Carnivals have come a long way in the past few years. They have learned the old-time grifting and sexy come-on stuff doesn't pay in the long run, and that the best way to establish a business is on public goodwill, not resorting. And for that reason, the new carnival model is out of entertainment first.

Carnivals now offer an act as much as 35 weeks' work, which is by far the longest single route in show business. There is nothing in vaudeville to compare with it.

In addition, the acts are breaking into the fair business. Formerly, the fairs were strictly for acrobatic acts, but the fair secureresses have learned the public expects more than thrill turns and fair shows now are in the line of general variety entertainment.

This trend has brought the standard agencies of show business into the outdoors field. The William Morris agency and others have given considerable attention to the outdoors field and were represented at the annual convention of the International Association of Fairs and Expositions here early in December.

The burlesque wheels are as follows:

Midwest

Jacques, Waterbury, Conn.
Rialto, Chicago
Palace, Toledo
Palace, Des Moines
Closes, Boston
Grand, St. Louis
Fox, Indianapolis
Gailey, Cincinnati
Capitol, Toledo
Roxy, Cleveland
Grand, Canton, O.

Izzy Hirst
Howard, Boston
Lyric, Bridgeport
Empire, Newark
Hudson, Union City
Trocadero, Philadelphia
Gailey, Baltimore
Gailey, Washington
Gailey, Norfolk
National, Detroit
Garrick, St. Louis
Mayfair, Dayton
Casino, Allentown, Pa. (2 days)
Lyric, Allentown, Pa. (2 days)
Orpheum, Reading, Pa. (2 days)
Colonial, Utica, N. Y. (3 days)

THE U. S. GOES LATIN

By Abel Green

Not only New York but the country has gone Latin. This is the heyday of the conga-boom joints. It's still a growing vogue and came into one-two-three-kick tempo long before Latin-American "good neighbor" stuff was a political buildup.

It was a natural development, chiefly because it was attuned to an increasingly popular dance style, and secondly because it permitted for some originality, imagination, and color.

Along with that, the South Seas and Hawaiian atmosphere has spread, keynoted by the Beach-comber type of spot. When Monte Proano paraded a zombie from a national institution, he also started plenty of road company carbon copies.

For the main, however, it was the same old routine, with variations. Said variations included an influx of many moneyed Europeans, evacuated by the war, so that New York became the combined London-Paris-Berlin-Vienna-Rome of the world.

The War's Influence

Already, the Viennese coffee-house atmosphere had preceded the mitt-European anachrus; when last year saw the refugees transplanted with that type of Continental entertainment. When the Londoners and Parisians were blitzed out, New York became truly the blend of all the nocturnal graces of the yesterday gneuheitlichkeit that no longer obtains abroad.

Thus, the Dixie Ferry's Monte Carlo, which didn't do so well last year, clicked this year. John Peron's El Morocco, which was shaded by the Monte Carlo's advent last year, rehabilitated itself at the box. This summer Fete Ferry's Cafe Pierre, in New York's Hotel Pierre, was one of the few class joints clicking despite the weather.

Sherman Billingsley's perennial Stork, like the postman's creed, stalled neither by storm nor sleet nor rain, etc., enjoyed an even greater measure of success.

The Americans, thus, also, found plenty of trade to go around.

More than ever, however, paced by the redoubtable Billingsley, the cycle in the class bistro took on certain distinctions in that the bon-faces became choosier of their customers. The Stork's host, for example, will bar out moneyed undesirables even though the room may be half empty, which is seldom, and give away the joint to those he wants in. Billingsley's pendant for a bottle or performance for the femmes de favorite, or a bottle of wine, to a pet visitor, really suffered up many of the other take-em' bistro bonfaces.

Cuffe Society

On the other hand, a certain strata of club society came into existence; personable folk of good family who almost expected to be free load from the house. They for nebulous reasons of all the cat's prop, who use them, however, for their own purposes as shills, but chiefly made welcome because they're decorative, or are nice young kids with slim bankrolls and thus lend 'tone' to their joints.

America's Montmartre—West 52nd street—is on its downtown-to-in socks plane right now. No longer Swings Street, it's a medley motley joint, with the Mandolin Reels clicking, notably the clutch of Jack White's zany Club 18 (now at No. 20), and the perennial Leon & Eddie's.

George White is trying to resurrect the cabaret-theatre which folded after several seasons' vogue, and his Gay White Way (on the site of the old Cotton Club) preceded the day after Christmas. But as the French Casino is not Bonde's, the French Casino (later Casa Manana) is a straight business building with a five and dime front and bowling alleys, in the basement; the Paradise, later the short-lived Ziegfeld; Midnight Frolic, only clicked anew when going South Seas in motif, as The Hurricane, including a strong George Raft, came along. But as Winchell Kidlinski in another piece in this issue, while east-is-east, the Broadway way is by no means dead. Billy Rose's Diamond Horsehoe, the heart of Times Square, has grossed some \$2,000,000 in two seasons.

The Intime Joints

Another phase of New York's "class" night life are the "intime" places, sans dancing in the main, keynoted by Herbert Jacoby's suc-

cessive and successful ventures with Le Rubin Bleu and Brevoort's Super Club, and chanson stylists like Hilde garde, Gretz Keller, Spivy, Johnny Payne, Dwight Fiske, Hope Emerson et al., who have enjoyed vogues with either sentimental or sophisticated dancing in private rooms. Even the Algonquin hotel surprised itself and became, for a time, a very successful rendezvous.

In contrast, of late, is the possible comeback of elabo'-ate floor shows, in view of Monte Proser's Copacabana revue, top new class nitery in N.Y. George White's elaborate show at the Gay White Way which is doing well, Leon & Eddie's big review, etc.

Where the trend, for a time, was for less show and let the customers make their own whoopee—and as a matter of fact that pattern still obtains in the class joints—a later cycle is towards more floorshow, but with emphasis on quality. The gals are again on the fore, especially around New York, where the growing middle-class seems evolved into the looks of some of the star looks double into the bigger class spots.

Society singers have had their hey-day, and only the seasoned troupers like Adelaine Moffett and Anne Francine remain.

The ice show, vogue continues to hold its own; and more than ever the sundry mitt-readers, teamsters, card and palm-readers get the full monte of the commercialism. Not only do the seers do very well for themselves, but have proved strong buzz-hypos for the bars. Latest are the graphologists and there has been even a Scotch highball reader, some cloves in the bottom of the drink being the supposed clue.

Coast Nitery Still Hit 'n' Miss

By Jack Hellman

Hollywood, Jan. 5. With tongue-in-cheek, the linkshanks along these fog banks all right, let the Chamber of Commerce sue are hoping against hope that what will be one man's poison will be their meat.

Referring, of course, to the music fight between the broadcasters and American Society of Composers, Authors & Publishers. In the light of an horizon tinged with hope, along through them, newing new courage, emboldened by what faintly is shaping as an era of night club spending, the first real upsurge since the gay days of the late '20s.

If their surmise and evaluation of public tastes in music are proven, wrong it will have a far-reaching effect in other fields of entertainment endeavor. They're changing all the hunger of the mass population for camp music, the kind that ASCAP campers have been dreaming up and the type of music, for the most part, which will be missing from the kilocycles. Music out of Tin Pan Alley, they assume, and rightly, has given name bands their tremendous pull with the populace. Denied their music in etherized transmission, they have but two alternatives to slake their thirst. They must choose between the canned music of the platters or the live rendition of the jazz spots and dances.

The advantage is all on their side, the nitery ops would like to believe.

Tee Good to Last

Some Hollywood nitery hit on a paying device better than a year ago, but it was too good to last. Not alone that it was carboned to a point being worn thin (what going-innovation isn't in this port-o-call), but the Theatre Authority stepped in and issued a "cease and desist," which, however, is yet to snap its teeth. It's in the air so the bon-faces are laying low, preferring not to build a house of mud that will wash away with the first rain.

To the credit of the nitery performers to m.c., a floor show made up of volunteer acts from among the sitters. It was a kind of "my pals wouldn't turn me down" and few of them did. It was a play on their ego that turned the trick. After acting for days, and before a metal mike, they welcomed the chance to work before a live audience and take those low, sweeping bows amid the thunder of applause.

The paid m.c. saw to it, rather was contract-bound, that his friends showed up on the big, impromptu cocktail rooms, naturally, have night. It started with Grace Hayes' show, and she was the name bands account for a goodly wise seek out the other sites.

Bar of Music. Both operators have shut their establishments and fled for Miami to cut themselves in on the new Florida boom. Piratic's Den still is a figure, by odds the noisyest spot in town, with the likes of Earl Carroll's theatre-restaurant and Nils T. Granlund's Florentine Gardens split up much of the Hollywood trade. Maury Cohen's Palladium, across the street from Carroll's Bar of Music.

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Slapstick Maxie's Does OK

Among the drop-in rooms, Slapstick Maxie Rosenblum's tavern on the edge of Hollywood has been the most prosperous. Down the street a bit Bill Jordan did all right with his Bar of Music. Both operators have shut their establishments and fled for Miami to cut themselves in on the new Florida boom. Piratic's Den still is a figure, by odds the noisyest spot in town, with the likes of Earl Carroll's theatre-restaurant and Nils T. Granlund's Florentine Gardens split up much of the Hollywood trade. Maury Cohen's Palladium, across the street from Carroll's Bar of Music.

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Saranac Lake

By HAPPY BENWAY

Saranac Lake, Jan. 5. Highlights of 1940: The percentage of real cure handed out by the Will Rogers hospital, which rates the Drs. George Wilson and Warner Woodruff (assisted by Rudy Plank X-ray expert) as tops in their respective fields; the high-spirited Dr. Charles, who has been a kindly, easily bed patient for so many years, claiming that she will lick it during 1941; the way that Richard Moore and Ben Schaefer are optimistically inclined towards their good health comeback; the real good that patients have done by serving their fellow ozoners, knowing that they at one time were also bed patients; the cheerful pattern-on-the-back handed out by Harold Rodner and Herman Levine to this alibi gang, a monthly event.

Write to those who are ill.

ICE FOLLIES' \$75,000, TOPS CAPACITY IN PITTSBURGH

Pittsburgh, Jan. 5.

"Ice Follies" wound up an 11-performance engagement here with sensational \$75,000 gross, playing to more than 60,000 admissions. Latter is above absolute capacity for Gardens, local arena, extra coin being accounted for by standees. That's around \$20,000 more than the show did in its previous engagement year.

Weekend following Xmas went to SRO and stayed that way down the stretch. "Follies" has already been booked for a week's return engagement in March, and box office reports unheard of phenomenon of people who were turned away last week already filing orders for seats three months from now.

Porters' Union Nearly Ties Up Show At Michigan, Det., on New Year's Eve

New Year's Eve Biz

Optimism Held Up;

Niteties' Sober Levity

Admittedly, for once, all optimistic prognostications for New Year's Eve, 1941, came through to the highest expectations of the bistro bonfires, at least so far as New York was concerned. The lid was off and so were the elastics off the bankrolls.

But there was a curious admixture of sobriety coming in with the levity which led the seasoned restaurateurs, cafe and hotel men to conclude that they probably never again would be seen without a smile, would such a strange concern by a democratic people over the welfare of the rest of the world. Amidst the bright lights, the contrast to the blackouts in Europe were vivid.

Further emphasis came from sundry other manifestations. Where the witching hour has been traditionally signified by "Auld Lang Syne," in many a mass and class nitery the stroke of midnight, ushering in 1941, was prefixed by a hymnal community sing to the strains of "God Bless America." And then followed the time-honored and sentimental "Should old acquaintance be forgot," etc.

Then, too, the large contingent of moneyed foreign visitors, still not fully ready spreading in their new-found American freedom, emphasized still further, especially in the class joints, how much New York is the last outpost among the civilized metropoles of the world. But whether in French or German, Italian or the King's English, the Yankee spirit was most dominant.

With French vintages now scarce and getting scarcer, selling at \$14 a quart for what the 1928 and 1929 years would formerly list in class spots at \$8 and \$9, that, too, further emphasized the realities of world courtship today.

The intimate chat, between dancing, quaffing and romancing, was highlighted by soliloquies as to what, by the time New Year's 1942 rolls around, the world will have gone through. All were glad that the bitter 1940 had passed.

Even the cabbies noticed the intangible pall despite the generally moneyed mood of the day, and despite the bulk market hit in the class of all types house-parties for that reason bloomed in greater numbers, in the desire to make merry indoors and unostentatiously. But Hitler or not, the wraps were really off this year.

Sugar Bowl Visitors

Big Hypo to Niteties

New Orleans, Jan. 5.

The 1941 Sugar Bowl football classic between Boston College and Tennessee attracted the largest crowd of visitors in the seven-year history of the event, a crowd which spent upwards of \$2,000,000 in restaurants, hotels, night clubs, bars and stores in three days.

The estimate is based on reports by the Association of Commerce convention and visitors' bureau, the New Orleans Hotel association, and restaurants.

Jack Walton's band opened last week at Yacht Club, Pittsburgh, succeeding Billy Catzino. Walton, previously director for Herman Leide, has been out of music biz for couple of years and only recently reorganized.

are no serious threat to the established niteties. True, they cut into the drinking trade, but the night-out part of the picture is not to be found where the niteties are located.

The County strip, one-time hub of night life, has dwindled to a few spots with signs of a revival. Charlie Morrison and Felix Young lighted the old Versailles and there's some talk of reopening the Trocadero. The Valley is still ruled by Grace Hayes, with plenty of small rooms sniping at her trade. Clubs with licenses to permit libation after the 2 a.m. closing have their own staggering clientele.

Detroit, Jan. 5.

This Michigan, Detroit, and a couple of other houses in the town using only special New Year's Eve shows, were nearly tied up by a strike on the holiday night, the one sure bonanza for theatre operators. Dispute was brought up by a newly organized porters' union, which in turn tried to enlist the support of the stagehands, no musicians.

A federal mediator was called in and, with the musicians and stagehands sitting in, the parties decided to meet and settle within 48 hours. At 8 p.m., however, the porters decided to throw a picket line around the houses anyway. The musicians and stagehands refused to walk out, but the porters union got to the Detroit local of the American Guild of Variety Artists, which was sympathetic. AGVA's Detroit rep, Les Golden, then wired Hoyt Haddock, AGVA's national executive secretary, to turn up with instructions to Golden to inform all porters not to work until the dispute with the porters was settled.

When Golden went backstage of the Michigan with Haddock's wire, the manager immediately called Bob Weitman, managing director of the New York Paramount, who helped negotiate AGVA's deal with the metropolitan vaudevillers. Weitman then contacted Dewey Barto, AGVA's president, who wired Golden not to pull any actors out of the theatres. It has since been set down as a "misunderstanding" by Golden and Haddock.

Mex Standoff For N.Y. Agents

By JOE SCHOENFELD

The New York agents had no more to cry about in 1940 than they had in 1939, so at least it was a Mexican standoff from the standpoint of business. They had other headaches, however, principally with the talent unions, but aspirin came with them and everything was at peace by Thanksgiving Day.

With vaudeville standing still and the nitery field still very hard to crash for most of them, the New York 10%ers were chiefly concerned last year with effective agreements first with the American Guild of Variety Artists, then the screen Actors Guild and finally the American Federation of Radio Artists.

As it wound up they got enough franchises from all three to take care of the decorations for at least one ball in each agent's office.

The negotiations with AFRA nearly evolved into a serious battle, the radio talent union even going so far as soliciting the support of AGVA, Equity, the American Guild of Musical Artists and SAG in the effort to make the agents accept the union's terms. Crux of the matter was AFRA's previously signed agreement with the radio networks' artists' bureau, without consulting the independent agents, and the latter charged that the deal with the web was unfair and disadvantageous.

AFRA failed to get the support of its sister unions in the Associated Actors & Artists of America, while the eastern agents managed to draw the important Artists' Managers Guild of Hollywood as an ally. Negotiations were then quickly reopened by AFRA with the Artists Representatives Assn. in New York and AMG on the Coast, with the result that almost a completely revised agreement, in comparison with the one given the networks, was finally tendered the indie agents, who signed.

On the other hand, except for extensive confabs, principally with AGVA, the N.Y. agents had little trouble reaching agreements with the students' union and then SAG, which extended its jurisdiction of agents selling talent to pictures.

Now all the agents have to do is read all the regulations set down by the talent unions and follow them.

Sophie Tucker opened a brief engagement in Rainbow Room of New Kenmore hotel, Albany, Jan. 3.

Holiday Greetings

TED LEWIS

NOW APPEARING
ROYAL PALMS
MIAMI BEACH, FLA.

Greetings to

VARIETY

AMERICA'S GREATEST INDEPENDENT TRADE PAPER

FROM
JONES, LINICK & SCHAEFER'S

ORIENTAL THEATRE

CHICAGO

AMERICA'S GREATEST INDEPENDENT THEATRE

Holiday Greetings

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20th Anniversary • EDWARD SHERMAN • Vaudeville Booker

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and
—THE BEST BOOKER
—IN THESE PARTS

STATE THEATRE, HARTFORD, CONN.

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CARMAN THEATRE
PHILADELPHIA

1932—1941

FRANK O. ACKLEY
Resident Manager

GREETINGS TO

EDDIE SHERMAN
LICHTMAN THEATRES
WASHINGTON, D. C.

A. A. LICHTMAN
General Manager

BEST WISHES TO OUR
GOOD FRIEND

EDDIE SHERMAN
BERLO VENDING CO.
PHILADELPHIA

JACK BERESIN, General Manager

*To a Read Friend and
a Swell Booker—*

EDWARD SHERMAN

MARTIN B. ELLIS
Towers Theatre
CAMDEN, N. J.

SALUTE TO

EDDIE SHERMAN

SAMUEL ALTHOLZ and A. LOUIS MARTIN
MAJESTIC THEATRE, PATERSON, N. J.

The Very Best of Wishes to Eddie Sherman That Is Possible, With Many Years of Excellent Business Relations. From Your Old Friend,

GEORGE L. PHILLIPS
(COLLINS and PHILLIPS)

My Best to

EDDIE SHERMAN

A. A. ADAMS
PARAMOUNT and ADAMS THEATRES
NEWARK, N. J.

CONGRATULATIONS
EDDIE SHERMAN
ROGER MURREL

BEST WISHES
EDDIE SMITH

20th Anniversary • EDWARD SHERMAN • Vaudeville Booker

To EDDIE SHERMAN

AS A FRIEND — AS A MANAGER — WE THINK YOU'RE PRETTY SWELL, TOO!



**BUD
ABBOTT**
**LOU
COSTELLO**

Conscripted by UNIVERSAL PICTURES for

"BUCK PRIVATES"

NOW IN TRAINING

**A Tribute to My Pal
And a Great Booker—**

—THANKS TO EDDIE SHERMAN
—FOR THE SUCCESS OF FAY'S
—THEATRE, PHILADELPHIA, AND
—THE ROYAL THEATRE, BALTIMORE

SAMUEL H. STIEFEL

HIPPODROME THEATRE
BALTIMORE, MARYLAND

MR. EDWARD SHERMAN
1619 BROADWAY,
NEW YORK, N. Y.

DEAR EDDIE:

I HEAR SOME OF THE BOYS ARE GIVING YOU A BOW IN VARIETY'S 35TH ANNIVERSARY EDITION, SO I'D LIKE TO INCLUDE MY SENTIMENTS.

TWELVE YEARS OF ASSOCIATION WITH YOU HAVE MEANT 12 YEARS OF GREAT SERVICE AND SINCERE FRIENDSHIP. NO THEATRE OPERATOR COULD ASK MORE.

OUTSIDE OF MY HOLIDAY GREETINGS TO YOU AND THE TRADE, WHAT'S COOKIN'?

RECORDS,

IZZY RAPPAPORT

20th Anniversary • EDWARD SHERMAN • Vaudeville Booker



56,635,902

HAPPY PATRONS

IN 43 YEARS

Decade of Success to EDDIE SHERMAN
A Strong Link in the Organization that
made the STEEL PIER Nationally Famous.

BEST WISHES TO

EDDIE SHERMAN

FRED SCHMUFF

CONGRATULATIONS
EDDIE SHERMAN
BROADWAY THEATRE
Pitman, New Jersey
RALPH WILKINS



HAPPY HOLIDAYS

Sonny KENDIS
AND HIS ORCHESTRA
RETURN ENGAGEMENT
STORK CLUB

NEW YORK
5TH YEAR

Just Concluded

27 SMASH WEEKS
THE BEACHCOMBER
NEW YORK

N. Y. Journal Am. Article
Sh. Dec. 28, 1940

THE VOICE OF BROADWAY

By Dorothy Kilgallen

OUR OWN ACADEMY AWARDS —

BEST NIGHT CLUB ORCHESTRA

—Sonny Kendis, for his hot piano,

at the Stork...

Sincere Thanks To
SHERMAN BILLINGSLEY

CHARLES A. HUGHES

MONTE PROSER

MEYER DAVIS



PRESENTS
AMERICA'S
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THE VARSITY EIGHT
MOUNT ROYAL, CANADA
THE WHITE GUARDS
BEVERLY HILLS CLUB, KEN.
THE NEW YORKERS
TOWER, CAMDEN
BEN YOST SINGERS
ROGERS CORNER, N. Y.
BEN YOST QUARTETTE
DIAMOND HORSESHOE, N. Y.
THE VIKINGS

CARMAN, PHILA.
BENTON TWINE
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160 WEST 46th ST. NEW YORK

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HOLIDAY GREETINGS

THE KING'S JESTERS
And Their Orchestra
LaSalle Hotel, Chicago

NBC AT MIDNITE

SEASON'S GREETINGS

GLEASON'S ROYAL GUARDS

(Formerly California Varsity Eight)

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STRAND THEATRE, New York
With ABE LYMAN

Best of Everything to All

LEE WILEY

Direction: DOLAN & DOANE

RKO Bldg.

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Season's Greetings

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MAHALO A NUI

Six Years, Young Roof
HONOLULU, HAWAII

GIGGY ROYCE

BEST WISHES FOR
A HAPPY AND PROSPEROUS NEW YEAR

ESSANESS CIRCUIT of THEATRES

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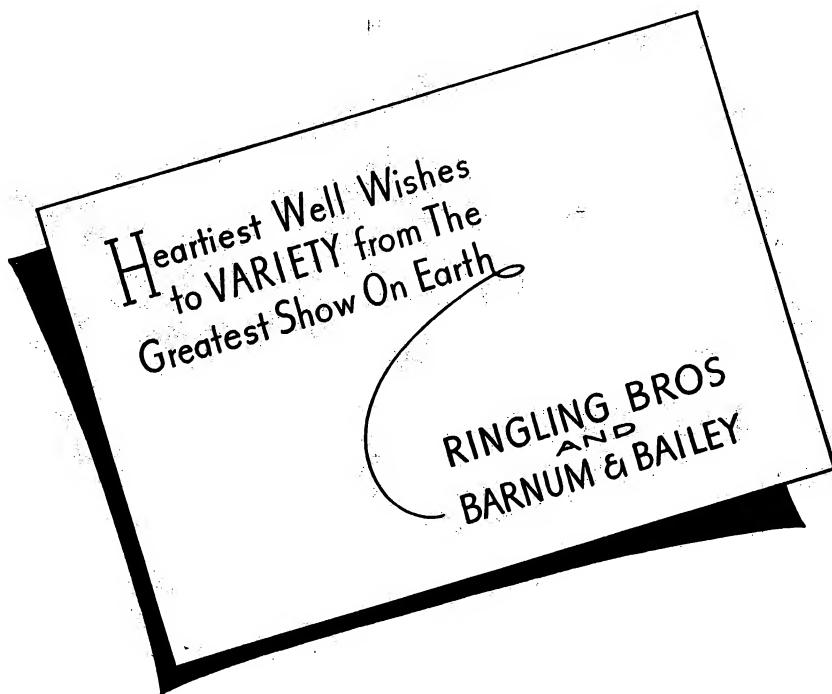
Phone Superior 9420

HOLIDAY GREETINGS

MARGERY DAYE

CLUB ROYALE DETROIT, MICH.

Direction: MARK LEDDY



JOE REICHMAN

"The Pagliacci of the Piano"

HELD OVER
ESSEX HOUSE, NEW YORK

MUTUAL BROADCASTING SYSTEM
Direction — WILLIAM MORRIS AGENCY

HOLIDAY GREETINGS

FROM

RALPH GINSBURGH

And His Palmer House Ensemble

PALMER HOUSE CHICAGO

GREETINGS.....

ANN CORIO

(I Was a Hit in Legit)

* * *

Now Smashing Box Office Records
on the Hirst & Western Wheels

SEASON'S GREETINGS

FRED SANBORN

Irene—CHARLIE LAWRENCE and "Buttons"



GRETA KELLER

"THE INTERNATIONAL DISEUSE"

Just completed 8-month engagement
Supper Club, Algonquin Hotel, New York

NOW APPEARING COPACABANA CASINO
RIO DE JANEIRO

MANAGEMENT
WM. MORRIS AGENCY

SEASON'S GREETINGS

ROSARIO AND ANTONIO

(LOS CHAVALILLOS)

Now Appearing WALDORF-ASTORIA, N. Y.

Thanks to MR. LUCIUS BOOMER

MARCEL VENTURA
Personal Manager

Holiday Greeting

3 SWIFTS

Season's Greetings from

CHARLES H. ALLEN AGENCY

RKO Bldg., Rockefeller Center, New York

CHARLES H. ALLEN MAX ROTH
NICK AGNETA JOSEPHINE WASHBURN

Season's Greetings

JOE GLASER
ATTRACTIONS

**

LOUIS ARMSTRONG
and His Orchestra
Colonial Theatre
Detroit

Week Jan. 3
DECCA RECORDS

**

DON BESTOR
and His Music
Belvedere Hotel
Baltimore

**

LES BROWN
and his orchestra
Brunswick Hotel

Boston
COLUMBIA RECORDS

**

JACK DENNY
and His Orchestra
Mike Todd's Chicago
Theatre Restaurant

**

The All-American Trumpeter
ROY ELDRIDGE
and His Orchestra
Capitol Cocktail Lounge
Chicago

**

Sweetest Music by Far
GLENN GARR
and His Genial Brothers
Chet and Charlie
On Tour of
the Sunbelt
DECCA RECORDS

**

World's Greatest Vibraphonist
LIONEL HAMPTON
and His Orchestra
En Route to New York

**

ANDY KIRK
and his "Clouds of Joy"
Mary Lou Williams
at the Piano
June Richmond
and Henry Wells
Doing the Vocals
One-Nighters En Route
to the West Coast
DECCA RECORDS

**

WINGY MANONE
and His
"New Orleans Hepsters"
New Brass Rail
Chicago
BLUE BIRD RECORDS

**

RAY PEARL
and His Sunset Music
Arcadia Ballroom
Cleveland

**

LITTLE GIANT OF RHYTHM
DON REDMAN
and His New Orchestra
Roseland Ballroom
Brooklyn

**

LEE SHELLEY
and His Orchestra
El Rancho
Chester, Pa.

**

The Dark Angel of the Violin
EDDIE SOUTH
and His Orchestra
Uptown Cafe Society
New York
COLUMBIA RECORDS

**

Management
JOE GLASER, Inc.

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Circle 7-0862

Holiday Greetings

from

Mike, Fritz and Joe Jacobson

CHEZ PAREE

The Nation's Smartest Theatre-Restaurant

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BOB CURLEY—Advertising and Publicity

Frank Silva Presents

CHEENA DE SIMONE

and her

SIX LATIN AMERICAN
DANCERS

14 Consecutive Weeks

WALTON ROOF

Philadelphia

Direction: SOL TEPPER—Charles V. Yates Agency

30 Rockefeller Plaza

12 Consecutive Weeks

RUMBA CASINO

West End, N. J.

New York

THANKS

To All and a Happy New Year

Hurricane Cafe, Paramount Theatre, Chez Paree, Mayfair, Chase Hotel, Walton Roof, MY HEAD MAN PAUL SMALL

For a Pleasant Year's Work

Watch for my DECCA Record—out January 2, 1941

ROMO VINCENT

Now on Return Engagement at the
HURRICANE CAFE

HOLIDAY GREETINGS

EDDIE BUSH

and his

"SOCIETY ISLANDERS" Orchestra

featuring

MEL PETERSON

Currently 42nd Week!

THE HURRICANE

NEW YORK

Thanks to MARIO

Holiday Greetings from

EDDIE FENS and his Orchestra

featuring JOY ROGERS

CHICAGO

SEASON'S GREETINGS

BOB KNIGHT and His MUSIC

SIX MONTHS AT CAFE PIERRE
OPEN CAMELLIA HOUSE, DRAKE HOTEL,
CHICAGO, JANUARY 14, 1941



SEASON'S GREETINGS

HAL SAUNDERS

AND HIS ORCHESTRA

ST. REGIS HOTEL—IRIDIUM ROOM
NEW YORK

Thanks to VINCENT ASTOR and GASTON LAURYSSEN



DOROTHY LEWIS

SEASON'S GREETINGS

THIRD CONSECUTIVE YEAR

IRIDIUM ROOM, ST. REGIS HOTEL
NEW YORK

Sincere thanks to
VINCENT ASTOR and GASTON LAURYSSEN

Direction: MCA

Greetings



TAMARA

Happy
Holidays

BETTY
BRUCE
Currently
STRAND THEATRE
New York

BASIL FOMEEN
ORCHESTRA
Ciro's, Hollywood



THE HEASLEY TWINS

BOB and JACK

Second Consecutive Year
Iridium Room, St. Regis Hotel, New York

Season's Greetings—and our sincerest thanks to VINCENT ASTOR, GASTON LAURYSSEN, COL. KILPATRICK, JAMES MITCHEL LEISEN and GUSTAVE LUSSI.

Picture Direction: ZEPPO MARX

HAPPY GREETINGS TO ALL OUR FRIENDS

DAVID P. O'MALLEY

RAY LITE

Hotels and Night Clubs

JOHN J. MULLANEY
Orchestras

DORIS HURTIG
Clubs

JACK RUSSELL
Orchestras

140 North Dearborn St., Chicago, Ill.

SO IT'S VARIETY'S ANNIVERSARY—So What—So It's Our Anniversary Too!
You're Good ♪
We're Lousy •

We've been having anniversaries for 16 years. Rated the worst nite club in America, we're still able to meet our bills, pay our taxes and touches, and still have a couple of bucks left for an occasional Corona Corona, a Rolls Royce, a suit of clothes and some time out for a trip to New York and the other big towns, where they have those high class nocturnal rendezvous. There's some sort of a screwy moral to all this! We're too busy to figure it out.

Greetings to my many friends in showbusiness. The welcome sign is up anytime you're in the vicinity, and please don't bring your fiddle. Yes, Fifi is still here.

OASIS CABARET - BALTIMORE, MD.

JUDGE MAX A. COHEN (Retired), Sole Dictator

EARL CARROLL Noted Showman Flies to Washington for Final Arrangements

He arrived at Washington Airport from Hollywood and went immediately to the Shoreham Hotel. Three hours later he boarded an Eastern Airlines plane for New York. While here, he said, he closed "one of the smartest deals I've ever made"—a contract with Maurice St. Clair and his partner, Doreen, to open up their new show opening at Hollywood Dec. 25. St. Clair and Doree are now appearing at the Shoreham Hotel. Carroll termed them "the greatest dancing team in the world."

TIMES-HERALD, "TODAY, NOV., 1940

HOLIDAY GREETINGS

ARREN and BRODERICK

JOHNNY—CHARLOTTE and PATTY

Booked By MILES INGALLS
and MARK LEDDY



SEASON'S GREETINGS

THE FOUR COLLEGIANS

Per. Mgt.—WALTER PIETILA
Booked By MILES INGALLS

SEASON'S GREETINGS

PARK and CLIFFORD

Direction JOE FLAMM and MILES INGALLS

CALLAHAN SISTERS

Stylized Ballet Tap
For That Smart Hotel Room

Whitehall, Palm Beach; Astor, New York; Sherman, Chicago; Roosevelt, New York; Franklin, Miami; Hotel New Yorker, New York; Brown, Louisville; Baltimore, Providence; Hollenden, Cleveland, and many others.

Per. Rep.: C. E. RICHARD, Chicago, Ill.
Booked by MILES INGALLS

SEASON'S GREETINGS

SARA ANN McCABE

Direction: MILES INGALLS

SEASON'S GREETINGS

MONROE BROTHERS

FUN ON A TRAMPOLINE

Booked By MILES INGALLS

SEASON'S GREETINGS

STERNER SISTERS

EARL CARROLL THEATRE, HOLLYWOOD, CALIFORNIA

Booked By MILES INGALLS

LOU BRESEE

And His Orchestra

Brought back AGAIN to the CHEZ PAREE, CHICAGO, for another extended run. The boys in the band and myself wish to thank MIKE FRITZEL and JOEY JACOBSON for their kindness and co-operation.

Broadcasting Nightly

Coast-to-Coast, NBC, 10:30 P.M., CST



JOSE FERNANDEZ and TERESITA

Presenting Dance Interpretations to the Music of the Classic Composers of Spain

Currently
Third Return Engagement
RAINBOW ROOM
Rockefeller Center, New York
Opening January 17
Book-Cadillac Hotel, Detroit

Season's Greetings



SKATING ARTISTS AGENCY, INC.

1800 WEST MADISON

CHICAGO, ILL.



EXCLUSIVE AGENCY

Sonja Henie

with Her

Hollywood Ice Revue'

'It Happens On Ice'

Center Theatre
Rockefeller Center, N. Y.

Chicago Stadium Corp.
Chicago, Ill.

Olympia, Inc.

Detroit, Mich.

Indianapolis Coliseum Corp.
Indianapolis, Ind.

Omaha Coliseum Corp.
Omaha, Neb.

Greetings from:

"The Clown Prince of Music"

MILT BRITTON

and his musical maniacs

Direction — CHARLES V. YATES

"Put Me Down for Same"

WILLIE SHORE

and His Personal Manager

AL BORDE

HI-HAT CLUB

CHICAGO



A Happy New Year to All

from
Ada Leonard
And Her All-American
Girl Band

SEASON'S GREETINGS

HERBIE KAY

AMONGST OTHER TH.NGS

I am in the saloon business now. So when you are in Chicago stop in and I will give you a very special holiday greeting in person if I am there (I am very seldom there so I don't have to pick up those cuffo tabs).

michael todd

of

michael todd's
theatre-cafe
chicago**CIRO RIMAC**and His Famous
LATIN AMERICAN ORCHESTRA

present

"A Pan-American Show"

featuring

ALZIRA CAMARGOLatest Singing Sensation
From Brazil
Formerly Featured at the
Casino Atlantico,
Rio de Janeiro**CHARLEY RIMAC**Dynamo of the Latin
American Dance**ESTRELLITA PENA**A New Spanish Dancer with
Personality Plus**CHINITA MARIN**Featuring Congas and Rumbas
Dances in Voodoo RhythmCurrently Playing
LEADING THEATRES, HOTELS AND CAFES

SEASON'S GREETINGS

Belle Baker

Holiday Greetings

FRED EVANS

CHEZ PAREE

CHICAGO

Season's Greetings

BILLY CARR

5th Year M. C.

606 Club — Chicago

- Congrats
- on
- 35 years
- from
- 33 W. 52
- The World-Famous
- **LEON & EDDIE'S**

CAPPELLA

and

BEATRICESoushalent une JOYEUSE NOEL
et une BONNE ANNEE to All
Their Friends in Europe and
America.

NETHERLAND PLAZA

CINCINNATI

Direction
HARRY ROMMGeneral Amusement Corp.
RKO Bldg., New York, N. Y.**SEASON'S GREETINGS****To Our Friends**
All Over the World

Season's Greetings

CHARLES B. STONE

Musical Director - - - Oriental Theatre - - Chicago

GREETINGS FROM

RAY WALKER

PIANIST at NUT CLUB

MIAMI BEACH, FLA.

Variety Bills

THIS WEEK (Jan. 3)
NEXT WEEK (Jan. 10)

Numeral in connection with bills below indicate opening day of show, whether full or split week.

Loew

NEW YORK CITY
State (8)
Carlton Errone Co
Hartman & Foster
R & V Pickert
John Van
John Davis Oro
Verne Wilcox

WASHINGTON
Capital (8)
Rhythm Rockets
Vass Family
Johnnie Patterson
Johnny Davis
Alice Kavan

Benny Davis Rev
NEWARK
Adam's (11-12)
John Dorey Oro
Berry Bros
Shlomo Sherman
Johnny McKee Oro
Gotham Hotel
Ashley & Clayton
PATERSON
Majestic (1-8)
3 Marlene
Leahie & Hollie
Singing Texan
PHILADELPHIA
Crown (10-18)
Marco Sili
3 Ryans
Judy Kelly
Betty Walton
T. E. Moore

PROVIDENCE
Metropolitan (10-13)
Linda & B. Malon
Gibby Brown
Johnny McKee Oro
Barney & Roth
Gloria Rimac Oro
WORCESTER
G & B Malon

Adele Ing.
John Bennett
John Kinney
Ronnie Roberts
Jerry Tracy
Grace Moore
Boots Young
HOTEL PARK CENTRAL
(Central Grove)
Buddy Clark Oro
Jackie Waldron
Barry, Prime & C
Johnnie McKee Oro
1 Nightingale
Scat' Powell
Doris Hirsch
Robert Roberts

Lukawella Oro
Bukharoff & Sabina
Monte Carlo
Ted Stratton Oro
Freshmen
OLD ROMANIAN
Joe La Porta Oro
Case Franklin
Johnie McKee Oro
Ethel Bennett
Sadie Banks
Johnie McKee Oro
Janis Podolski

Page Page Club
Joe Ricard Oro
Steve St. Clare
Johnie McKee Oro
Tom Wood

PLACE ELEGANT
Ernest French Oro
Bill Farrel Oro
Joe Revalo
Cas de Costa
Josephine Houston

CHICAGO
Ambassadors Hotel
(Pump Room)
Larry Adler
Jerry Shilton Oro
Virginia Hayes
Johnie McKee Oro
Swans Inn
Gladys Bentley
Eddie Beal

Pork Chop
Topper's
Tospy & Gislesque
Bob Hope
Vicente Rizzo
Ben Travers
Whistler Hotel
Don & Beverly
Phil Harris

JIMMY KEOGH
Golden Goose (in
Mc Walter's Room)
Vincent Rizzo (Oro
Partricia King
Lorraine Baker
Marvin Del Oro
Victor Hugo
Ben Travers
Whistler Hotel
Don Russell
Nino Nani
Vito Scotti
Louis Morlon
Lee Lamont
Lionel Stander
Edward Fox
Lou Boyle
Johnnie Morris
Vivi Austin
Harry Ladd
John Fischer
Florence Morton
Edgar King Oro
Johnnie Morris
Corn Bread & Chile
Diana Waller
Dolores
Sammy Davis Jr.
Little Jim Osborne
Dutch & Dutchie
69th St. Rathkeller
Sweeties
Peter Macrae
Frank Swanson
Johnie Morris
Bentley & Granada
Dianne Collier
Johnie Morris
School House Inn
Martin & Lee
Joanie Little
Hopkins Rathkeller
Danny Montgomery
George Ladd
Eleanor Lendy
Percy Moore
Helen Johnson
L'Aiglon
Emil Desailly Oro
Vivian Johnson
Isabel de Marco
HOTEL LA SALLE
(Blue Front Room)
Kings & Queens
Ruth Miller

LIBERTY INN
Karen Stephan
Marion Crawford
Johnie McKee Oro
Danielle O'Neil
Artie Wallen
Earl Wiley Oro
Morrissey Hotel
(Wolfe's Room)
Mac King
3 Nubicks
Broadmoor
Billie Garland
Lucille Ford
Jean Murray

EDWARD SHERMAN
1619 BROADWAY NEW YORK COL 5-0930

Dancing Co-Eds
Dorothy & Eddie
Empress Hotel
(Hallesme Room)

JAY COLE
Joe Cole
Johnnie Cole
Lou Williams

Rainbow Girl
Barry Winona Oro
John & Marjorie
Louise Murray

Rainbow Room
Eddie Leonor Oro
Fernando & Sabina
Louise Murray

RAINBOW
Lou Williams

CHAS. KIRKLAND
Chas Kirkland

Manfred Gottschalk
New Yorker

Dolly Kay
Robert Sawyer

ROBERT KRENTZ
Robert Krentz

LIDE VENTES
Frank Raymond

OLD FIELDS
Harry McKay

PAUL REINHOLD
Paul Reinhold

PAULINE HOUSE
Dan Verses Oro

JERRY MARCELLI
Jerry Marcelli

LITTLE RATHKELLER
Little Rathkeller

ROBERT RAYMOND
Robert Raymond

PAUL RAYMOND
Paul Raymond

Opera and Concert's \$50,000,000 During 1940 Belie Their 'Decline'

'Art Music' Gains In Importance As United States Becomes Artistic Mecca of World — All Concerts Grossed About \$45,000,000, Opera the Rest

By Edward Smith

The public refuses to accept the word of its betters, the longhairs critics, that the "forsaken" art—opera—and its supposed companion in misery—the concert—have seen their best days. Both are changing, admittedly.

Great singers are less plentiful today perhaps because they are too hastily trained, too prematurely presented under big time auspices.

It may also be true that Americans—radio—the nursemaid of the 11-year old intellects—has not provided a uniformly helpful influence. But brushing aside the triumphs of the size 36 radio tenors and the bare-faced girls from the Fox, H. H. Hubbard of the open spaces and getting back to the popularity rather than the quality question, it seems clear that the opera and the concert are doing quite nicely in the U. S. A. without national, municipal or other official subsidy.

Having passed England, France and Russia before the last world war, and Germany and Austria after 1918, the United States, considered as an art music mecca, is about to exceed in artistic importance the traditional citadel of grand opera itself. All these statements need to be taken with due regard for exceptions but it still remains clear that Americans are showing an astonishing and un-American interest in the heavy stuff.

THREE FAVORABLE FACTORS

The reasons behind the evolution are manifold, but can be summed up mostly by three facts.

First, that European singers have found time and time again that despite successes in their own lands, the financial gains of America cannot be overlooked. With the possible exception of Mattia Battistini, during the past three quarters of a century every European singer of note has appeared on these shores, and with increased success made America the climax of his or her career.

Secondly, successive wars in Europe have wiped out the patrons of opera who financed the productions of both the operatic companies and the individual concerts of operatic personalities.

Lastly, the Metropolitan Opera Company of N. Y., the greatest institution of its kind in America, and the goal of every singer, found with the passing of the great vocalists that the laid and layered Met upon which the house had operated for over a half century was no longer capable of bringing in dollars to the boxoffice. The terrific cost of a successful performance (approximately \$12,000 each) cut heavily into reserves, and with the older opera-goers staying away in droves due to declining standards and disgust at the mediocrities of singers whom they were comparing to the Carusos, Patti and De Reszkes of the golden era, a new approach had to be taken. With the advent of the regime of Edward Johnson, Canadian-born tenor and a member of the Met's leading tenor wing since 1922, a new and more theatrical era reached the 38th street organization.

New York now has a house which no longer looks too much to aid from boxholders, but appeals to the general public to whom Johnson has declared the house and its achievements must now belong.

During the past year in the U. S. over 20 opera companies, some permanent organizations, others just flashes-in-the-pans, toured and gave performances throughout the country. Some 500-600 performances of opera were given in approximately 100 large cities at prices ranging from \$1 to \$7 a seat and from 2,000-2,500 singers appeared in leading roles with these companies.

\$5,000,000 OPERA TAKE

The approximate gross throughout the country is estimated to have exceeded \$5,000,000 for these performances with over 1,000,000 people in attendance. The Metropolitan alone grossed close to half that amount in N. Y. and on the basis of what this sum must be some \$15,000,000 spent by over 1,000,000 men and women throughout the country en-

gaged learning to sing, while millions more were spent by the country school of the country teaching vocally gifted youngsters.

On top of these figures some 20,000 concerts were given in 500 cities by operatic personalities and neophytes with an average take of \$1,000 per concert, or a total of \$20,000,000 additional for concerts paid by the public of the U. S. for vocal music alone. Thousands of other singers have supported themselves through radio, church jobs, etc., with a minimum of 150,000 individuals being about the U. S. depending on the vocal chords of the owner. Then, too, there are the fabulous grosses of all instrumental and orchestral concerts. Estimates by experts are that these gross additionally in round figures, between \$25-35,000,000. Thus a total of opera and concert grosses would be at least \$50,000,000, approximately.

THE TOP STARS

Public taste is perhaps the best exemplified by a perusal of the fees paid to the country's leading vocalists, violinists, and pianists. The best concert draw in the U. S. at the present time, bar none, is Nelson Eddy. The popular Hollywood tenor appears in the U. S. only 30 times over a three-and-a-half period. This season for the fourth time in four years, his concert tour was sold out by Columbia Concerts eight months before he started his tour. Eddy receives top money, getting \$4,000 to \$4,500 on an average, with his fee at soaring above \$7,000 for a concert. Frequently he has cracked records which have set records for 50 years. The baritone's program is the usual French, Italian, German, and English songs with a sprinkling of operatic arias, and as always he doles out songs from his Metro pictures.

Jeanette MacDonald runs the baritone a close second, being tied for runner-up honors with Lily Pons. The fee of the latter is \$3,500 per performance, with the Met soprano topping the actress in some situations,

while Miss MacDonald tops Miss Pons in others.

The most popular draws in the country are Jascha Heifetz and Rudolf Klemperer among the violinists, with the first named getting \$2,000-\$3,000 a performance, and Kreisler averaging about the same on a percentage of the house. Yehudi Menuhin used average about the same a couple of years ago, but since he has reached maturity he has slipped slightly, taking about \$1,750 for a performance. Among pianists Serge Rachmaninoff and Vladimir Horowitz are about tops. Rachmaninoff's fees are around \$3,000, and Horowitz's fee being about \$2,000. Josef Hofmann is in third place, close behind, with an average fee of \$1,750. Lawrence Tibbett is among the best-paid of the singers, receiving \$2,500; Grace Moore gets from \$2,500-\$3,000 in certain spots; Paul Robeson doing terrific business and exploiting "Ballad for Americans" drawing around \$2,000; Richard Crooks, John Charles Thomas and Kirsten flagstad, averaging around the \$2,000 mark, while the latter is somewhat to about \$1,500, and Gladys Swarthout taking from \$1,500-\$2,000. Jussi Björling, considered by some experts as the best tenor in the country, still is not sufficiently well known to the man on the street, and draws about \$1,500 for an engagement. This figure is expected to considerably jump in the next year. The Met's Columbia Concerts also expects to push its younger artists, including Robert Weede, Rise Stevens and Anna Kaszas, all Met singers, to rival or surpass some of its higher bracketed stars within the next year. Each of these artists averages between 30-60 concerts yearly.

Large draws whose fees never drop below \$750 per performance, and who soar to \$1,500-\$2,000, depending on the engagement, are among singers, Marian Anderson, Lauritz Melchior, Lotte Lehmann, Helen Jepson, Alexander Kipnis, Bill Sayo, Helen Traubel, Karin Branzell, Friedrich Schorr, Elisabeth Rethberg, Ezio Pinza, Giovanni Mar-

tinelli, Richard Bonelli, Allan Jones, Rose Hampson, Mija Korjus, Marlene Dietrich, Dorothy May, Frederick Jagel, Tito Schipa, Jan Peerce, Vivian Dela Chiesa, Jan Kiepura, James Melton, Greta Stuckgold, Charles Kullman, Jamilla Novotna, John Brownlee, Lina Paglughi, Donald Dickson, Katherine Meiss and Igor Stravinsky.

Pianists in this class include Harold Bauer, Ethel Bartlett and Rae Robertson, Alfred Cortot, Alexander Brailowsky, Rudolf Ganz, Myra Hess, Jose Iturbi, Mischa Levitzki, Paul Petri, Rudolf Ganz, Bruno Moisil, Josef and Rosina Lhevinne, Ignace Jan Paderewski, Moritz Rosenthal, Artur Rubinstein, Artur Schnabel, Rudolf Serkin, Walter Gieseck, Guimara Novacek, Ernest Hutchinson, Percy Grainger, Fray and Braggiotti and Vronsky and Babin.

Violinists, Joseph Szigeti, Mischa Elman, Albert Spalding, Nathan Milstein, Erika Morini, Adolf Busch, Robert Viorel, Toscha Seidel, Rugiero Ricci and Efrem Zimbalist.

Two others who could be included in this field are Benny Goodman,

though he's appeared only a few times as a concert clarinetist, and Alec Templeton, the concert and jazz pianist, who only occasionally appears on concert. Both are big box-office draws in spite of age.

Best cities in this country, and Canada for draws are Toronto, Winnipeg, Denver, Detroit, Rochester (N. Y.), Cleveland, Pittsburgh, Hartford, Seattle, Portland, Ore., New York, Chicago, St. Louis, Cincinnati, Washington, Dallas, Atlanta, Los Angeles, and San Francisco. Even some of these cities will not appear before half empty houses, which otherwise will sell out. Cities such as Montreal are considered an artist's graveyard, not drawing at all. Caruso still holds the Montreal high with a draw of \$17,000, appearing there in an enlarged ice rink.

Sues de Basil for 100G

Universal Art, Inc., filed suit Saturday (4) in N. Y. federal court, seeking \$10,000 damages for alleged breach of contract against Wally de Basil, the ballet impresario.

It is claimed that under a contract made in 1938 de Basil gave plaintiff complete legal title to six ballets, including scenery, costumes, musical and choreographic rights.

COHAN & HARRIS

By JACK PULASKI

A score or more years ago, when legit production was three times greater and the number of shows toured perhaps 10 times more than in recent seasons, the managerial duo of George M. Cohan and Sam H. Harris was as far flung and famous as any theatrical managers. Their succession of successes vied with the output of Klaw & Erlanger, A. H. Woods, Ziegfeld and others whose names no longer banner the house boards of today.

There is a unique and extraordinary partnership not limited to presenting any one type of attraction, with schedules including comedies, musicals and musicals. They opened out of the then Cohan and Harris theatre building in the lush days of 42nd street, a block now barren of legit but then supporting 11 theatres, most of which have gone into the maw of grind pictures and stock burlesque.

The dissolution of the firm of Cohan & Harris was an anti-climax to the actor strike of 1919 and the manager's dependence on the campaign in the C&H office. Separated pair was something of a sensation in show business. Harris was first to concede that Equity was ascendant, but Cohan never quite overcame his feelings and, although he was a manager, the actor in him was stronger. As the moving spirit in the Actors Fidelity League, which is now dead, he held to his principles and won the admiration of winning antagonists in Equity. He never joined and never will. He is one of the actors accorded the race privilege of playing on the stage without such membership.

Cohan's Tribute to Harris

When the pair parted as business associates, it was assumed that Cohan had the edge in pleading on his own behalf of his all-round stage experience as a author-manager. Cohan, however, had a different slant, well aware of his former partner's capabilities. When asked about the chances of Harris succeeding solo, Cohan said: "Don't worry about Sam. He can recognize the weakness of a script quicker than any man in show business." Sam doesn't like the script, which he thinks it should be changed, but he'll suggest that certain portions of the show should be strengthened.

That estimation of Cohan's opinion aent Harris has been proven true on many occasions. Harris put on hit after hit with a script that ear-marked a fine producer in contrast to the flash-in-the-pans who have run up the curtain and then disappeared. Babe Ruth established himself. Babe Ruth was creating baseball history with a string of home runs and those close to him nicknamed Harris "babe". He is still called that by those who knew him when.

On his own Cohan, too, ran the bell as a manager sometimes appearing in his shows. He then gave up the office, but never relinquished a passionate interest in the theatre. He finally assented to appear under other managements, notably the showing in "Ah, Wilderness," a play that scored on Broadway under Theatre Guild direction, and drew sensational tour.

Close Personally

Although they have separate ways in business, Cohan and Harris were too close personally to disassociate themselves altogether. Occasionally they appeared in benefits as a team, but when Cohan appeared as the star of "I'd Rather Be Right," produced by Harris, it was virtually a reunion. The show drew a bigger press than any show in the city, but the reason not only because it satisfied the President, but because it re-associated the names of Cohan and Harris.

Both were and are sportsmen, but along different paths. Cohan is a leading baseball fan. Harris had a racing stable—until he found it too costly—and managed Terry McGovern. The "babe" also was one of the managers when the future of the market was Cohan and Harris. Cohan was and is more conservative in his investments. He is never seen at the race-track, while Harris likes to note the improvement of the breed, making modest wagers. Cohan remains in New York almost throughout the year, declining to make jaunts to winter and summer vacation getaways, particularly dallying in Florida during the cold months. Cohan is building a new home in West Palm Beach.

Cohan is presently not on the boards, but may produce and appear in a show of his writing. However, if George M. again plays under management other than his own, he'd rather it would be Sam H.



Holiday Greetings from
ALFRED LUNT and LYNN FONTANNE
AND COMPANY

Now on tour in "There Shall Be No Night"

GLAMOUR'S LAST STAND

By Hobe Morrison

Ballet—and when anyone speaks of ballet he generally means Russian ballet—in the last stand of old-fashioned glamour. And as such it is a highly profitable industry.

Only the ballet still maintains the atmosphere and illusion of old-world romance. A Grecian-like make-believe. Only at the ballet is there such an eager turnout of dressed-up celebrities, near-celebrities and would-be celebrities. Only at the ballet is there such a group of wide-eyed fanatics—they even have a special name for them, balleromaniacs.

Only at the ballet—the Russian ballet—do they still continue that absurdly pre-World War tradition of handing gigantic bouquets across the footlights. Only at the ballet are there such ceremoniously gracious bows and curtsies from the stage, or such thunderous and unselfconscious bravos from the audience.

The ballet has something in that bewitching if ephemeral, fairytale of let's-pretend. It's something that in a world of increasingly horrible reality exerts a definite influence—something therefore, that goes on and on drawing huge houses and thumping grosses. It does so not only in sophisticated New York, but also in Philadelphia, Boston, Chicago, San Francisco, Seattle and even the tank towns and whistle stops where the ballet plays one-night stands during its season-long nationwide tour.

Russia Influence

Regardless of their nationality, nearly all dancers in the ballet have Russian names. They also live in a secluded world apart. More than

singers, actors, painters or other artists, they tend to be an exclusive group, interested only in their work and each other. To a normal person, most ballet dancers are just a little "etched." They have few outside interests—dancing and the world of dancing is their whole existence.

For that reason, too, they are a subject of endless fascination for inhabitants of the humdrum world outside of ballet. Most ballerinas are the subject of fabulously romantic legend. Although their daily routine is an almost endless grind of work, of rehearsals, exercises and training, they seem to the outside world to live a life of magic unreality.

Publicity about the ballet and ballet dancers is shrewdly designed to maintain and strengthen this attitude. There has been little debunking publicity and few realistic stories or interviews with ballerinas. Ballet programs do not carry the Who's who biographies of the dancers the way theatrical programs give the background of actors.

Keeping Up the Illusion

It may be that this policy of seclusion is one of the reasons why the ballet has been able to retain the traditional air of glamor and mystique despite the public. The late Charles Frohman had a similar theory about the theatre, and he generally kept his stars aloof from interviewers, or the public gaze—except from across the footlights.

There are many who believe that the legitimate stage has forever lost its former mysteriousness and lustre as a result of the way actors now mix in public and permit their private lives to become common knowledge. If that theory is sound, it is only a matter of time before the ballet also loses its tinsel, for as a wider public is becoming increasingly interested in ballet the publicity is becoming more and more revealing. Stories about the everyday lives of ballet dancers are beginning to appear in magazines and papers. There have even been some published pictures showing ballerinas in commonplace clothes and doing commonplace things. In this case, if familiarity doesn't breed contempt, it will almost certainly bring disillusionment.

There are two major Russian ballets, the Ballet Russe de Monte Carlo and the Original Ballet Russe. Both are managed by Sol Hurok. Formerly all one company, they split several seasons ago over a bitter quarrel between two groups in the management and directors. For the last few seasons the Original Ballet Russe has played on the Continent, in England and, last season, on an immensely successful tour of Australia and New Zealand. This troupe, currently appearing at the Elst Street theatre, N. Y., includes

such leading names as Irina Baronova, Tatiana Riabouchinska, Tamara Toumanova, and David Linchukine.

The Ballet Russe de Monte Carlo, too, is in Chicago on a Coast-to-Coast tour, played the U. S. last winter and spent last summer in South America. Among its top names are Alexandra Danilova, Leonide Massine.

Each company numbers around 60 to 80 persons, including dancers, directors, stage managers, department heads, etc. The weekly payroll of each troupe has been estimated in the neighborhood of \$400,000-\$12,000. Dancers are paid considerably less than is commonly believed. Minimum salaries under a contract with the American Guild of Musical Artists are \$175 a month plus living expenses while on the road. Leading dancers rarely get more than \$150 to \$200 a week.

New St. L. Setup To Draw Platform Names

St. Louis, Jan. 5.

A move to raise this burg's entertainment par is seen in the formation last week of the Entertainment, Inc., of St. Louis, headed by Paul Beisman, manager of the American theatre, sole legatee here. Outstanding concert singers, instrumentalists, lecturers, etc., will be brought here for personal at the opera house in the \$7,000,000 municipal auditorium. Beisman said all activities of attraction except legit, will be offered to the natives. Besides Beisman, the incorporators are Henry Hoffman, Beisman's assistant, and William Ward, a local man. The Civic Music League and several other indie organizations have been booking artists and lecturers for an occasional local stand, but the new group is expected to bring a steady flow of entertainers here.

Inside Stuff—Legit

Al Jolson exercised a unique method of passing out holiday cheer. He sent three columnists \$500 each, in the form of money orders, which they were to devote to their pet charities. Ed Sullivan, of the N. Y. News, was the first to report through his column the manner in which he made his contribution.

One columnist not in the city returned the remittance, explaining that he was not in a position to administer the money in the manner intended. Jolson, starring in "Hold On To Your Hats," Shubert, N. Y., asked that no publicity be given the gifts.

Howard Lindsay and Russel Crouse, producers of "Arsene and Old Lace," currently playing at the Lyceum, Baltimore, have done a great deal of writing on the comedy and will share in the royalties, but are not billed as co-authors. Joseph O. Kesselring, who originally wrote the play under the title "Bodies in Our Cellar," gets sole author credit. Play's preem at the Fulton, N. Y., has been delayed from Jan. 8 to the following Monday (13).

James MacColl, who plays the Noel Coward role in the touring company of "The Man Who Came to Dinner," is something of a Noel Coward in private life, too. In addition to being an actor, he also writes music, lyrics and sketches, and plans to fashion a revue of his own sometime in the future. Last week in Pittsburgh he gave a short private entertainment with his own material and it was very favorably commented on by couple of newspapermen present.

"Retreat to Pleasure," the Irwin Shaw play produced by the Group Theatre, which closed Saturday (4) at the Belasco, N. Y., represents Carl Laemmle, Jr.'s, initial try as a Broadway backer. Production cost \$25,000, of which amount \$20,000 was put in by the young filimite.

Comedy got an adverse press. It was decided to play three weeks so that the managerial end could participate in the picture rights.

Although Paul Vincent Carroll's "The Old Foolishness" lasted but two days at the Windsor, N. Y., an unusual promotional stunt was given the show. Full-page ad appeared in the Sun featuring a perfume with the same name as the drama.

It was an insertion by Macy's. Bernard Simon was the press agent for the show.

COAST LEGIT SEEKS BIG YEAR

By JACK EDWARDS

Los Angeles, Jan. 5.

Pacific coast legit is looking forward to a banner season, despite the somewhat slow start, after the 1939-40 season wound up with plenty of coin for the theatres and the shows alike. Up to this writing most of the gravy has been centered in Hollywood since the new season got underway four months ago, but the ensuing six months should spell plenty of profit for the downtown act, the Biltmore, long the established home of traveling legit.

Names are headed for the Pacific slopes, and while there is a possibility that all of those tentatively booked may not show up, the outlook is that a sufficient number of stellar boxoffice magnets will head this way before the curtain finally drops on the current season. Such names as Tallulah Bankhead, Katherine Hepburn, and Alfred Lunt and Lynn Fontanne have been penciled in at the Biltmore, and other New York reigning stars of recent seasons may augment the procession.

First of these heading Coastward is Miss Bankhead, who opened at the Biltmore something this month in "The Little Foxes." Hepburn is tentatively set to be booked in "The Philadelphia Story." Lunt and Fontanne are almost sure to be here in "There Shall Be No Night."

Other legit almost certain to get two or more weeks in the local theatres are "Pins and Needles," "Life with Father," "Louisiana Purchase," and that hardy perennial, "Tobacco Road." Then there will be the usual lineup of strong boxoffice lures at El Capitan, Hollywood's leading legit, to say nothing of numerous New York tryouts at the Hollywood Playhouse, Music Box, Mayan, Belasco and other houses where legit has been wont to linger in the past.

El Capitan garnered \$235,000 during the '39-'40 season and, on top of the Biltmore's record take of \$325,000, helped substantially in upping the \$60,000 mark.

Continued, Close Second

San Francisco ran a close second to Los Angeles in point of legit business, with various other Coast towns sharing in the rich harvest during the past 12 months. These towns include Santa Barbara, Pasadena, San Diego, Seattle, Portland and such one and two-night stands as Oakland, Sacramento and other towns in northern California.

For the greatest part of the past year Hollywood Playhouse was ten-

anted by the Theatre Alliance production, "Meet the People," currently in the east. Shortly before the recent Yule holidays Playhouse bounced back with a new satiric revue, "Thank You, Columbus." Those masterminds back of the Theatre Alliance shifted activities to the old Hollywood Music Box, but their first venture, after closing of second edition of "Meet the People," did not turn out so successful. In "Zero," the Alliance presented a piece geared more for the seething industrial districts of the Atlantic seaboard, where labor counts many more followers than it does west, particularly in open-shop Los Angeles.

Trotts, with a wistful eye on Broadway, have been numerous in and about the California southland during the past months and indications are there will continue to be plenty of bankrolls available for further endeavors along this line. Most of the backers get nicked for \$5,000 to \$10,000, but that's about the limit. Occasionally a bankroll like that of G. V. Gordon, president of the Ambassador-Busch family of St. Louis, comes along and Hollywood is treated to a lavish production, such as the \$25,000 reportedly sunk in "Columbus."

Equity Active

Equity continues its fight to better the conditions of Coast actors and many of the practices that prevailed in this sector for many years have been wiped out. Backeteering tactics of many of the so-called drama schools and little theatres have been to a large extent eliminated, and local tyros now have a much better chance at achieving ultimate success than they formerly had.

High goals reached in Los Angeles and San Francisco legitries during the past year have not, as a general rule, succeeded in opening the rest of the Pacific coast area to legit success. The few shows that have invaded the hinterlands have done well enough, but there is still no rush of theatres building or getting aboard the bandwagon and putting up the consistently profitable films for an occasional flier in the realm of the so-called "speaking theatre."

WALTER VINCENT NOW PREZ OF ACTORS FUND

Upon the death of Daniel Frohman, Walter Vincent automatically became president of the Actors Fund. Whether his position as v. p. will be filled at this time will be decided at a session of the trustees this week, alternative being to await the return of Vincent's widow, Katharine Cornell, second v. p., but is not active in Fund administration.

A monument will be erected at Kensico cemetery where the Fund's burial plot is located, although Frohman's remains are not interred there. Plan for the shaft was decided on during his lifetime and will be financed by subscription.

Name Concert Dates

(Week of Jan. 8-15)

Key to abbreviations: (R) indicates Recital, (S) Guest Soloist, (C) Guest conductor.

Mischa Elman—(R) Carnegie hall, N. Y. (10).

Jascha Heifetz—(R) Fox theatre, Billings, Mont. (9); (R) Moore theatre, Seattle (15).

Josef Hofmann—(R) Auditorium, Milwaukee (14).

Yehudi Horowitz—(R) Hill Auditorium, Ann Arbor, Mich. (15).

Joe Hirsch—(S) Central H. S., Kalamazoo, Mich. (12).

Helen Jepson—(S) Academy of Music, Philadelphia (10-11); (S) Constitution hall, Washington (14); (S) Lyric theatre, Baltimore (15).

Dorothy Maynor—(R) Town Hall, N. Y. (8).

Yehudi Menuhin—(R) Temple theatre, Birmingham (9); (R) Taft Auditorium, Cincinnati (13); (R) Civic Auditorium, Grand Rapids (15).

Grace Moore—(R) Polytechnic Institute, Blacksburg, Va. (10); (R) Juilliard H. S., High Point, N. C. (13).

Lotte Lenja—(R) Memorial Auditorium, Lowell, Mass. (8); (R) Bagby Musicale, N. Y. (13).

Eddy Pons—(R) Academy of Music, Philadelphia (9).

Paul Robeson—(R) Columbia University, N. Y. (11); (R) High School, Montclair, N. J. (15).

Lawrence Tibbett—(R) Symphony Hall, Boston (12).



KATHARINE CORNELL and GUTHRIE MCCLINTIC
IN THEIR BEEKMAN PLACE STUDY, NEW YORK CITY.

SEE POSSIBLE SUNDAY BOW TREND

Four shows have chosen Sundays for premieres since Sabbath performance experiment started and it may be a sort of trend in openings. It makes little difference to reviewers, in fact critics appear to be unruled over such openings and are more concerned over the drop in the number of show producers, especially in the last two seasons, since a further decrease might imperil their pobs.

In other seasons, when debuts were occasionally dated on Saturdays, the drama boys were somewhat put out because it disturbed their weekends.

With a seven-day weekly spread there is little excuse for not opening first night, which was conceded. *Tal Boyer* (Bryantone) and *Meet the People* (Mansfield) bowed in on Christmas night. Last Sunday (5), *First Stop to Heaven* (Windsor) and *No For An Answer* (Mecca Temple) bowed in. Former show, however, is slated for three Sunday showings only. First recent Sunday opening was *The Flying Gerards* (Playhouse), while next Sunday (12) will see the entry of Mr. and Mrs. North (*Belairs*, opening having been moved up from next Tuesday).

SAY YES' NICE \$23,000, PHILLY

Philadelphia, Jan. 5. New Year's week saw three houses open in Philly and generally good biz, though nothing sensational.

"She Had to Say Yes" drew a sharp

ly divided press, with adverse re-

views predominating. *New York*

King (11) took around \$23,000 with tilted holiday scale helping in its first week at the Forrest. Word-of-mouth seems more favorable than crit reports and show is holding.

Don't Give Up the Ship (12) and

final week with *Sim Sala Bim* at the Locust, went to a healthy \$10,000 with an extra matinee and a special midnight show New Year's eve.

First Stop to Heaven (10) opened out strong New Year's eve at the Erlanger, and also drew mixed reviews. Business for the seven performances was mild.

This week's only opening is *Yodel Boy* (Joe Penner) at the Locust. Next Monday, the Theatre Guild's new production, *Liberty Jones*, by Philip Barry, opens a two weeks stay at the Forrest, showing off the third A-list subscription show of the year. The fourth "Time of Your Life," bows in at the Locust Jan. 27.

MALE ANIMAL' HEFTY \$18,500 IN SPLIT-WEEK

Indianapolis, Jan. 5. With theatre business generally perking up after the first of the year, English got his share of the town's attention. *Male Animal*'s garage door, \$7,000 at \$2.75 to a person, three night performances and Saturday matinee (4).

House will be dark now until Jan. 27, when *Hellzapoppin* comes for a split week.

Nugent's \$11,500 in *Cincy*, Cincinnati, Jan. 5.

Combination of Elliott Nugent's local popularity, swell notices of mouth, and the general holiday trade elevated the take on *Male Animal* for four performances in first half at the 1,400-seat Cox to approximately \$10,000. Top of \$15,000 advanced to \$8,500 for the New Year's eve show, which was near capacity. Matinee and night performance New Year's day were to packed houses.

Theatre has *Tobacco Road* for a week, and it is running very high. It's the show's eighth Cincy visit and second consecutive fare'll engagement.

Brown's 'Show Off' Finales to 10G, L.A.

Hollywood, Jan. 5. Joe E. Brown in *The Show Off*, presented on Coast by Henry Duffy, winds up his week at the El Capitan, now \$10.00 (11), and heads east after a few Coast dates.

Comedy on second stanza, with heavy New Year's day play, topped

Karloff's 'Arsenic' Okay \$16,900 in 9 Balto Days

Baltimore, Jan. 5. "Arsenic and Old Lace" with Boris Karloff heading cast, is being continued for another three days at the indie-booked Maryland by producers Howard Lindsay and Russel Crouse; rounding out a full two-week trout. Helen Brooks last week replaced Elizabeth Ingalls in one of the principal parts.

World War II crix, com-

edex of horrors got estimated \$12,000

last week, following a previous count of \$4,000 for the four shows in half-week preceding.

'HELLZ' HUGE 56G, DETROIT

Detroit, Jan. 5. Keyed right into the holiday mood, "Hellzapoppin" rode through the holidays here to a terrific business. Because of the capacity attendance, Cass theatre added a special Friday matinee and tucked a Sunday on the end to give the revue 11 performances here last week, including one on New Year's eve.

The show picked up a total of

\$56,000 during its entire 16 performances, opening on Christmas to run off five performances for \$18,000, a week ago before going into the heavy holiday schedule. Performances New Year's week for another \$40,000. Top was \$330 for the regular shows but the price was moved to \$440 for the holiday performances.

By holding "Hellzapoppin" through Sunday, the Cass theatre has kept its regular dark day since *Time of Your Life*, followed on Monday (6).

Current Road Shows

(Week of Jan. 8-15)

'Arsene' and Old Lace' (Boris

Karloff)—Maryland, Baltimore.

Ballet Ense de Monte Carlo—Mu-

nicipal auditorium, St. Louis (10-12);

Auditorium, Denver (14); University

auditorium, Laramie, Wyo. (15).

'Battle of Angels' (Miriam Hop-

kins)—Wilbur, Boston (8-11).

'Crazy With the Heat' (Willie

Howard, Luella Gear)—Shubert, Boston (8-11).

'Cream in the Well'—Ford's, Bal-

timore (14-15).

'Darry Was a Lady' (Bert Lahr)

—Eclanger, Chicago (8-15).

'Hellzapoppin'—Hanna, Cleveland

(8-11); Michigan, Ann Arbor (13);

Michigan, Jackson, Mich. (14); Tem-

ple, Saginaw, Mich. (15).

'Ladies in Retirement' (Flora Rob-

son)—Milwaukee (8-11);

Harris, Chicago (13-15).

'Lady in the Dark' (Gertrude Lawrence)—Colo., Boston (11).

'Last of the Red Men' (Lillian Gish)

—Chicago (8-15).

'Lady With Father' (Dorothy Gish)

—Repertory, Boston (8-15).

'Liberty Jones' (John Beal)—Shu-

bert, New Haven (10-11); Forrest,

Philadelphia (13-15).

'Little Foxes' (Tallulah Bankhead)

—Senior High School, Sacramento (8); Pacific auditorium, Fresno (9);

Concert hall, Long Beach (10); Lo-

berto, Santa Barbara (11); Baltimore,

Los Angeles (13-15).

'Littlefield Ballet'—Lyric, Balti-

more (11); Stanley Hotel, N.Y. (13); Lin-

coln, Hotel Syracuse (14);

Mason Hall, Toronto (15).

'Male Animal' (Elliot Nugent)—

Hartman, Columbus (8-11); Masonic

auditorium, Rochester, N.Y. (13); Erie,

Schenectady (14); Bushnell

auditorium, Hartford (15).

'Man Who Came to Dinner' (Clif-

ton Webb)—Royal Alexandra, Cle-

verton (8-15).

'Mr. and Mrs. North'—National,

Washington (8-11).

'Philadelphia Story' (Katharine Hepburn)—Texas, San Antonio (8);

Auditorium, Paramount, Newark (9);

Music Hall, Houston (10-11); Mu-

nicipal auditorium, New Orleans (13); Auditorium, Jackson, Miss. (14); Municipal auditorium, Shreve-

port (15).

'Plans and Needles'—Studebaker,

Chicago (8-11); Fabst, Milwaukee

(13-15).

'Pygmalion' (Ruth Chatterton)—

Harris, Chicago (8-15).

'Show-Off' (Joe E. Brown)—El

Capitan, Los Angeles (8-11).

'She Had to Say Yes' (Dennis King)

—Forrest, Philadelphia (8-11); Nixon,

Pittsburgh (13-15).

'Tales of Your Life' (Eddie Dow-

ling)—Cass, Detroit (8-11); Hartman,

Columbus (13-15).

'Tobacco Road' (John Barton)—

Cox, Cincinnati (8-11); Hanna, Cleve-

(12-15).

'Yodel Boy' (Joe Penner)—Locust,

Philadelphia (8-15).

ACTORS VS. AGENTS

Talent Complains 'Exclusive' Casters Hamper 'Em Plus Being 'Unfair'—Producers Claim They're More Efficient

By Hobe Morrison

"No casting agent is used exclusively by this organization, nor is it necessary for any actor to use an agent to get a part."

That disclaimer was recently posted in the outer reception room of the Playwrights' Co. office. It created a minor sensation in actor circles and served to call attention once more to the talent agency situation as a whole. That situation is a source of perennial dissatisfaction to nearly everyone concerned—producers, directors, authors, actors and even the agents themselves. Yet virtually nothing has ever been done to remedy matters.

The above notice was posted by the Playwrights' Co. only after a member of the organization learned that common belief around Broadway was that the Playwrights hired actors only through Jane Broder. Outer has shown a preference for her and has given her program credit as casting director. Stating that the Playwrights' Co. "has no casting director" and that "each production is considered as a unit and handled as the director and author think best," the notice further explained that "the majority of actors used in our productions have not been obtained through any agent." It also noted that "it is the policy of this organization to use new talent whenever possible. Some new actors have been used in all our productions." Notices concluded with the observation that it is physically impossible to interview all actors who apply, however.

While the agency situation has long been the subject of annoyance to the various groups in the theatre, it has been particularly irritating to actors. And it is the matter of exclusive agents, referred to in the Playwrights' notice, that has caused the most dissatisfaction.

Although the Playwrights' Co. officially denied having an exclusive agent, and while no other producer admits doing so, it is common knowledge that certain producers cast through certain agents. In fact, in some cases, actors who obtain jobs direct are sent to a specified agent to sign their contracts and must pay a regular commission on the deal. However, that has never applied at the Playwrights' Co.

Unfair to Actors

From the actor's viewpoint, it is not only unjust to require him to pay a commission to an agent who has performed no service for him, but the whole setup of exclusive agents is unfair to the actors. It is also felt that, in the long run, the practice is harmful to the theatre in general. Yet there is nothing in Equity's agency regulations, or in its agreement with the producers, which forbids the practice or even condemns it.

According to the actors, when a producer uses any agent exclusively, that agent thereby becomes an employee of the producer, dependent on the producer for his deals and livelihood, and therefore subject to the producer's wishes. Yet the agent is theoretically the employee of the actor, since the actor pays him a commission. In many cases the exclusive agent is given a specific budget, with a free hand to cast a production "any way he wants, so long as he sticks to the budget." That completely ties the agent's hands, for even if he wants to work for the actors whose commissions he takes, he cannot pay one actor more money without taking it away from another. In that case an actor has little chance of getting a desired salary even if he tries to bargain with the agent, theoretically his employer.

Another undesirable phase of the exclusive agent situation is that for the actor it is the most popular hobby. They naturally like the work of certain actors better than others, or get along with them better personally. Actors concede that it's inevitable. But they argue that an actor should not be barred from working for a producer merely because a certain agent discriminates against him. In that case, they believe, the actor should be able to use another agent to deal with the show involved. And, say recognized stand-

ing producers, who might not share the first agent's prejudices.

There is also a film angle in the legal agent situation. The agent is comparable little money to be had from legal casting alone, must derive a major portion of their income from scaling actors to Hollywood. Since the best way to sell an actor to the picture companies is by showing him to advantage in a Juicy part on Broadway, an exclusive agent for a show naturally favors actors he has under contract. Thus, an actor who may be capable of the stage, but unsuitable for radio or who merely prefers to act, is discriminated against because of his loyalty to the theatre. Knowing this, a few shrewd actors who have no desire or intention of going to Hollywood, hide fact permitting the agents to think of them as film prospects and thus getting them attractive parts for Hollywood attention.

As far as known, there has not recently been any concrete evidence of agents kicking back commissions produced in this manner, or receiving kickbacks. Nor are there any known cases of producers owning a percentage of stock in an agency which would amount to an indirect kickback. However, it has always seemed strange to actors that some producers so frequently use the same agent.

Playwrights' Angle

In the case of the Playwrights' Co., it has been explained by a member of the firm that, while the organization has no exclusive agreement with any agent, it has frequently preferred to deal with agents rather than with individual actors. It is further noted that most of the organization's productions have been staged by Elmer Rice, who has said Miss Broder is the most dependable and satisfactory agent in the business, and that he prefers to work with her. She has occasionally been listed in the program as "casting director" simply as recognition of her services, it is added.

According to this member of the firm, the Playwrights' Co. has found it difficult to find time and effort to use an agent in dealing with actors. An efficient agent is a specialist who knows the field more thoroughly than the average director. And although the company has no exclusive deal with Miss Broder, the members (particularly Rice) are reported to regard most other agents as inefficient.

It is claimed by the above member of the organization that the reason the Playwrights' Co. has completed satisfactory preliminary negotiations with an actor only to have an agent step in and demand such a high salary for the actor that the whole deal has fallen through. Furthermore, it is claimed that most agents show little discrimination in submitting actors for a part, frequently sending so many people to the producer that it involves a serious waste of time. For the reasons the Playwrights' member argues, the organization prefers to work with only one agent if any agent is used at all. But, he repeats, the company usually deals with the actor direct and there is no necessity for any actor to use an agent in dealing with the Playwrights.

Actor's Rebuttal

In answer to that attitude, actors readily agree that the Playwrights' Co. or any other producer, has a right to deal directly with an agent he chooses. But the fact that almost all of the Playwrights' claim of not having an exclusive agent; the firm's policies have amounted to virtually the same thing. Actors also claim that if the Playwrights or other producers send scripts of future plays to Miss Broder alone, it virtually makes her the exclusive agent, as no other agent can tell what casting types are wanted.

Giving Miss Broder program credit as casting director has failed to encourage the general belief that she was the exclusive agent it is asserted. It is also a known fact that in some cases actors whom Miss Broder refused to submit for parts in Playwrights' productions have made no further effort to contact the organization direct, or to work through any other agent because they believed Miss Broder was casting them.

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ing actors, it is an agent's function to fight for a higher salary for the actor. The Playwrights' objection to this is merely an employer's natural self-interest.

According to actors, it is unjust for a producer to use any agency exclusively merely to save himself time, trouble and expense of doing his own casting. If a producer is too busy, hasn't the energy or cannot afford to do his own casting, he should hire someone qualified to do it for him. And he should pay that person himself, rather than require the actors to do so via commissions on their salaries.

It has been generally understood that various other producers have had exclusive casting agents and some are commonly believed to do so at present, but only the Playwrights' Co. has ever been known to take any actual steps to refute such a report. Although there is no actual evidence that any Broadway producer has (or had) a formal exclusive agreement with an agent, certain managements are commonly reputed to have at least unofficial understandings of that kind with agents.

Some of the producers and their agents who actually cast their shows are as follows: John Golden (Richard Billman or Briscoe & Goldsmith); Ted Harris (Jane Broder); Herman Shumlin (generally Jane Broder); Brock Pemberton (Sara Enright); Sam H. Harris (formerly William Liebling); the Shuberts (Harry Bestry).

George Abbott generally deals with actors directly, preferring not to use an agent; Guthrie McClintic deals either direct, through any number of agents, as do Max Gordon, Dwight Darrow, W. Vinton Reedley, Jack Kirkland, William A. Brady, the Theatre Guild and the Group Theatre. There is rarely an exclusive casting agent for musicals, as most musical comedy players are under personal management contracts to their own agents.

Special Equity Study

Because of widespread agitation about the agency question from actors, producers and agents themselves, Equity appointed a special agency committee more than a year ago to study the problem and report back with recommendations for correcting it. Nothing has ever been heard from the committee, however, and, according to sources, it has never even held a meeting.

Meanwhile, there are a number of agents who have applications pending for Equity franchises, some of which have been on file for some time. At the same time, there are reputed to be a number of agents operating without franchises, but working through licensed agents, with whom they split commissions. There is a fairly widespread belief that a few franchised agents make no real effort to operate a franchise, but merely take their income by serving as a clearing house for unlicensed but active agents, on a split-commission basis.

Meantime, Agents

According to the above member of the organization, that is the reason the Playwrights' member argues, the organization prefers to work with only one agent if any agent is used at all. But, he repeats, the company usually deals with the actor direct and there is no necessity for any actor to use an agent in dealing with the Playwrights.

New Year's Eve was unusual among Equity offices because of the payoff to players of "All In Fun," which suddenly expired (1) at the Majestic, N. Y., after two days there were ticket sales down to try. More than \$12,000 was given to the company, which probably raised the price of the Leonard Sillman revue to more than the estimated \$13,000.

It was around eight o'clock when disbursements were completed. While two weeks salary for the cast and chorus were on deposit, it developed that additional money was due for a preview performance, plus rehearsals. Shortage was around \$1,000, which was remitted by Max Chapman, manager of "Edw. S. T. Parker's" shipwreck musical J. B. and his shipwreck men, who is said to have been "Fun's" principal backer. Several who had been left out in Boston were told to stick around and they also received two weeks pay, though the show lasted but three performances on Broadway.

Bill Robinson, colored star of the white revue, is reported to have offered to take the show over if Sillman was unable to meet his obligation. It is also a known fact that in some cases actors whom Miss Broder refused to submit for parts in Playwrights' productions have made no further effort to contact the organization direct, or to work through any other agent because they believed Miss Broder was cast-

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Curious: Equity wage bill that defies the feature writer. A sport writer can make a baseball, a hockey or a golf star as vivid as any Hollywood correspondent can make Marlene Dietrich, but he is stumped by college football, because these personalities are stark and fleeting.

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**See a Big 1941 in S.A.
For Yank Longhairs**

By Ray Josephs

Buenos Aires, Dec. 15.

South American orchestral, operetta and operatic fields—in all of which United States talent made terrific progress in '40—offer the greatest foreign possibilities of any territory in the world during the coming year. This entertainment-hungry continent, which lives on foreign trade, likes the imported product and will pay for it.

Because seasons here are the reverse of those in the U. S., this is the slack period when plans are being made and from all indications likely to be the most successful will be far steadier and a bigger entertainment volume producer.

Such tours as Toscanini's and

Stokowski's which highlighted the past season aren't likely to be re-

peated soon. Both maestros, al-

though announcing their desire to come back, didn't say when. The Monte Carlo Ballet, which came down on a goodwill build-up, did so well that it is out of the red and is not only set to return but is having the stage of the Politeama, one of B. A.'s biggest houses, enlarged.

Ballet will also play Rio's Municipal, São Paulo and Santos in Brazil, and Sol Hurók, who runs the outfit, is expected to send a flock of attractions from his Rockefeller Center headquarters in conjunction with Ernest De Quesada, No. 1 South American showman. Mentioned are Marion Anderson, Mischa Elman, dancer Argentinita. Hurók got himself rated a pioneer here by being the first big-time U. S. impresario to come down in person.

Definitely skedded for the forthcoming season is violinist Yehudi Menuhin, pianists Vladimir Horowitz and Artur Rubinstein, conductor-pianist José Iturbide and monologist Ruth Reiter. latter was a particularly amazing draw last season, working in English as S. R. O.'s Spanish speaking audiences throughout the continent. Rubinstein and Heifetz, both smash in '40, will likely not be back because of their everyday tenor policy on S. A.

NBC Will Be Active

NBC Artists' Bureau is expected to ship down a flock of attractions. The NBC initials were constantly plugged during the Toscanini good-will, which was the biggest musical event in S. A. history and the prestige gained isn't likely to be wasted.

Private and highly important artists will arrive with under a well-known banner stand a for better chance than the Indias. Columbia Concerts has also indicated an increasing interest in the continent. With both outlets, a rise in phonograph record sales, which follows personal appearances, is important.

RCA-Victor found Tosc and Stokowski both hit new highs after the tour.

Operatic stars who can double up, although the greatest chance to cash in here, although it must always be remembered that pesos aren't dollars and that what looks like a lot often fades when it's cashed in for Uncle Sam's greenbacks. Number of stars like Tito Schipa, Rita Stevens, Bruno Castagna, Marta Eggerth and Jan Kiepura handled opera and either stage or radio. All this requires plenty of advance arranging, however. Quesada and Florio, stars of the Teatro Colón, will visit New York during the current Manhattan season to line up prospects.

Few Restrictions

So far there's been no indication that any S. A. governments intend to clamp down on visiting talent or use the official nick. Big-time draws with international reps are not considered subject to the kind of restrictions placed on foreign exchange. Argentina currently gets 3% on amounts up to \$5,000 and up to 15% on anything over. Chile, Uruguay and Paraguay also have 3% on amounts up to \$5,000 and 15% on anything over. Brazil has the same high.

Argentine's only a straight 4%.

Argentina is the only S. A. country to have any sizeable legit theatre, and practically all of the 25 or 30 houses which ran during the past season are to be seen over from Madrid. Artists & Authors Association, which has been instrumental in bringing over some of the best stars from the Americas, is continuing to do so, and the same high.

Argentina's only a straight 4%.

Argentina has the largest legit theatre in the Argentine. The Board of Defense of the Argentine Theatre has also done some talking along the same line, going further and hinting that the government might do something to improve standards. General authorities in Argentina have been regarded in some quarters as a possible move against the increasing number of foreign (mainly U.S.) artists coming here. It is significant that at one time visiting architects, doctors and lawyers were as welcome as raw notice, but now they find it almost impossible to meet national requirements.

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Season's Greetings

AL JOLSON
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GILBERT MILLERSt. James' Theatre, London
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Producer of
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'PANAMA HATTIE'
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Co-Author of

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Mats.: Thursday and Saturday

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A Musical Play

by

MOSS HART

Music by KURT WEIL.

Lyrics by IRA GERSHWIN

Production by HASSARD SHORT

Opening Jan. 16th, ALVIN THEATRE, West 52nd St., N. Y.

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JOE PENNER in YOKEL BOY

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CASS DALEY SAM WHITE LEW HEARN

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Evenings 8:40. Matines Wednesday and Saturday 2:40

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with FRANK CONROY and a distinguished Broadway cast

Directed by Mr. Shumlin

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46TH STREET THEATRE
NEW YORK CITY

"THANKS CHIEF"

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The DRAMATISTS of the Guild
Brothers of T. M. A.
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Book by JOHN O'HARA Music by RICHARD RODGERS Lyrics by LORENZ HART
VIVIENNE SEGAL GENE KELLY
JACK DURANT JUNE HAVER LEILA ERNST
and an uninhibited dancing chorus
directed by ROBERT ALTON
Scenery and Lighting by JO MIE ZINER
Costumes by JOHN KOENIG
Production Staged by GEORGE ABBOTT

BARRYMORE THEATRE, N. Y.

Greetings from



JOHNNY BELINDA

THE CUTE LITTLE
HEART-BREAKER AT THE
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His Mother Is HELEN CRAIG, You Know

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On Your Thirty-Fifth Anniversary

THE HYLTON SISTERS
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Management: GENERAL AMUSEMENT CORP.

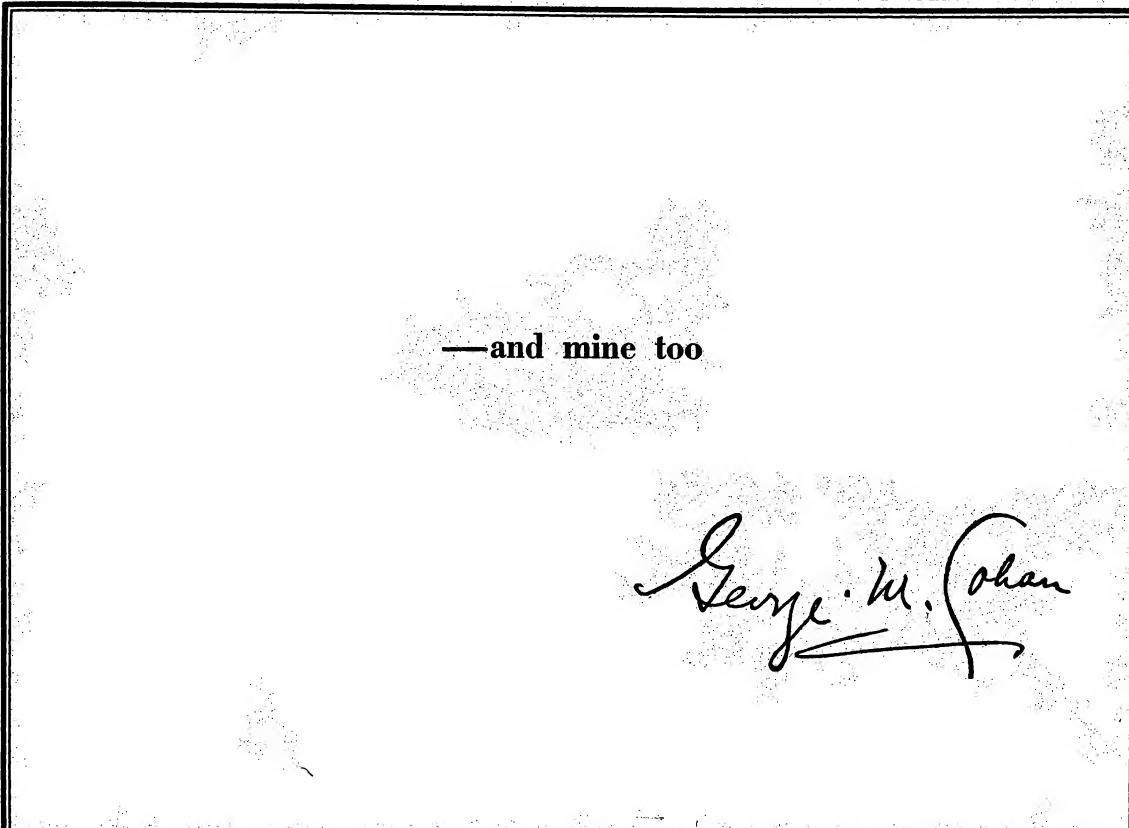
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NEXT DOOR TO OUR OLD LOCATION

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“Old Acquaintance”

PEGGY
WOOD

Dear Friends in the American Theatre Wing

of the British War Relief Society and "Bundles

for Britain," please accept my deep and sincere

gratitude for your most loyal and loving aid to

my country in her hour of great and glorious

struggle against the weariness which is wrought

by war. God Bless America and England's

Hearts of Oak.

GERTRUDE LAWRENCE

And to Variety

Another Season's Greetings

1923 — 1940 °



THE GREATEST SINGLE ATTRACTION OF THE AMERICAN THEATRE

"Incomparable..."
WOLCOTT GIBBS in The NEW YORKER

CORNELIA OTIS SKINNER

IN HER BRILLIANT ALL-NEW REPERTORY
INCLUDING
"BYRON"

HER NEW FULL-LENGTH SOLO DRAMA IN WHICH SHE DEPICTS WITH
SUPERS ARTISTRY THE LIVES OF EIGHT DIFFERENT WOMEN WHO
PLAYED SIGNIFICANT ROLES IN THE CAREER OF ENGLAND'S MOST
COLORFUL AND ROMANTIC POET.

ALSO

7 NEW ORIGINAL MONOLOGUES

BOOKINGS BEING MADE NOW FOR 1941-1942 SEASON

It is not unusual for Miss Skinner—appearing singly—to play to higher box-office receipts than many established plays headed by stars, with huge supporting casts and elaborate scenic productions, as, for example, her San Francisco week at \$13,011.00, her Washington week at \$12,510.00, her many one-night stand engagements in excess of \$3,000.00 per performance.

METROPOLITAN THEATRE
An Associated Theatre
BETHLEHEM THEATRE COMPANY
December 10, 1940
Mr. William Fields
620 Fifth Avenue
New York City

Dear Mr. Fields:

The audience at our theatre was again delighted with the performance of Cornelia Otis Skinner. This is the first time we have played Miss Skinner on a guarantee, and the profit of \$675.00 for the day's engagement was outstanding. We would like to invite you to come to us in any place you may take for future tours.

Sincerely yours,

METROPOLITAN THEATRE COMPANY
By *John Becker*
H. H. Becker
Vice President

FOR DATES AND TERMS WRITE NOW
WILLIAM FIELDS
522 Fifth Ave., New York City

Plays on B'way

The Lady Who Came To Stay

Melodrama in three acts presented at Marine Elliott's, N. Y., Jan. 1, 1941, by Old Stage, produced and directed by Kenneth White, from story by R. E. Spencer; features Mady Christians, Beth Merrill, Milly Vitale, Fred Varden, Evelyn Varden, Augustus Daly, Roy Stevens, Morton Stevens, with Roger, Dickie Van Patten, Donald Oensinger; \$3.30 top.

Cast: Beth Merrill
Emma Mady Christians
Sadie Mrs. James Thornton
Milly Milly Vitale
Phoebe Evelyn Varden
Ann Augustus Daly
Roy Roy Stevens
Roper Dickie Van Patten
Doctor Morton L. Stevens

Here is a thrill play, in fact, a triple ghost story, but so morbid that it will be surprising if it attracts audiences sizable enough to keep it running.

Miluses as stage fare, especially at this time, is an extra gamble, but evidently Guthrie McClintic was so impressed with the tale that he not only embellished it with a costly setting, but added such directions as to display three old crones. Emma, Phoebe and Milly reside in a mansion, into which sunlight is rarely permitted to penetrate. One is supposed to be a spinster, but all appear to be widows. Harold is the credo of Emma and Phoebe and they spray venom on Katherine, widow of their brother, who left the place long before, and his daughter, Ann. Roy is the son of the widow, with his sisters verging on the status of being criminally insane.

An has been surreptitiously meeting Roy, and when her mother, Katherine, is suddenly estranged, she arranges that the lad take the girl away in wedlock. Phoebe, the she-devil of the family, in the meantime summons Katherine's young son, Roy, to his elopement.

Presence of a sensitive boy, nightmarish surroundings heightens the contrast with the sub-normal. Phoebe suddenly expires, and when the door of her room opens without cause, there is one sign that her ghost is present. Milly also dies, but before that arranges for the boy to join her sister.

The ghost of Katherine sometimes plays a piano offstage. That of Phoebe enters now and then to expel vituperation. In the last act the surviving Emma finds all three ghosts duly on hand, menacingly; while on stage there is otherwise making occasional entrances.

Emma, the strongest of the sisters, senses that she is insane and puts the finish on the establishment by settling all accounts. The ghost effect is one of the best of its kind. While the projected lights simulating flames are obviously synthetic, the crackle of burning wood is authentic, while steam from a kettle is real and is wafted over the footlights.

There are four good actresses in 'Lady,' topped by Mady Christians, who plays the bitter, irascible

(Continued on page 174)

SAMUEL FRENCH

SINCE 1859

AUTHORS' REPRESENTATIVE
Play for Stage, Screen and Radio
23 West 45th Street, New York
511 West 7th Street, Los Angeles

Season's Greetings

RODGERS and HART

GREETINGS...

NADINE GAE

'PANAMA HATTIE'

F
R
O
M

RAY SAX

'FRED WARING'

(Mrs. and Mrs. Ray Sax)

OSCAR SERLIN presents

Clarence Day's

LIFE WITH FATHER

Made into a play by

HOWARD LINDSAY and RUSSEL CROUSE

Staged by Bretaigne Windust — Setting by Stewart Chaney



HOWARD LINDSAY
and
DOROTHY STICKNEY

EMPIRE THEATRE
NEW YORK

LILLIAN GISH
and
PERCY WARAM

BLACKSTONE THEATRE
CHICAGO

DOROTHY GISH
and
LOUIS CALHERN

CIVIC REPERTORY Theatre
BOSTON

"A Perfect Comedy"

— BROOKS ATKINSON, N. Y. Times

CONGRATULATIONS

VARIETY

BERT LYTELL

Plays on B'way

(Continued from page 172)

Emma. Evelyn Varden as Phoebe is properly wif-like, cruel and unrelenting. **Beth Merrill** plays Katherine, the sister-in-law, skillfully. Mildred Natwick as Milly has the nearest thing to an impudent part.

Of two male parts, those of a doctor, played by Morton L. Stevens, and Horton Heath as Roy, both short roles. Dickie Van Patten is very good as the kid. August Dabney serves well enough as Ann. Cast completed by Mrs. James Thornton as the a.k. maid.

It is a play about old ladies, and the average playgoer won't bother to find out how nasty they are.

Irene.

Ruth and Paul Draper

Program of three monolog sketches by Ruth Draper, and 12 dances by Paul Draper. Piano accompaniment by Louis Spohr. At the Alvin, Boston, at Booth, N. Y., Dec. 20, '40; \$2.20 top.

Appropriately just for the hell of it, Ruth Draper and her nephew, Paul Draper, have teamed for this stunt show of monologues and dances. Miss S. Hurak is presenting for limited engagement. Although both artists have established the Draper name as the recognized top of their particular type of entertainment, they will be somewhat limited in appeal for more than a moderate run on Broadway. Fact that Miss Draper's three sketches are all familiar to New York audiences will help draw the crowds, tap dancing to the music of the masters likely to prove pot box-office.

Nevertheless, this blending of two such unrelated types of shows offers a curiously diverting program, more

agreeable as a mixture than either of its components would be as an entire evening alone. Ruth Draper, offering such oldies for her as "By the Light of the Silvery Moon," Philadelphia's "Forsch" in Maine Coast Village and "Church in Italy," makes no concession for repeat audiences. But her nephew, whose dancing is the chief attraction, previously has been compelled to isolate his members in orthodox programs, offers a distinct novelty in his present ballet-style taps to such masters as Bach, Brahms and Handel.

Thus, although both Drapers are undoubtedly good comedians, Paul's whose contribution is the more electrifying portion of the show. The spectator who has seen Ruth Draper create the same brilliant illusion a hundred times will not be likely to be thrown into a dither by the time looms she continues to present here—particularly when one is such a realistic headache as "Children's Party." But this classic-tapper for the stage is a bit too much called.

Paul Draper's is not only completely new, it is also enormously skillful and spectacular and exciting. Probably there isn't a wide audience for it—at least, not yet. But there certainly should be. Hobe.

Philip Mervale replaced John Halliday in S. N. Behrman's "The Talley Method," which is now slated to prem Monday (13) at the Plymouth, Boston. Halliday has been ill for several weeks with pneumonia.

Arthur Pierson will again stage the annual Hasty Pudding club show at Harvard.

Cast of "Charley's Aunt" at the Cort, N. Y., received \$10 raises last week. Understudies got \$8.

(Continued on page 176)

Plays Out of Town

First Stop to Heaven

Philadelphia, Dec. 31. Comedy by William H. Haines, directed by Margaret Heyes; staged by Robert Henderson; setting designed by Louis Kessel; music by Bruegger. Philadelphia, Dec. 31, '40.

Eva Golden Alison Skipworth

Carl Goldmann Tom Williams

Hecklers Stanley Arkinman

John H. Johnson George E. Clark

Rush Elton Ryerson

Horniman Edward Franz

Walter J. Johnson Fred Ladd

Tony William Challee

Mrs. Parsons Frances Brandt

Miss Parsons Dorothy Gandy

After Joe E. Marks

Salemans Dorothy Howland

Miss Salemans James Hayes

Terry Edward Juriet

Mike Mike

Alison Skipworth

Tom Williams

Stanley Arkinman

George E. Clark

Elton Ryerson

Edward Franz

Fred Ladd

William Challee

Dorothy Gandy

Dorothy Howland

James Hayes

Edward Juriet

Mike

Alison Skipworth

Tom Williams

Stanley Arkinman

George E. Clark

Elton Ryerson

Edward Franz

Fred Ladd

William Challee

Dorothy Gandy

Dorothy Howland

James Hayes

Edward Juriet

Mike

Alison Skipworth

Tom Williams

Stanley Arkinman

George E. Clark

Elton Ryerson

Edward Franz

Fred Ladd

William Challee

Dorothy Gandy

Dorothy Howland

James Hayes

Edward Juriet

Mike

Alison Skipworth

Tom Williams

Stanley Arkinman

George E. Clark

Elton Ryerson

Edward Franz

Fred Ladd

William Challee

Dorothy Gandy

Dorothy Howland

James Hayes

Edward Juriet

Mike

HALF A MILLION PEOPLE HAVE CHEERED!

"Smash Hit... Brings down the house!" LIFE Magazine
NOW NEW YORK HUZZAHS!

MARVELOUS!

"... a marvelous time. Thank you... the actives should cross the tracks sometime and meet the people."

TIMES

SOCKO!
"One socko number follow-ing another."

MIRROR

UNIQUE!

"Had the first nighters cheering... It is rare that so much talent appears on one stage in one theatre on any one given evening... but this cast is unique."

JOURNAL

First Stop to Heaven does not spell boxoffice in the tough legit competition of today. Author Norman Rosten has a bright and plausible idea in this regard, but doesn't seem able to quite make it click.

Scene is a once-fashionable New York home, now a rooming house. Mrs. Eva Golden, financially embarrassed, has conceived the idea of taking in boarders. Her husband, Carl, doesn't approve, but being something of a nonentity, he doesn't count. Mrs. Golden's boarders are the three most unlikely characters.

As boarders they are not good players: as stage characters they are a definitely screw lot. Among them are a WPA fiddler, two typical deadbeats, a pimpmobile driver, a part-time gamblers, a nurse, a quack trigger salesman, a nutty old lady who insists on distributing copies of "Social Justice" under everybody's door in the early morning.

The main complications, such as

(Continued on page 176)

BRILLIANT! "And now step up and meet the people who have been guilty of fomenting all the subversive laughter in Hollywood. Brill-i-ant levity." WORLD-TELE.

FRESH! "fresh, original talent." POST

"ranks with the best... originality and zip." PM

ORIGINALITY! "It will probably remain for many months to keep theatre-goers in happy spirits."

EAGLE

MANSFIELD THEATRE, W. 47th St. Cl. 5-5357
Matinee WED. and SAT. at 2:30
Evenings Inc. SUNDAY at 8:30 — 55c to \$3.00

BEST WISHES

to

VARIETY

Howard Lindsay and Russel Crouse

Present

A Happy New Year

Also

ARSENIC AND OLD LACE

A New Play By

JOSEPH KESSELRING

With

BORIS KARLOFF

ALLYN JOSLYN JOSEPHINE HULL JEAN ADAIR

OPENING

FULTON THEATRE, NEW YORK

JANUARY 13

RICHARD ALDRICH

and

RICHARD MYERS

GEORGE JESSEL

PRODUCTIONS IN PREPARATION

A Stage Play of the Famous French Picture

"THE BAKER'S WIFE"

By MARCEL PAGNOL

By Arrangement with PAUL KOHNER

"THE HIGH KICKERS"

A Musical Comedy with an

ALL-STAR CAST

Including

MR. JESSEL and LOIS ANDREW

DR. AB KROLL'S

New American Farce

"ALL THE ANSWERS"

KURT KASZNAR

Presents

WILLIE HOWARD

STARRING IN

"CRAZY WITH THE HEAT"

Carly Wharton and Martin Gabel

PRESENT

LYNN RIGGS'

'THE CREAM IN THE WELL'

Opening Monday, January 20

BOOTH THEATRE, NEW YORK

—○—
In Preparation

'THE YOHIMBE TREE'

By CLARE BOOTHE
and ALEXANDER KING

11 WEST 42ND STREET
NEW YORK CITY

Holiday
Greetings

ED WYNN

In

"BOYS AND GIRLS TO-GETHER"

with

THE DEMARCOS
JANE PICKENS DAVE APOLLON

BROADHURST THEATRE
NEW YORK

CHATTER

Broadway

Baby of Dorothy Fields very ill: George Walsh became a grand-uncle (Sunday 2).

Mrs. Dorothy Hammett, up and around after recent operation, by C. D. Wagner, of General Electric's radio division, Schenectady, in town. Guy Kibbee's son, John, working as copy boy at the N. Y. American.

Daily News honoured all employees this year, based on business done during 1940.

Betty Bernice, pianist-singer, a sister of Betty Hutton, left Thursday (2) for a Florida winter.

Bill Koska, NBC press dept. manager, tossed an affair in his hacienda up the Hudson Sunday (1).

Willard Parker, director of Dumont television, engaged to Hannah Lasarow of Los Angeles.

Johnny Johnstone, who never picks a winner yet, looking into the Santa Fe football game this weekend.

Leopold Stokowski's All-American Youth orchestra to tour the U. S., Canada and Mexico next May-June.

Pictures taken by Jimmy Sleator during recent trip to Europe have been placed on exhibition at the Music Hall.

Robert I. Berger 'up' from Washington last week to see Dorothy Thompson's radio program night of President's inaugural.

Lou Pollock, Universal's ad-publicity chief, on the Coast giving once-over to new batch of pictures scheduled for future release.

Edgar Courant, Harry, for 20 years a familiar figure to the trade, has joined the Joseph F. Webber Uniform Co.

Bill Parks, Paramount newsreel makeup ed, back from Miami where he had gone to direct program night of President's inaugural.

Walter Preston, Margaret Cuthbert and June Hyde dispensed their nice corner offices by the new regime in the WBD program office.

Elbridge D. 'Bud' Smith, 80, the oldest member of Local No. 1, stagehands, who was for years at the Met Opera house, now Medical Center.

Harry Goldfarb, in charge of production department, turned New Year's day (1) from Miami after opening of the Beach theatre there.

Because of elaborate changes contemplated, RKO's publicity-exploitation department will open Jan. 10th floor in the RKO Bldg. likely will not be made until Feb. 1.

Harry Royster of Par's, on an upstate trip to discuss plans for putting on a new production, The Stratford Poughkeepsie, may be closed down from reports.

Ed East and Polly hosts to a party New Year's eve at Lamb's Gambol, also at the Hotel Statler, while NBC had a box with Frank Mullin, Edgar Kobak, William Hedges, Clay Morgan and their spouses.

Edie Golden, former sales manager for Paramount, has opened his own office in Hollywood following his resignation from the film company. Plans states-rights deals and personal management of stars.

Buenos Aires

By Ray Josephs

Wu-Li-Chang, magician, opened revue at the Casino.

Peter Novak, comedian who has his own theatre, off to the States on his honeymoon.

Bir turnout at mass in memory of dancer Paquita Reixach held in the church of St. Paul.

Singer Jimmie Helene and Hayls, dance team, and dancer Marilyn Lang returned to the states.

Cuban musical comedy, "Lola Cruz," opened at the San Martin, with Margarita Sanz, Mariano Collado, Italian opera company doing well at the Argentino with light stuff, including Frans Lehar's "Eva."

Avenida theatre opened summer session of Spanish lyric comedies, "Open Sesame," "Allegro," "Majicado" ("My Friend Melquides") got good notices.

Diaz-Collado company presented new translation of Robert E. Sherwood's "El Camino de Roma" ("Road to Romance") by Jose Lopez Rubia at the Astral.

Singapur, nitery here, inaugurated Cuban Fiestas with Nelly Peirano, Ethel Alderson, Mirah Latina, L. Silvani, Pilas, San Cruz, Charles Morris, etc.

Teatro del Pueblo closed season with original by Arturo Cambours Ocampo and Roberto Valenti, "Una Mujer Vestida de Silencio" ("The Bed of Silence").

Caja de Seguros de la Asociacion Mutual Cinematografica ("Help Chest of the Cinema Film Association") gave special benefit at the Cine-landia Theatre showing S. pix.

Salvador Gonzales and Tito Rodriguez is at the Anolo in "La Tabardera Espanola" ("Spanish Tabardera") by Pasqual Guillen and Antonio Quintero.

Young actress Lydia Lamason

hailed for performances with Elsa O'Connor and Mario Danieli in "El Secreto" ("The Secret"), by Henri Bernstein, at the Paris. Produced by Emilio Berizzo.

Comision Nacional del Cine, (Argentine National Cultural Commission) invited Uruguayan author Edmundo Bianchi to present his latest play at the National Comedy Theatre here. Expressed satisfaction that Bianchi had caught spirit of friendly relations between the two countries.

Pittsburgh

By Hal Cohen

Joe Penna's "Vocal Boy" booked in Pittsburgh for week of Jan. 20.

Clifford Odets' "Golden Boy" will be next show at the Y. Playhouse.

Locally-backed "Icecapades" booked into Hollywood for a run on April 18.

John Lazar's deal to buy in on a Miami nitery fell through at last minute.

Gray Gordon in town for one day to play Concordia Club's New Year's Eve.

John Harrises had the entire "Ice Folies" cast as their New Year's entertainment guests.

Dorothy Wenzel, model-dancer, back from New York after visiting the home folks.

John Maloney coming around okay after some tough sledding following a tonsil operation.

Recent arrival drama grad John Tamm has a couple of walk-ons in touring "Man Who Came to Dinner."

Deborah Elliott, Wayside theatre actress, and Henry Kaiser, WWSW engineer, have announced their engagement.

Norma Shea and Thompson Brothers to Boston's Cocoanut Grove after spending holidays with her parents here.

Minneapolis

By Les Rees

Sam Gurtz in from Chicago.

William Tilden-Alice Marble ten show into Auditorium.

Gus Arnehl underlined for Hotel Nicolae Minnesota Terrell.

Board of Governors, Allied govern to meet this month to set independent exhibitors' convention date.

Dime-in-slot film machines making initial appearance here and getting big play.

Gilbert Nathanson, Republic Pictures, and his wife vacationing in Florida.

Icey roads and streets helping to raise havoc with boxoffice throughout entire territory.

Clayton Moore, WCCO staff organist for years, engaged in Minnesotta theatre in same capacity.

Gertrude Niesen, accompanied by her dad, came all the way from Hollywood to play single week at the Civic, which turned immediately thereafter.

Brown Rogers, midget cowboy with rodeo-circus at Auditorium, in Swedish hospital with skin injury and will let legs do most of being thrown from bucking buffalo.

Hollywood

Dan Mainwaring to Mexico City to gather background for a novel.

Rene Clair, French director, introduced to scribes cocktail party at Universal.

Bernard, general manager of Warner theatres, and Robert Schless, foreign sales manager, arrived for studio confabs.

Stirling Hayden and Carolyn Lee still represent Paramount at President's Inn in Washington.

Lucille Campbell back from Chicago.

Jackie Cooper to Palm Springs for a month.

Donnells and Gale Storm, film players from radio, took out a marriage license.

Alan Jones starts his concert tour in Shreveport, La., Jan. 16.

Ben Roscoe, business manager for Roy Rogers, leaves next week to join the Army.

Sidney R. Kent popped into town and popped right out again for 10 days at Palm Springs.

Miami

Harry Richman back in town.

Ronaldson, film player, vacating here.

Bill Jordan back in town to reopen his Bar of Music.

Cross and Dunn scored heavily in Bedford.

Bedford Davis is the socialite backer of Singapore Sadies.

Sally Rand has been signed for the Latin Quarter, opening Feb. 14.

Ralph Cook will inaugurate new

door policy at El Chico late in the month.

Kitty Carlisle and George Jessel heading bill at new Beach house.

Terry Lawlor signed by Ben Glazer to open at Dempsey's in mid-January.

Arch McDonald down to cover the Orange Bowl game and do a few guest shots.

Samuel and Naldi with John Buckmaster heading opening bill at the Brook Club.

Ted Husing bagged leader of leading Orange Bowl parade on float route.

Edgar C. Hill is slated to originate his program here for six weeks, beginning early in February.

Pancho, now at 11 o'clock, has been signing for 26 weeks at Riviera next season.

Elsa Maxwell, here for visit, has been confined to bed on physician's orders. Nerves and high blood pressure.

Jack Nelson, former New York city engineer man, now living in Fort Lauderdale, is handling production on Winchell show from here.

Philadelphia

Hal Tunis, WIBG spieler, has signed.

WFIL employee \$20 richer as a result of holiday bonuses.

Reuben Levy and Isaac D. Levy, WOGL owners, heading back to town from Florida.

Manny LaPorte back in town after long absence doing a piano turn at Her Spots.

Ken Stowman, director of WCAB, short-wave adjunct of WCAU, sojourned in Miami.

Leroy Miller, KWYV's "Musical Clocker," making a tour of nabe and suburban picture houses.

Wythe Williams, Mutual's commentator, host at press party at Ben Franklin hotel last week.

Powers Gouraud, WCAU's "Night Parade" host, to be at the Palace at Carousel Club, Miami, next month.

KYW received note of commendation from Prison Welfare Society as result of Xmas airings from "the big house."

Cliff Hall, Chico Marx and Dwight Dryden inked the keys at the Ball for British Relief at the Belvedere on Friday (3).

Frankie Palumbo set to put his name in neon lights in front of his newly-acquired 20th Century Club in midtown.

Tommy Johnson, 14, left Joe Fresto's WIP house band to become for Joe Reichman's crew at Essex House, New York.

Baltimore

By Howard A. Burman

Mac Weinberg about to become a beneficed.

Morris Mechanic to Miami for brief holiday.

Sam Lampe contemplating return to fight promotion, opening branch of poster biz in New York.

Bill Hicks readying new downtown theatre for opening in February.

Harold Kaye to handle program and advertising for WJZ-TV.

Lawrence Schambacher planning ambitious name band policy for Keith's Roof.

Phil Marin signed to provide day and show for annual Variety Club dinner-claque.

Leonard "Chum" McLaughlin back from Broadway with handful of bookings for legit Maryland.

Chicago

Kirsten Flagstad has been okayed by the local Theatre Authority for a benefit for the Norwegian War Relief here on Jan. 17.

William Rodgers held over in town when one of his sons recuperated from minor flu attack at the Blackstone hotel.

Michael Todd back to New York for a visit with the family.

Harry Forwood preparing a big spree and party for the "Life With Father" company's first anniversary in the Blackstone on Feb. 19.

London

Al Burnett a sciatica victim.

"Chief of Bagdad" into the Odeon, Leicester Square, for extensive run.

Charlie O'Donnell and Eddie Fields, headed by the Musical Three Rascals, have teamed again.

Pat O'Connor in charge of publicity for Paramount for years, now occupies same position with Warners.

Henry Fonda writing a "Budd" title "Wayne, Women and Song." Cast headed by Naunton Wayne, the Badger and Magda Kun.

John Mills, "The Man Who Came to Dinner," which he may do in the West End next year in association with Tom Arnold.

Two brothers and two sisters survive.

OBITUARIES

WILLIAM BLUMENBERG

William Blumenberg, 56, proprietor

of Ye Sailor's Inn, Saylorsburg, Pa.,

and former lessee and manager of

the Strand, theater, Scranton, Pa.

Pat died at the General hospital,

Scranton, on New Year's Day.

He had been in failing health

since last August. Blumenberg was

a member of a family of famous

gymnasts who performed all the

principal European cities, and com-

ing to this country, played in the

Barnum & Bailey circus and also on

the bigtime vaudeville circuits.

Stanley, incidentally, his son, re-

siding at the inn. A brother-in-law,

Hans Jahns, also a noted gymnast,

was fatally injured during a per-

formance in New York a number of

years ago. His daughter is a mem-

ber of the Barnum & Bailey circus.

MISCHA LEVITZKI

Misha Levitzki, 42, concert pi-

anist and composer, died of a heart

attack Jan. 2 at his home in Avon,

N. J. A child prodigy, he was born

in Kremenchug, in the Russian

Empire, and came to America at

the age of eight by his parents.

His first public recital in Antwerp,

Levitzki made his New York de-

but at Aladdin Hall on Oct. 17, 1916.

Critics praised his extraordinary

technique, tone and singular style.

Thereafter he made many concert

engagements throughout America

and Europe, as well as the Orient

and the Antipodes. His last recital

in New York was at Town Hall on Jan. 29, 1940.

He leaves his widow, Grace; a sis-

ter, Sandra, a concert pianist, and

three brothers.

DOLLINE COLE

Dolline Cole, 87, well-known vaude-

vuese in the '90s, dropped dead of

a heart attack in Pittsburgh last

week while attending a film at the

Garden theatre. Cole died at one time

as America's leading female baritone

and was for years a member of the

Williams Trio.

Some time ago she came to Pittsburg to live near her former

partners, Mr. and Mrs. W. L. Williams.

Williams died four years ago

but his widow is still living.

Miss Cole also played considerable

musical stock and at one time or

another appeared with Robert Warwick, Fanny Davenport, Lillian Russell and Marie Dressler.

Body was cremated and ashes scattered over Pittsburgh from a plane.

ZACK LUCKENS

Zachariah A. Luckens, veteran

Minneapolis theatrical man, dropped

dead in Minneapolis last week. He

was born in Madison, Wis., and lived

more than 50 years in Minneapolis,

gaining a wide theatrical acquaint-

ance.

Starting as publicity for old Bijou,

Luckens later traveled for the

original Ringling circus in the

same capacity. In recent years he was

in the theatre advertising business

and as a stagehand.

Widow and daughter survive.

ADELINE DUNLAP

Adeine Dunlap, 63, who appeared on

the Broadway and London stage

some 30 years ago, died Jan. 2 at her

home near Galesburg, Ill.

Patricia, the wife of Charles H.

Booth, was a prominent

woman golfer after leaving the stage

and was the first and only president

of the Women's District Golf Asso-

ciation of Detroit. Her husband

survives.

DAVID DE COSTA ANDREA

David De Costa Andrade, 55, tenor

who sang with many Broadway and

road Gilbert and Sullivan companies,

died Friday (3) in Long Branch, N.J.

Andrade made his last appearance a decade ago in revivals of "Robin Hood" and "The Jayhawkers." He later

served as manager of a road compa-

nny of "The Student Prince."

Two brothers and two sisters sur-

vive.

FLOSSIE LABLANCHE

Mrs. John F. Davis, 69, profession-

ally known as Flossie Lablanche, a won-

derful dancer, died Thursday

(2) at her home in Revere, Mass.

She had been confined to a wheel-

chair for the past five years.

One of the features of Miss La-

Blanche's act, which she started at

the age of 18 after taking a physical

course, was the lifting of 12

meat cans back. Among those she

elevated was Woodrow Wilson.

She retired eight years ago.

Wednesday, January 8, 1941

OBITUARIES

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principal European cities, and com-

ing to this country, played in the

Barnum & Bailey circus and also on

the bigtime vaudeville circuits.

Native, incidentally, his son, died

in Chattanooga, Tenn., in heart atack

Dec. 24, in Chattanooga, heart atack.

Stanley, incidentally, his son, died

SCREEN

RADIO

MUSIC

STAGE

VARIETY

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TIBBETT'S TRAPEZE ACT

All Film Cos. May Suffer Because Of Hearst's Peeve at Welles' 'Kane'

Hollywood, Jan. 14. Steady bombardment from the heaviest editorial artillery in the entire film industry has come of fury into which William Randolph Hearst has been thrown by the revelation that the story of "Citizen Kane," Orson Welles' first film, bears similarity to the life of the publisher.

Not only has Hearst forbidden any mention of the distributor, RKO, or its product in any of his papers, but the studio publicity department has been tipped off that Hearst papers will keep up a continuous shellfire against the entire industry. Threat is to put heavy emphasis on widespread employment of foreigners in picture production to the exclusion of idle Americans. Pot-shots are also threatened against all censorious situations or material in films.

Hearst, in addition, is going ahead with his threatened suit for an injunction to restrain RKO from releasing "Kane" according to word received by studio officials from Louella O. Parsons, motion picture editor of the Hearst newspapers. Gower street execs declared that was the ultimatum, following a direct question as to the publisher's intentions.

Hearst's objection to the release of "Citizen Kane" is said to be based on (Continued on page 55)

RKO's Holme Knighted

Randall F. Holme, chairman of RKO's British company, has been conferred a knighthood by the King of England for distinguished service to the crown.

Phil Reisman, RKO foreign chief, received notification in N. Y.

U.S. NEWS VIA AIR TO EUROPE VITAL NOW

Despite the recent publicity concerning short-wave radio propaganda from the United States to South America, the real importance of Yankee transmissions at this moment in history are the news programs in French, German and Italian beamed at Europe. News from the U. S. and especially news of preparations over here to spoil the dictators' push-over campaign, has enormous value now.

President Roosevelt's inaugural speech will be short-waved by NBC in French, German and Italian, leaving General Electric in Schenectady to beam the English delivery itself to the British Isles. In Great Britain the BBC will pick-up and longwave the President's address.

100 Newsreelmen to Use 50,000 Feet Covering Roosevelt's Inaugural

Newsmen are preparing the most elaborate coverage ever given a presidential inauguration when President Roosevelt is sworn in for a third term this month in Washington.

Each newscaster will have 10 cameramen, five or more sound men and technicians with the five reels represented by nearly 100 men at the inauguration. Approximately 50,000 feet of film will be photographed on the event.

A Billion Dollars In Advertising

San Francisco, Jan. 14.

Radio advertising will jump 17% in dollar totals during 1941 as compared to a 2% increase for newspapers, according to figures quoted by Don E. Gilman, NBC v. p. in charge of the Western Division, in an address before the Frisco Ad Club.

"Estimates furnished by the NBC Research Division reveal that expenditures for advertising (with direct mail) will approximate one billion dollars," Gilman said. "This is distributed as follows:

- Newspapers, \$535,000,000, up 2%.
- Radio, \$200,000,000, up 17%.
- Magazines, \$165,000,000, up 10%.
- Outdoor, \$51,000,000, up 2%.
- Farm papers, \$16,000,000, down 6%.

EACH TIME IT'S 'WILL, WON'T HE?'

Comeback Baritone Tackles Grueling 'Otello' This Saturday as Each Performance of Season Is a Private Melodrama By Itself

\$500,000 TO REST

Lawrence Tibbett has successfully if somewhat cautiously gotten through his comeback performances both on the radio and at the Metropolitan Opera but he is still taking great artistic risks, notably in proposing to sing this Saturday matinee (18) the grueling baritone part of "Otello." The result of the insistence of this dynamic singer that he go (Continued on page 55)

J.J.'s 'Love' Cause For New Shubert Attack on Critics

Quickest operetta flop of the season was "Night of Love," which stopped at the Fulton, N. Y., Saturday (11) after seven performances. It was a Shubert production, but J. J. was entirely in charge of the show, which played out-of-town for about two months to such mediocre attendance that the manager was advised not to open it on Broadway.

Showings out of town were accompanied by a series of arguments between Shubert and local critics. He is reported as being undecided. (One review in Boston and another in Chicago, barred from Shubert

(Continued on page 55)

NOT ENOUGH VILLAINS FOR RADIO PROGRAM

Youngstown, O., Jan. 14. A scheduled broadcast of traffic court proceedings on WFMJ, Youngstown, O., from municipal court recently (Jan. 6), had to be cancelled because of a shortage of officers.

After static engineers and court officials had many hours of the morning preparing for the broadcast, which would have been the first in local traffic enforcement history, it was discovered that police had arrested but one violator over the weekend. The broadcast will be attempted some future Monday.

Hear Lucky Strike Negotiates For Advertising on Coin Machine Films

WB's Star Quints

Hollywood, Jan. 14. Warner handed bouquets to five players, upping them to star rating on the Burbank lot.

New sparklers are Eddie Albert, Brenda Marshall, Dennis Morgan, Ronald Reagan and James Stephen.

12 REASONS WHY NITERY BIZ IS N.G.

Philadelphia, Jan. 14.

Si Kaliner, one of the quintet of brothers who operate the Club Ball and Little Rathskeller, is wondering why he's in the night club biz. It's always tough, if you listen to him.

Si Kaliner, "January," is a bad month because it's after New Year's and Christmas and people are broke.

"February most of the best spenders go to Florida—and besides it only has 28 days."

"March is bad because it takes in Lent."

"April is worse because people are

(Continued on page 54)

Frim's Chinese Operetta

Hollywood, Jan. 14. Rudolf Frim is back from Hong Kong, with the completed score of his first Chinese operetta. He's tagged it "Sing Song Girl."

He expects to get busy soon on the book with a collaborator.

(Continued on page 54)

Pop Music Down 25% on Webs

Use of popular music on NBC and Columbia has fallen off between 25% and 30% since the networks' break with the American Society of Composers, Authors and Publishers. The number of tunes used on the webs' broadcasts have been reduced by between 35% and 45%.

Insight to the shift in music uses on the two networks is provided by an analysis of the tallied plugs contained in the checkups by the Accurate Recording Service, New York, every Friday evening (before the break) and last Friday night (10). The A.R.S. has been the music industry's plug checker for years and is now subscribed to by Broadcast, Music, Inc. Friday night happens to be the No. 1 music night in network radio and as such the reports of the two respective stations should serve as a sound index to prevailing conditions musically.

The performances referred to below are from 5 p. m. to transmitter closing time on WJZ, WEAF and WABC, New York.

Following is what the analysis of the two reports showed:

Date	No. Tunes Played	Total Performances	Per Tune
Dec. 4	115	141	1.2
Jan. 10	68	104	1.5

15 Best Sheet Music Sellers

(Week ending Jan. 11, 1941)

Frenes...	Southern
There I Go...	BMI
Nightdale Sang in Berkeley Sq.	S-B
Down Argentina Way ('Down Argentine Way')	Miller
Ferryboat Serenade	Robins
I Hear a Rhapsody	BMI
Last Time I Saw Paris	Chappell
'Along the Santa Fe Trail' ('Santa Fe Trail')	Harms
I Give You My Word	BMI
We Three...	M-M
America I Love You	Mills
God Bless America	Berlin
Trade Winds...	Harms
So You're the One...	BMI
Only Forever ('Rhythm on the River')	Santy

Films

Quent Reynolds, Set for P.A. on B'way, Says Eng. Sorely Needs 100% U.S. Aid

Quent Reynolds, was correspondent for Collier's mag., who returned from London last week, will do a two-week personal appearance stint at the Strand, N.Y., starting Jan. 24. On the screen at the same time will be the second British propaganda short, "Christmas Under Fire," in which the commentary is written and spoken by Reynolds.

Writer will do an eight-minute bit. Exactly what it will be undecided yet, but it probably will include some of his experiences from his new book, "The Wounded Don't Cry," which hit the stalls this week. Volume was written in London in eight days in November. Reynolds has written another one since, "Londoner's Diary," compiled on the boat coming from Lisbon to this country. It will be published in a month or so.

Following the date at the Strand, Reynolds will leave for Canada. He has a couple of others from studios and has much interest as he's determined to return to London within two months. He's going to the Coast principally to visit friends. He also has a number of lecture dates to fill during his stay in the U.S. It's unlikely that he will take any theatre engagements except the Strand.

Cracked Up by a Chair.
Upon Reynolds' arrival in the U.S. last week, he disclosed for the first time that he was a war casualty—two broken ribs. He was working near the window in his apartment in Lansdowne House when a bomb put

(Continued on page 30)

NEW BLOOD POURS INTO 20TH; ADD 16 PLAYERS

Hollywood, Jan. 14.
20th-Fox added 16 names to its player contract list, nine males and seven females, making the roster the largest in three years.

New male contracts are John Loder, Sheldon Leonard, George Reeves, Robert Cornell, Richard Derr, Hubert Green, Basil Walker and Robert Weldon. Females are Carol Landis, Betty Ayers, Lillian Eggers, Harry Hartley, Roseanne Murray, Marion Rosamond and Mary Joyce Welsh.

Patron Trips, Then Wants To Trap Chico for 15¢

Hollywood, Jan. 14.
Chico Marx is being sued for \$15,000 by a theatre owner who stumbled on his overstretched legs and took a header into the aisle.

Picture being viewed at the time was Marx Brothers' "Go West."

Mr. Tone's Endowment

Niagara Falls, N.Y., Jan. 14.
Niagara Falls Memorial Hospital reports establishment of a \$24,000 laboratory endowment by Frank J. Tone, president of the Corborundum Co. and father of Franchot Tone, stage and screen actor. Charles Holland Morris, aluminum company executive, had previously contributed equipment and funds for remodeling a building for the X-ray department. The endowment will be known as the Tone Memorial Hospital Laboratory.

M-G Signs Rise Stevens; 27-Yr.-Old Met Op Singer

Rise Stevens, 27-year-old mezzo-soprano of the Metropolitan Opera Co., has been signed to a five-year term contract by Metro, with a total salary for the period to approximate \$500,000 for 10 pictures. The singer's first is reported to be an untitled story in which she will appear opposite Nelson Eddy.

Metro is said to have engaged her during the recent season of the San Francisco Opera Co. She is the first important operatic personality to sign with a motion picture studio since the release of Gladys Swarthout's "Arribush" (Par) four years ago.

JEAN RENOIR NOW SEES H'WOOD IN NEW LIGHT.

Jean Renoir, French director who two years ago passed up a Hollywood offer, apparently has had his mind changed by events and last week arrived in Hollywood to seek a spot of himself. Son of the famed painter, he recently came to the U.S.

After he directed "Grand Illusion" two years ago, Renoir was reportedly approached by a rep for several American companies, all of whom were interested in his services. He refused to come, however, unless he could bring his assistant, his secretary, his lighting man, his cameraman, his soundman, etc., complaining that American technicians couldn't be relied upon to handle his techniques. When experiments involved, in addition to using difficulties in bringing in foreigners, studios quickly dropped their offers.

One of Renoir's last French films was an Orson Welles job, with the director also producing it, writing the scenario, writing the dialog and playing a featured part. It was tagged "Regie de Jew" ("Rules of the Game") and starred Nora Gregor, wife of Prince Von Stoenbergh of Austria.

L. A. to N. Y.

Neil F. Agnew,
Gen. Avery,
Tom Bernhard,
Charles Boyer,
David Brookman,
Eddie Cantor,
Richard Connell,
Robert Gillham,
Teddy Hart,
Jack Japp,
Albert Lewin,
David L. Lowe,
Bill Mukomel,
One Munson,
Stanley Hedges,
Edward G. Robinson,
Louise Rousseau,
Randolph Scott,
William Scully,
Joe Seidelman,
Jack Singer,
Crane Wilbur.

N. Y. to L. A.

Julian T. Abeles,
Eddie Darling,
Dorothy Kemp.

SAILING

Jan. 25 (New York to Lisbon),
David Rose (Excambion).

Maude Fealy Staging School Shows on Coast

Los Angeles, Jan. 14.
Board of Education named Maude Fealy, veteran lead actress, to produce a series of picture segments depicting famous American women. Among them are Betty Ross, Mollie Pitcher, Mary Ball Washington, Dolly Madison and Barbara Fritchell. She is being presented in schools with patriotic music and community singing.

FREDERIC MARCH STILL SEEKS A GOOD PLAY

Frederic March, in the east in an attempt to find a stage play for his wife Florence Eldridge to perform while vacationing in Canada, is currently vacationing in Canada for the present. Due back to New York in about a week, he hasn't yet found a suitable script and if unable to do so within a month or so, will return to the Coast for film work.

In that case the couple intend to come back east in the fall for another try at getting a play, as they're definitely determined to divide their time between pictures and legit in future. March guested on "This Is Your Life" last Friday night (10) in a brief from his current Paramount film, "Victory." He's set for a Bundles for Britain broadcast in a couple of weeks, doing a script written for the occasion by Robert E. Sherwood.

Lamb's Gambol Net Seen Around \$10,000

While the final accounting of the Lamb's Gambol net in the Waldorf-Astoria, New York, has not been completed, it was indicated that the net profit would be around \$10,000, as against \$16,000 netted last year. Bob Hope was not so much in attendance as in program advertising. Formerly the late Robert L. Hague drew considerable copy from maritime and shipping interests with whom he was in contact. Although he died last year, his Gambol, some of that business was obtained, anyhow, out of sentiment.

Hague was missed in another way, he usually hosting parties numbering more than 200 persons at the Gambol. Biggest profit yet registered by Gambol was around \$23,000.

TRULY IN DUTCH

Netherlands Authoress Stuck In Occupied France

Suit of Isabeau Knobwriter against Hal Roach Studios, Inc., Metro Pictures Corp., Metro-Distributing, Loew's, Inc., and Culver Export Co., has been set for June 16, 1941, trial in N.Y. federal court. Situation is unusual in that, with plaintiff, a resident of Monroe, Conn., and a citizen of the Netherlands, he was stuck in Nazi-occupied territory and unable to extricate himself.

A letter to her attorneys intimates that she may be able to get to the U.S. within six months, and trial has been postponed pending her arrival.

Action claims plagiarism of her play, "Dutch Girl," in two Roach pictures, released by Loew's and its subsidiaries, entitled "Swiss Miss" and "Way Out East." An injunction, accounting of profits and damages are sought.

Murray Drops Gag Line Suit Against Warners

Los Angeles, Jan. 14.
U.S. District Court tossed out Ken Murray's \$100,000 damage suit against Warner Bros. in motion of the defendant, with costs assessed against the plaintiff.

Action charged unfair competition by the studio in the use of the line, "That Man Is Here Again," which Murray has used.

Dick Hardee's Close Call San Fran, Jan. 14.

Tax appraiser Dick Hardee got an intimate of his biggies from coast to coast, had a narrow escape from death in a crash with a truck which killed his horse but left Hardee unscathed.

Appraiser's yellow-wheeled buggy has been a familiar sight on local streets for two decades. Harris

Wednesday, January 15, 1941

THE BERLE-ING POINT

By Milton Berle

Hollywood, Calif., Jan. 14.
My last column from California for a while. Going to New York where my picture, "Tall, Dark and Handsome," is opening at the Roxy soon. I know I'm going a long way to see a picture—but can I help it if I have passes?

Saw a sneak preview of "T. D. & H." when I walked into the theatre, the orchestra began playing, "Say It Isn't So."

Bought a permanent home in Beverly Hills. It's so big that the only way I can communicate with my mother in the next room is by carrier pigeon, Bing Crosby's horses haven't won a race in so long they begin to sing, "I Am a Glue."

Strolled into the Brown Derby. Wasn't there long—only stayed for six hours.

Saw the Rose Bowl game. My seat was "way up. Had a perfect view of the game, though, except when a cloud got in my way. Everything is on a big scale in Hollywood. A certain producer got a new mashie-niblick for a Christmas present so he went out and bought himself a golf course to match.

Broadway Dept.

"My Sister Eileen" is a wonderful production. My Sister Rosalind is planning a wonderful production in February and we hope it's a girl. Heard Lindy's that I was returning to New York and Leo Lindy wired back, "I Am a Glue."

Things are very quiet on Broadway. Nobody has produced a play without a loss.

The old International Casino is now a clothing shop. You see English drapes where you used to see American undrapes.

"The Philadelphia Story" at the Radio City Music Hall is Katherine Hepburn's "Declaration of Independence."

The Copacabana is doing swell that they're already taking reservations for next New Year's Eve.

Hollywoodland

Spent New Year's Eve at Victor Hugo's, where they advertise everything from a banquet to a sandwich. I paid for a banquet and got a sandwich.

Local character attributes his success in pictures to getting up at six every morning, working hard and learning his roles. The fact that his Uncle owns the studio positively had nothing to do with it.

Bob Hope is thinking of getting a new swimming pool for his home. The one he has now is too tight around the hips.

Gene Autrey describes an early American as an Indian, who gets up at five in the morning.

A studio that has been having trouble with its actors now issues cellophane contracts—thereby making them unbreakable.

There's a cigarette machine in a Hollywood drug store where, if you hit the jack-pot, you win a tobacco plantation in Virginia.

Hollywood would be a better place if they would shoot less pictures and more actors.

Music Dept.

MCA opened a night club in Hollywood so it would have a spot to place its band.

A certain band leader plays music that is out of this world—and a lot of people are waiting for him to join it.

An organ-grinder who passed my house yesterday refused to play an ASCAP tune on his organ until the Society signed a new agreement with his monkey.

Radio Dept.

They tell me that the radio networks plan to hire mind readers so that band leaders can be cut off the air if they talk about ASCAP tunes.

Even though there is no ASCAP music on the air, I'm making good use of my radio. I've invited Chaz Chase over to eat it.

Wonder if President Roosevelt would have had to pay \$250 per station fine if he had whistled eight bars of "God Bless America" during his opening of Congress address?

Hangnail Descriptions

ARTIE SHAW: Turner-bout. THE ROSE BOWL: Billy Rose's idea of a living room. VICTOR MATURE: Girl's Dormitory. JACK DEMPSEY: Sherman Boffingsley. ASCAP: Feed for thought.

Observation Dept.

A little tired out. Just had to write two minutes of SENSIBLE material for Maxie Rosenblatt.

A bald-headed friend of mine got water on the brain and somebody sent him a black sponge for a toupee.

My older brother now stays up all night so that he can have day-mares.

Eavesdropped at Charlie Foy's "Can I borrow your I.Q.? I'm going out with a moron tonight."

Eavesdropped at The Dunes: "Her husband is my best enemy."

My other brother (this is a family column) now has two positions—sitting up by day and lying down by night.

Whatever Became Of? — ? ? ?

Jerry & Her Baby Grands

Mantilla & Seed

Sherman, Van & Hyman

Afterpiece

In Hollywood, if you don't pay your income tax you wind up in jail. If you do pay, you wind up in the poorhouse.

Jolson Better

No performances of "Hail! On to Your Hats" were given last week because Al Jolson was down with grippe. Show relighted Monday (13) at the Shubert, N.Y., after extra space ads appeared to the effect that the star would positively appear.

Apparently fully recovered, Jolson was in excellent voice and attendance was considerably better than average Mondays for "Hats."

BERLE TO P.A. WITH

N.Y. BOW OF HIS PIC

Milton Berle blew into New York early this week from the Coast and will personal at the Roxy the night of Jan. 23 with the preem of his latest 20th-Fox film, "Tall, Dark and Handsome." The following night he's scheduled for Kate Smith's radio program for etherized bits out of the same film.

Prior to returning to the Coast, Berle will do a two-week stint at the Royal Palms, Miami, niter, opening Jan. 28. He's also just finished the "Two Worlds," "Barefoot in the Park," "Third Night Must Last Forever," composed by Herbert Dubrow, and "Show Your Colors," a patriotic tune by Billy Lankin.

Clips Their Tour

Hollywood, Jan. 14.
Rosemary Lane cut her stage tour four weeks to report for work.

"Hang Out the Moon" at RKO on Jan. 29.

Personal appearance jaunt ends Jan. 24 in Chicago.

'CURB FCC POWER GRAB'

New' Legit Producers Have Sunk 500G in Flop Musicals, But W.K. Mgrs. Find It Tough to Get Com

A well known showman in commenting on the amount of money tossed away on flop musicals recently, stated that established managers never have been able to obtain anywhere near that amount of private backing, has slipped along the hands of unestablished producers. Estimated that around \$500,000 has already gone down the drain this season through such ventures, two of which closed during tryout and another lasted but two days on Broadway.

In no instance was the money deliberately diverted. It was expended inexpertly or without showmanly skill. Curious angle is that in all the ill-starred ventures there is distinct strain of genuine professionalism, if not amateurism, not so much in the acting ranks but particularly the management end. Because of the cost, musicals are the most hazardous form of stage production and so in inexperienced hands.

Newest and costliest venture that stopped out of town is "She Had to Say Yes," which closed Saturday (11) in Philadelphia for repairs. Reliable sources place the show's cost at \$100,000. Show was presented by Don King, who knows his way around the stage as an actor, but whose production experience is limited.

"Yes" is said to be backed by Alexis Thompson, wealthy socialite, who recently formed a syndicate to handle

(Continued on page 18)

FRED BATE, JORDAN HEADING FOR U.S.

Recovered from his bomb injury in London, Fred Bate has signed for New York and is now working for the Clipper at Lisbon, Portugal. English representative of NBC had originally hoped to spend the Christmas holidays in America. Bomb fragment messed that plan.

Max Jordan is also due in New York from Switzerland, where he has been headquartering as NBC central European rep. He has been down with the grippe and date of arrival is indefinite.

Sneaking Into a Theatre Not Larceny, Judge Rules

Detroit, Jan. 14. Sneaking into a picture theatre is not simple larceny. Jurists and prosecutor's staff here are now baffled by what charge to bring.

With kids making a practice here of easing in through the many-downtown houses, 18-year-old Charles Gentry was arrested for slipping into the Fox. He had decided to make an example of him to put a chill on the young violators.

He was haled before Recorder's Judge W. McKay Skillman accused of the simple larceny of \$39. the price of admission. Citing a New York Supreme Court ruling, Judge Skillman pointed out the youth couldn't be charged with the theft of something he didn't steal,

Dot and Clare Mingle

Dorothy Thompson and Clare Boothe, who tangled bitterly during the recent Presidential election, will meet for the first time since then when both gueststar next Wednesday night (22) as speakers on a "Union Now" broadcast from the Waldorf Astoria hotel, N. Y., over WOR-Mutual.

Barbed insults exchanged by the columnist and the playwright were one of the personality highlights of the Roosevelt-Willkie campaigns.

Switch

Whim of fate is evident in this picture business switch. Collier Halliday, was Coast story editor of Paramount and Bill Dozier, as head of the literary department of the Berg Altenberg agency, was a frequent hammerer on his door in an effort to sell him material.

Tables are now completely reversed, with Halliday now doing the knocking at the portals of Dozier. Halliday resigned from N.Y. to become an agent and last week Dozier was named to his job.

Texas Guinan Speak, Grind Fisticuffs in N. Y. Waldorf for Prez' Ball

New York's chi chi Waldorf-Astoria will house a speakeasy on the old Texas Guinan pattern Jan. 30. Marion Mill Preninger, former European legit star and wife of Otto, the Broadway director, will essay the Guinan role. It's to be a sideshow at the President's Birthday Ball, proceeds going for relief of infantile paralysis victims.

Another room, to be presided over by Bill Corum, N. Y. National-American sports columnist, will give a continuous fistic show, with the N. Y. News sending Golden Gloves champs of past years to mix it up. Among the who's who announced Corum's was polo victim, the kid who fought it solo to become Golden Gloves winner in 1935.

Admit to Mrs. Preninger's speak will be \$1 after the \$5 per person charge to the ball is paid. Thirty-three boxes at \$250 each have already been sold. A President's Birthday Ball will be held at the Savoy ballroom in Harlem the previous evening, with Bill Robinson as chairman and admish at \$1.

Menkin, U. S. A.

Larry Menkin, known in radio circles of Manhattan as a writer-director, has been drafted into the U. S. Army.

Inducted this week.

Pettijohn Scores Civic Censorship Of Pix in Protest to Chi Council

Chicago, Jan. 14. A sweeping blast against the folly of state and municipal film censorship was made by Charles Pettijohn, Hays office general counsel, when he appeared before the judiciary committee of the city council here yesterday to protest the Earl B. Dickerson amendments to the censorship ordinance. Finished his plea with an indirect request for elimination of censorship. These amendments would set up a new board, not under the police department, which would inspect all films and decide them unfit for all less than 21 years old. Flat fee of \$3 per reel for censoring, whether negatives or copies of original prints, also is being protested because this might add as much as \$200,000 to the cost of Chicago censorship.

Pettijohn explained he was opposed to censorship of any form of human expression, but believed it must be done to a dirty picture should go to jail.

"That is a proper exercise of police power," he said. "It does not mean censorship, which is nothing more or less than one group telling another group what they think the other fellow should see and hear."

From a practical standpoint, I don't know personally what you are going to make to police everywhere the situation in Chicago to see that some 20-year-old sergeant of marines does not see some picture that some board thinks he shouldn't see."

Best of Bad Bargains

"If you are to have a censorship board let me make this statement to you: I am personally acquainted with the workings of every censor board in America. It is my opinion, based on living with the subject for 25 years, that your present setup in Chicago is making as few mistakes as any other censor board in this country. If pictures are compelled to remain under censorship in Chicago, your present setup is best suited to the needs of the city's people."

The contrasted industry production code administration work, which is exercised at the source and at the time films are made, with civic censoring, Pettijohn claimed that this exercise of judgment by producers was not censorship, but plain "horse sense."

"Motion pictures today are far superior artistically, morally, in entertainment value and in every other way to what they were at the time your obsolete, useless and un-American censorship ordinance was passed," Pettijohn said.

PAR MAY ROADSHOW I WANTED WINGS'

Plans are under discussion for the sales policy which will govern "I Wanted Wings," following huddles on the Coast between Neil F. Agnew, distributor, and studio production executives. Reported the film may be roadshowed or merchandised separately under a special sales plan at high percentages and increased admissions.

Originally on the schedule for delivery under the 1940-41 contract, Paramount withdrew the film from release after sending it to publicists.

Agnew returned to New York Friday (10) to Bob Gilliland, publicity ad man at the h.o. who went with him, got back yesterday (Tues.) after stopping off in Kansas City.

Harmon Warming Up At Par for Kiocycle Career

Hollywood, Jan. 14. Tom Harmon, All-American gridder, joins the Paramount player contract roster in February at the close of the current semester at the University of Michigan.

First, Harmon is in College. May be a warm-up for a featured role later on in a football picture, to be released for the autumn trade. Harmon's plan is to stay in pictures for a year and then shift to radio.

Arthur to Republic

Hollywood, Jan. 14. George Arthur has joined Republic as an associate producer. He was formerly a producer of B films at Paramount.

PASCAL DELAYED

In Lisbon With 'Major Barbara' Prints
Awaiting Clipper Passage

Gabriel Pascal, who is to have left Lisbon for the U.S. Jan. 5, was delayed by interruption in clipper flights and is expected to arrive this week. He's bringing a print of "Major Barbara," George Bernard Shaw story which he filmed in England for United Artists' release.

Previous inability to obtain clipper reservations gave Pascal opportunity in London to cut and dub the British version of the picture for American release, which originally intended to do in this country.

Govt's '39-40 B.O. Tax Bite \$21,000,000; Most Of Districts Show Rise

Washington, Jan. 14. Federal Government's grab from 10% boxoffice tax jumped last fiscal year in every major center of the amusement industry except Southern California. Complete statistics for the 12 months ended last June 30, showing total gain of \$241,115 over the preceding annum, revealed business slumped only in the nation's capital and districts.

One of the most substantial advances was registered in the Chicago sector, although most metropolitan areas showed encouraging rises over 1938-39. In the First Illinois (Cook County) district, take jumped \$208,917, compared with \$157,376 in the Third (New York (Manhattan) region.

Federal Treasury raked in \$2,087,916 from all types of commercialized entertainment in the past fiscal year—before the new schedule, with the starting point dropped to 21¢—became effective. This was nearly \$300,000 better than the Treasury's estimate at the half-way mark.

WANGER TAKES SECOND TERM AS ACAD PREZ

Hollywood, Jan. 14. Academy of Motion Picture Arts and Sciences picked Walter Wanger to succeed himself as president. Others re-elected were Frank Capra and Edward Arnold as vice-presidents. Two new v.p.s were added, raising the number: from two to four, are Darryl F. Zanuck and Jane March.

Mervyn LeRoy succeeded Robert Riskin as secretary and Major Nathan H. Winters replaced John L. Calhoun as treasurer. Board of governors created two other new posts, to be filled by Allan Scott as assistant secretary and Henry Fonda, assistant treasurer.

S. R. Kent Bought 100 20th Common in Nov

Washington, Jan. 14. Purchase of 1,000 shares of 20th-Century stock was chalked up to S. R. Kent, president of the company, by the Securities & Exchange Commission. Letter listed his holdings at the month's end at 2,180 shares.

Only other film stock transaction for the month was the sale of 300 shares of Consolidated Film Industries \$2 cumulative participating preferred stock by E. H. Seifert, Fort Lee, N. J., director of the company. Seifert retained 100 shares.

Other News Pertaining to Pictures

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Sugary Loot

Hollywood, Jan. 14. Silver dust from the Santa Fe Trail sifted into the Motion Picture Relief Fund to the extent of \$293.80, the loot gathered by one-arm bandits on the Warner junket to that town.

It was collected in nickels, dimes and quarters from the slot machines.

MPPDA Rebuff On Defense Short Not Halting Commish

Washington, Jan. 14.

Even though the first effort has been cold-shouldered by major chains, the National Defense Advisory Commission intends to turn out a number of educational shorts which will be offered to exhibitors gratis. President Roosevelt asked Congress last week to make \$56,700 available for this activity by the end of the year, thus steering the pancreasless program.

The NDAC is burned up at the Motion Picture Producers and Distributors of America, but still hasn't been squelched. Plans are going forward for turning out briefs that will explain to the taxpayers the difficulties encountered in strengthening the country for possible attack. Past efforts to provoke a congressional committee still hope the Hayes organization will follow up its repeated assurances of cooperation with some physical help in arranging bookings.

Glowing is occasioned by the way the Hayesites' special committee on defense matters ducked pleas for help in screening a nine and a half minute film titled "Power for Defense." Picture is an editorial cartoon from the Tennessee Valley about the importance of electricity in turning out the numerous materials required to build airplanes, guns, tanks, etc. After waiting for a favorable reply from the MPPDA, the Defense outfit had started trying to interest regional circuits, with the Richards & Willoughby chain in the Tennessee Valley country breaking the ice.

Staff of eight technicians will be assembled by the NDAC if Congress is generous and votes the money recommended by the President. In addition to a motion picture division director, due to get \$8,500 per annum, Commission would hire a film editor, script writer and various underlings. No cameramen, though, as actual production probably will be done under contract. Base salary would be \$2,600.

LUCA IN H'WOOD TO MAKE FRANCO-U. S. PIX

Hollywood, Jan. 14. New French-American producing unit slated to start shooting in spring is being organized here by Joseph L. Mankiewicz and the head of Imperial Films. He is negotiating for a releasing deal.

Luca recently released his French-made Annabella starer, "Hotel du Nord," in New York.

Schlager Continues As Head of Producers Pix

Hollywood, Jan. 14. Sig Schlager, president, and Henry Herzberg, secretary, were re-elected at the annual meeting of Producers Corp. of America. Contract of Charles E. Ford, engaged as general manager on a one-picture basis, was extended to three years.

First picture, starring the operatic tenor, John Charles Thomas, is being readied for early production.

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Lefty Goes From BMI to Old Flames And Winds Up Totin' the Laundry Out

By Joe Laurie, Jr.

Coolcares, Cal., Jan. 14.

Dear Joe:

Have been reading about the scrap between ASCAP and BMI, and maybe it's gonna turn out pretty good for me. You know I used to write songs but could never place any of them on account of those rascals grabbing songs from Berlin, Donaldson, Lew Brown, Koral, Ruby, Cole Porter, Jerry Kern, who all happened to be better than I, and still are, so there was no room for me. I only did it as a sideline, kinda get an idea and write it up between shows, but Argie thought they were good. But they're gonna take off all those ASCAP songs the BMI will certainly be in the market for almost anything to keep things goin', so they may grab my stuff.

I know the air will be loaded with music but I doubt if the music will be loaded with airs. I figure they can't keep on using "Jeanie with the Light Brown Hair" much longer; already the poor dame's hair is turning gray. I like to hear old songs but it's just like listening to your Grandpa tellin' you about the Civil War. It's okay to sort of live in.

I have a number called "Do You Remember That?" It has a lot of catchy choruses, kinda off color for radio, but I think that's what radio will have to have to sort it up. I think there's plenty of good music out there. There's gonna be plenty of you, too, after the New Year. Well, maybe people will get disgusted with radio and turn to the picture shows to be disgusted through a different medium.

Couch Turns Out to Be Laundry

I'm kinda getting the house fixed up for Argie and Junior, because I expect them any day now. What I thought was a couch turned out to be a load of laundry I forgot to send out. It kinda spoils a guy when he always has somebody to take care of things for him like Argie has done for years. I miss her and the kid plenty, I'd even welcome an old fashioned argument right now, but it won't be long now that they'll be back and kinda charge up the atmosphere.

While I was away through the winter, I ran across a bundle of pictures Argie had put away for me. I had 'em for years. I never told anyone she had a comedy bicycle act, not so good, and I know he was plenty stuck on Argie. He wanted her in his act to help him with the prop. He wasn't a bad guy, for a bike rider, always trying out gags on you, gags he was gonna do a talking act with. He wasn't much of a looker, either. He used to shave in the dark so he wouldn't have to look at himself. And I remember he was kinda dumb, too; he couldn't count 20 unless he took his shoes and stockings off.

The last person he was about 10 years ago when Argie and me were playing Detroit. He came around in a big car, took us out to his home, which was 20th and had enough bathrooms to care of all these dumb guys get in right some way. I guess if Argie would married him instead of she'd be a big society gal now, giving card parties and having a chauffeur and servants to do all her work, but instead she married a mugg like me that can't give her nuttin' except let her come in and see the pictures for nothing. At that I think she's better off on account Detroit ain't such a hot place; our act never went over there.

Even Whistler's Mother

And Argie would be no good with a guy that had everything. She just fits in with me. I give her enough worries to keep her happy. But I know she's been keeping all these years. I torn up all the old pictures I had and gave them to kind of like make her feel she's jealous of me, I guess. I never had a nuttin' surer for an argument than a picture of a dame hidden away, even if it's a picture of Whistler's Mother. To keep from arguin' the best thing to do is to remove everything...even yourself.

Well, I gotta get the bottles outta the house, and the cans and try to get the alky spots off the table besides getting a couple guys to help me lift the laundry.

Remember me to the mob, SEZ

Your pal,

LEFTY.

Mitchell Benson sez, "Women would rather hear 'I'll buy for you' than 'I'll die for you.'

Academy Sets Up Fotog Laboratory for Army

LOEW, LEWIN EAST; SKED FILM ON RAF

Hollywood, Jan. 14. Academy of Motion Picture Arts and Sciences has organized an Army Signal Corps photographic laboratory and announced the commissioning by the Army of 10 industry workers in the Signal Corps Reserve.

They are Sam Briskin, Gordon Mitchell, Robert Lord, W. V. Lindsay, Lloyd Goldsmith, D. B. Graybill, Ray Fernstrom, Arthur Ramsey, J. E. Grainger, Winton Hoch, Jules Buck and Milton Sperling.

None will be called from film studios in active service unless full mobilization is ordered.

FRENCH ANGELING FOR FRENKE-ATWILL FILM

Hollywood, Jan. 14. Lionel Atwill hooked up with Eugene Frenke in a new production outfit and bought "Dark River," by Nordhoff and Hall, for filming with James Whale as director.

Production is being financed by Anthony Lebecchi, French capitalist. Screen rights to the story are said to have cost \$25,000.

Lupino In Dry Eyes

Hollywood, Jan. 14.

Ida Lupino gets the star spot in her next picture at Warners'. The Damned Don't Cry! Studio is testing two male leads.

Film is based on a novel by Harry Harvey.

South American atmosphere has finally shifted into "Burbank," where Warners' had been avoiding the recent gale of Latin tunefests that has been blowing around the studios.

The Warner's entry is "Carnival in Rio," with George Raft, Dennis Morgan and Brenda Marshall topping the cast. William Keighley directs screenplay by Robert Rossen, who has just returned from a tour of the tropical sector.

Hollywood, Jan. 14.

WOMEN OK HIGHER SCALES

Warners Banks Up 25 Yarns Costing \$1,000,000 for Next Six Months Prod.

Hollywood, Jan. 14. Backlog of 25 stories, costing more than \$1,000,000, has been stored up at Warners for production within six months. List comprises 12 best-selling novels, six Broadway plays and seven originals. Purchase of new material is the first step by the Burbank studio to cope with new selling conditions imposed by the consent decree.

Novels to be filmed by summer are: "King of the Castle," by Henry Bellam; "My Captain Waits," by Evelyn Eaton; "One Foot In Heaven," by Hartcliff Spence; "Captain Horatio Hornblower," by C. S. Forester; "The Constant Nymph," by Margaret Kennedy; "Out of Gas," by Nordhoff and Hall; "Mr. Skeffington," by Elizabeth; "Signal," by Phyllis Bottome; "House On the Hill," by Somerset Maugham, and "Happiness," by Mildred Crandall.

Stage plays on the list are: "The Man Who Came to Dinner," by George S. Kaufman and Moss Hart; "The Male Animal," by Elliott Nugent; and James Thurber: "Gentle People"; by Irwin Shaw; "George Washington Slept Here," another Kaufman-Hart show; "Caesar's Wife," by Somerset Maugham, and a remake of "The Desert Song."

Original yarns are: "They Died With Their Boots On," "The Widow Wouldnt' Weep," "Navy Blues," "Sergeant York," "Captain Ulysses Smith," "The Man That Couldn't Kill" and "John Paul Jones".

Brazil's New 8% Tax On U.S. Pix, Retroactive To '35, a Burner-Upper

Showdown on just how much the U.S. good-neighbor policy with the Latin-American holds good seems certain in the case of Brazil's new 8% retroactive tax voted against American distributors in Rio de Janeiro last week, which has been pending fire for some time, finally was made into law, with U.S. distributing companies forced by statute to pay the 8% outright levy back to 1935.

N.Y. film officials are so indignant over the unfairness of the fresh taxation that they have dumped the whole thing in the lap of the State Department at Washington. Understood the State Department has promised to do everything in its power to bring about an adjustment with the Brazilian government. Film company foreign department officials in New York have been told by their representatives in Brazil that this new sweeping tax measure is too much to stand. In view of the already high tax fees, censorship costs and import duties, first named, having grown excessively in the last two years.

Major company executives this week were at loss to explain this new taxation blast aimed at U.S. distributors. It follows months of strenuous efforts by the Roosevelt administration to assist Brazil to combat its financial difficulties. Reason for believing that Washington will strive to press the picture industry's case for readjustment, possibly by pointing out that the good-neighbor policy works both ways.

Hays Delays Coast Hop

Will Hays who had planned going to the Coast Friday (10), delayed his departure because of the absence of the Motion Picture Producers and Distributors Assn. "has been 'postponed,'" he intended a recessed session of the lays office directorate yesterday Tuesday.

Leaving later this week, Hays will stay on the Coast for a month or more this time, returning shortly before the annual meeting of the Motion Picture Producers & Distributors Assn. set for March 15.

4 FOR POMMER

RKO Signs Pictures, Producer Will Do Rest of This Season

Quartet of films has been assigned to producer Erich Pommer by RKO for the remainder of the season.

They are: "The Unexpected Uncle," from the novel by Eric Hoffer; "The Last Four," originally by Budd Wilson Schulberg, with screenplay by Dorothy Parker and Alan Campbell; "Two On An Island," the Elmer Rice play, and "Water Gypsies," from the 30-year-old novel by A. P. Herbert.

20th OUTLINING PROD. UNDER CONSENT

Hollywood, Jan. 14. Top home office and studio execs of 20th Century Fox have been working on outline production within the scope of the consent decree. Plan is to have two blocks of five pictures ready for mid-July showings. Studio has completed 43 of the 52 pictures on its 1940-41 slate.

Those at the huddles are Joseph M. Schenck, board chairman; Sidney R. Kent, prez; Darryl F. Zanuck, v.p. in charge of production; Howard W. Green, sales chief; William Goetz, exec assistant to Zanuck; Charles E. McCarthy, pub-ad head; and Harry Brand, studio publicity chief.

NAME SELZNICK PREZ OF NEW PRODUCING CO.

Hollywood, Jan. 14. David O. Selznick Productions, organized to succeed Selznick International, elected Selznick president. Director T. O'Shea, v.p.; E. L. Stanton, treasurer, and Loyd Wright, secretary.

New company takes over the old outfit's talent roster, including contracts of Vivien Leigh, Ingrid Bergman, Joan Fontaine, Alan Marshal and Alfred Hitchcock. Organization also has a two-picture deal with United Artists, inherited from the former company.

Capra, Riskin to Prowl S.A. for Pic Atmosphere

Hollywood, Jan. 14. Frank Capra and Robert Riskin hop off to South America tour immediately after the Academy dinner with a print of their picture, "Meet John Doe," to be released through Warners.

Tour has a double objective, to function as goodwill ambassador and to absorb atmosphere for a new production to be made with a South-American background.

Cuba's RKO Tuneup.

Cuba is the next stop in RKO's tenuously exploration of the Latin-American republics. Lou Brock, producer of the current "They Met in Argentina," is planning for the Cuban capital as soon as the filming is finished.

Next picture is "Havana," designed as a co-starrer for Lucille Ball and Desi Arnaz...

WE THREE AGAIN

Hollywood, Jan. 14. Paramount is planning to team Constance Moore, Lillian Gish and Virginia Dale for the second time in "Birth of the Blues," a B. G. DeSylva production.

Trio recently appeared in Las Vegas Nights.

FAVOR PAYING FOR BIG PIX

Poll Reveals 63.2% in That Column But 92.9% Vote 'Yes' on Keeping Present Prices for Average Programs

'GONE' PRECEDENT

By JOHN C. FLINN

In a survey of women almsgivers, widely scattered, the Women's Institute of Audience Reactions, with headquarters at Rockefeller Center, N.Y., gathered the information that 63.2% of all women queried declared they were perfectly willing to spend more than average prices to see pictures similar to "Gone With the Wind." Of various categories unemployed women voted highest for the advanced prices, followed by educational, professional and housewives groups.

Tied with the "Gone" question was the query whether women would prefer to see the average program (feature, shorts, newsreel, etc.) and keep the regular admission price range.

Answers to the second query was overwhelming "yes" by 82.9% to 7.1% negative.

Women also declared themselves in favor of the general theatre policy of first come, first served in the selection of theatre seats. To the question, "Would you be willing to pay a higher price for reserved seats in your local theatre?" the vote was yes 14.1%, no 85.8%.

James M. Grant, director of the institute, says that price analysis of boxoffice scales should prove of utmost interest to distributors and exhibitors who are faced with the necessity of getting increased domestic income to balance the loss of foreign film rentals during the war. Many women, she said, stated their desire for better film entertainment and their willingness to pay higher prices as "encouragement to producers."

"Gone" was released to film theaters under a national plan of minimum boxoffice prices based on \$1.10 scale for evenings and 75¢ for matinees. In a few major cities, New York, Chicago, Boston and Los Angeles, day-and-date reserved seat performances also were given predicated on the customary roadshow scale of \$2.20, evenings, and \$1.10 matinees.

Showmen regarded the Metro-Gone's plan with great misgiving as the star insisting that the two policies of continuous and roadshowing (Continued on page 16)

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(Continued on page 16)

Zukor May Go West to Discuss '41-42 Production

Although his plans are indefinite at the moment, Adolph Zukor will probably go to Hollywood later this month to discuss production plans for the 1941-42 season, when film will be sold under the consent decree.

The chairman of the board of Paramount has been in New York since early in December and is reported to have been in the city for the past month. In line with his experience, to the new form of selling that will become effective with the '41-42 product.

Zukor states that he probably will not make any additional trips into foreign territory such as Mexico, South America, Australia or other countries because of present conditions.

Silverstone to Put Finishing Touches To Rich Refugees' Idea on Financing UA Package Deals for Producers

That Makes It Even

Hollywood, Jan. 14. Geography and history get a run-around in two of "Metro's outstanding western pictures.

"Bad Man," based on a story of Arizona, was shot in New Mexico. "Billy the Kid," located in New Mexico, was being filmed largely in Arizona.

ALL OR NONE, BMI EDICT TO PIX

Hollywood, Jan. 14. Film producers were told last week by Harry Engel, head of Broadcast Music, Inc., that no deals would be made for the inclusion of BMI tunes in a picture unless the music content was 100% BMI. Engel previously had placed numbers in RKO's "Hang Out the Moon" and an untitled Monogram picture, but these were not affected by BMI's all-the-way ultimatum.

Shortly after the announcement of the ultimatum, Harry Morros, pres of RKO, announced that no BMI tunes would be used in his picture, "I Gotta Sing." A few days before he said he liked the ditties submitted by Engel and undoubtedly would use several of them. It was indicated by Engel that Morros was not affected by BMI's all-the-way ultimatum.

Morros declined to give any reasons for his reversal.

Network heads here say that very little mail has been received touching on the musical situation. At KTLA, KCAC it was noted the percentage of correspondence favored return of the old songs and a much-needed rest for swing and jazz.

Films to Benefit By 40% in Navy's Hike To Wartime Strength

Washington, Jan. 14. Growing Navy-increase of enlisted personnel to full wartime strength-will require more films next year. Congress was asked to set aside \$100 million for production of films in the fiscal year starting July 1 by \$40,000 because there will be more ships in service and greater demand for screen entertainment.

The 1942 budget contains an estimate of \$125,000 for motion pictures compared with \$85,000 available this term.

With the draft due to pick up speed, the War Department also wants money pronto for construction of more post theatres. While the total for the Army's welfare activities next year would be \$100,000,000, the total available this year, the fund asked still is almost 100 times the customary amount. Total desired (\$2,148,000) includes \$500,000 which the Army wants immediately for construction of auditoriums, recreation centers, theatres, etc. Budget does not show the amount earmarked for film rental.

BEN COHN SETS UP INDIE PROD. OUTFIT

Hollywood, Jan. 14. Ben Cohn Productions, new indie, has been organized by Cohn, formerly with Warner's in New York.

Program calls for production of three pictures for a major release.

Hollywood, Jan. 14. Handling of packaged deals by producers, given financial backing by corporation in which United Artists is to have 50% interest, will be started upon after January 15 next week from New York. Weaving the financial structure for the production and distribution setup are Alexander and Marc Berglas, German financial wizards, reputed to have accumulated up to \$25,000,000 before fleeing Nazi-land. They have been here for the past six months studying the picture situation.

Among their varied financial interests in Germany were many picture ventures and it's understood they took around \$5,000,000 out of Germany in 1938, and since have established important bank connections in New York, insuring considerable credit.

Silverstone, conferred with Berglas, who was here last November to speed up production by indie contributors, who struck for better distribution arrangement. Berglas offered to place at Silverstone's disposal sufficient coin to assure output of 18 to 20 pictures by outside producers. Plan would allow for extension of finances to any producer who has a star, story, director, art and labor deal subject to Silverstone's approval.

Silverstone was so enthused he told Berglas at that time he would be out here in January to clean up the deal so company can go ahead and negotiate with producers for '41-42 program. Understood that the majority of the coin is to be provided by Berglas interests, with USA possibly contributing remainder.

RKO HAS WORD FOR IT—COMEDY

Concentration on light, frothy film fare for 1941-42 is expected to be the decision of RKO execs when they huddle on the Coast shortly to set the product lineup for next season. Plans will be based on latest information in the findings of Connard Krebs, of RKO's Coast publicity department, who was sent on a 32-city, 11-week tour, just completed, to take soundings from exhibts and newspaper critics.

Krebs declared the demand was virtually unanimous for light comedy and RKO is planning to shape its product accordingly. The idea is that much product now is too heavy, as it was planned eight or nine months ago, since which time studios have learned better.

Talks with 100 film page editors, Krebs said, also revealed that papers generally are giving more space to Hollywood. Almost the entire increase in RKO's programming is due to the fact that more space is available.

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M-G PACTS SEKELY AS PROD., KORDA DEAL OFF

Hollywood, Jan. 14. William Sekely was pacted yesterday (Monday) by Metro as a producer. A Hungarian who recently came to the United States, Sekely is currently making "New Wine" for United Artists.

Film is to be made under the Alexander Korda label for release to USA through him, but deal was broken off last week and Sekely consummated a direct release to USA.

"New Wine" went into production yesterday (Monday). Sekely's contract at Metro starts when the current film is completed.

Arbiter Fees \$10 a Day

In order to lighten the load on exhibitors as much as possible, the American Arbitration Assn. has decided that the fee for arbitrators sitting on cases arising out of the consent decree will receive no more than \$10 a day; or for any part thereof. Following considerable discussion of the matter and taking into account fears of various exhibitors that arbitration was going to cost them too much, the film administrative committee of the AAA made its decision yesterday afternoon (Tues.). Paul Felix Warburg is chairman of the committee.

The \$10 fee will apply to every type of case regardless of importance and to every one of the 31 tribunals where hearings will be held. In setting the \$10 daily fee, the AAA also had made a ruling that it will have the power to waive or decrease this small sum to the exhibitor in instances where a hearing is worked on one exhibit, especially if he has been longer than a day and the exhibitor's participation in this action. The consent decree itself specifically states that arbitrators' fees are not to exceed \$50 with the AAA ruling now bringing the maximum down to one-fifth of that.

Auditors Set Up Financial System For Operation of 31 AAA Boards

A financial system to govern the operation of 31 arbitration boards in the handling of exhibitor complaints under the consent decree has been set up by the auditing firm of Kurz & Kurz of New York, which has been appointed as auditors for film industry arbitration.

The American Arbitration Assn., which will administer the decree and have full supervision of the 31 different tribunals, has also brought in Elbert Morse Wood as controller over the film industry in connection with the operation of the decree.

Wood is a member of the New York State Society of Certified Public Accountants, the National Assn. of Cost Accountants, and a charter member of the Accountants Club of America. He spent 10 years in the Near East for the Indian government of the Philippine Islands and during the war was summoned to Washington to aid in the organization of an accounting system for the Red Cross.

The arbitration boards of the AAA, divided into three different groups in relation to the size of the exchange centers and business, will be set up in January, Jan. 1, shortly thereafter, with panels of arbitrators to number from 10 up for each of the 31 keys now being rapidly set up. J. Noble Braden, exec secretary of the AAA, who has been on the road about two months organizing local boards and getting recommendations for panel members, is now going over the lists for the panelists.

\$490,000 1st Year Budget

For the first year of the consent decree a total of \$490,000 has been appropriated to cover the costs of maintaining the offices, rent, managers, clerical help, etc. This is apportioned according to the three different classes of tribunals, with pay to managers of the boards likewise varying. The larger companies are being assessed for the largest amount, any fines levied against those that are party to the consent (Metro, Par, RKO, Warners, 20th) will be applied against that. In the event more than \$490,000 should be needed, the court has the right to approve an increase in the budget of not more than \$50,000 for the first year. Budget set for the second season of the decree is \$465,000.

Bryan-Farr Circus Story Getting R.-B. & B. Co-op

John Ringling North has promised the full production rights of the Ringling Bros. Barnum & Bailey Circus to Joe Bryan III and Francis Farr on their motion picture original they have just completed in Atlantic City. Mark Hanna is handling the deal.

Bryan, when he was an associate editor of *Savoypost*, wrote a number of Ringling and other circus stories for the mag, having traveled with the Big Top several times. He and young North are personal friends.

Crawford's Face'

Hollywood, Jan. 14. Joan Crawford returns to work at Metro Jan. 20, in "A Woman's Face," which teams George Cukor and Donald Ogden Stewart again as a director-writer combination. Their last collaboration was in "Philadelphia Story."

Victor Saville is producer.

Orleans Cycle

Hollywood, Jan. 14. New Orleans gets a publicity push from Hollywood, with four pictures backgrounded in the old Louisiana town.

First to start is "The Flame of New Orleans" at Universal. Second is "Ladies from New Orleans," Republic. 20th-Fox is preparing "Mardi Gras" and Metro has an untitled yarn about N. O. in the writing mill.

La Crosse Suit Vs. Par Off Again Despite Protests

Madison, Wis., Jan. 14.

The LaCrosse Trust and Paramount Pictures Distributing Corp. and other defendants have again been delayed, this time until Feb. 17, in spite of the vigorous protests of a whole battery of lawyers for the film firm.

When Robert A. Hess, the Milwaukee lawyer representing the LaCrosse Co., appeared before Judge Patrick T. Stone in the federal court here, he asked for remission of the trial, to permit a further stay of proceedings, as he was dabbled-gasted to find in the courtroom as his opponents this array of attorneys.

Louis Phillips, of Phillips & Nizer, New York.

Stephen Keane, of Miller, Mack & Fairchild, Milwaukee.

Harold Wilke, of Wilke, Toebass, Hart, Kraegel & Jackman, Madison.

David Beckwith, of Hill, Beckwith & Harrington, Madison.

Benjamin Delnard, of Street, Leonard & Dehard, Minneapolis.

Joseph Finley, of Bundlie, Kelley & Finley, St. Paul.

Hess, who is Wisconsin counsel for the American Society of Composers, Authors and Publishers, pleaded for delay on the ground that he had not had time since his collapse caused postponement of the trial on Nov. 6 to take a rest ordered by his physician.

The Par抗alists accused him of stalling and then went on being put to tremendous expense by the delays in the case, but Judge Stone, citing a 30-years acquaintance with the Milwaukee lawyer, said he could not believe that everything was not on the up and up and granted the sought for continuance to Feb. 17.

Hess left for the south for a month's rest.

More Gold in the Pot

Hollywood, Jan. 14. Budget on "Pot o' Gold" currently filmed by Globe Productions, was upped from \$200,000 to \$350,000 to add costly review numbers. It's being directed by Larry Ceballos.

One new number features Paulette Goddard in a rhumba with the Horace Heidt band. Another brings out James Stewart as a singer and harmonica player with the orch.

Help for Miss Jones

Hollywood, Jan. 14. Universal cast Robert Cummings as the Englishman in the Norman Krava production outfit for the male lead opposite Jean Arthur in "The Devil and Miss Jones."

Company had been shooting without a leading man for three weeks.

PIX COS. GET 1ST NEW BRITISH DEAL COIN

Initial remittances under the \$12,900,000 monetary pact with the British government have been received in N. Y. from London during the last 10 days by British film company executives. This is the first time remittance is to U. S. picture distributors since the old frozen coin agreement expired last Oct. 31. Understood that this batch of money is being split up according to tentative agreement for the first 13 weeks of the new one-year pact with Great Britain. After that some sort of allocation agreement must be worked out among the eight companies.

Under terms of the new one-year frozen money agreement, signed shortly before last Dec. 31, whereby Britain is to receive \$12,900,000 from England in the year started last Nov. 1, the American companies are to receive 37 1/2% of the total, or \$4,837,500 during the first 13 weeks of the pact's operation. After that period, the film companies must work out a complete system of allocation.

This problem is likely to be in the hands of a special Hays office committee, where arbitration of some sort must be used to arrive at an equitable distribution of the coin. Metro thus far has held out for what it deemed its share of the British revenue, but an amicable settlement is likely with only the remaining selection of arbitrators now remaining to be done.

Terms of the frozen coin pact require the American companies to receive 75% of the total in remittances from Britain during the first six months. After this, \$9,675,000 is received, the remittance from London is on an as-needed basis, which further complicates the allocation of coin received.

A hitherto overlooked portion of this new frozen coin agreement is the stipulation that U. S. distributors will refrain from raising film rentals above present levels if a shortage of pictures should develop for an unavoidable reason. This, of course, refers to intensification of the warfare with the Nazis, which might impede film shipments from reaching British ports.

MOVING FAST

Hollywood, Jan. 14.

Stirling Sargent's second role in pictures is the lead spot in "Little Miss Muffet," to be produced by Sol C. Siegel at Paramount.

Young actor recently made his film debut in "Virginia."

Studio Contracts

Hollywood, Jan. 14. Dorothy Babb, stage hooper, drew a stock contract at Metro.

Ruthersen renewed its player option on De Wolfe Hopper, Jr.

Lamar Trotti's pact renewed for a year by 20th-Fox.

Metro handed Ian Hunter a new ticket.

20th-Fox exercised its option on Milton Berle for two pictures this year.

Cobina Wright, Jr., obtained court approval of her minor contract with 20th-Fox.

Ed Brophy signed to a two-picture acting deal by Warners.

Metro handed David Hertz a new script deal.

Marguerite Chapman drew a player ticket at Warners.

Lee Carillo inked a pact at Universal.

Jack Brings penned a player contract at RKO.

Universal signed Lon Chaney, Jr. Shirley Ross signed by Warners.

Bettye Haskins signed Barry's option for one year.

Bettye Brewer optioned for a year by Paramount.

VARIETY

Of People and Places

By THE SKIRT

The best dressed woman of the week:

VIVIENNE SIEGEL

Pai Joey, Barrymore Theatre

Vivienne Segal's Wardrobe

Trust Rodgers and Hart to do the unusual. They have made a hero of a heel by name 'Pai Joey.' Gene Kelly is the heel and strange as it may be this heel is a lovable character and how that heel can hoof.

Vivienne Segal as a rich society matron does a swell job. She wears some fascinating gowns. Appears first in a long white gown with draped skirt and many jewels. A red velvet gown has puffed sleeves of mink. There is a green dress with the sleeves coming from the neck line making them full. A purple sequin gown is worn under a long ermine cape. A few short dresses are nicely tailored with becoming hats.

Decided hit is June Havoc, sister of Gypsy Rose Lee. As a dancer in the night club she dresses the part becomingly. A black satin dress had shoulder pads of heavy material. An odd costume has a flowered hem. And a lavender dress a red top. The striped dress and net stockings. A green dress is worn with white foxes.

A pretty miss is Leila Ernst who wanders through the musical with not too important clothes. A pony skin coat and little bonnet hat is worn for the most part. There is a blue and green suit followed by a goblin-blue silk jacket worn with cloth skirt. The girls of the ensemble were for the most part in rehearsal garb of all types.

She Can Wear Slacks, So She Does

The important picture showing in town at the present time is "The Philadelphia Story" at Radio City. As in the play, Katharine Hepburn is the star. Associated with her are Cary Grant and James Stewart and they make up a trio the like of which we would like to see again and again.

Slack pants an important part of the Hepburn costume. Her trouser suit is a black and white striped. She wears a belt and a figure for slacks don't play her for sparing in them as often as she can. There is a bathing suit with a dandy looking robe hanging full at one side, while the other side is belted. A checked silk dress is made in three tiers fitting the hips snugly. A dinner gown is trimmed with a wide shiny braid at the belt and on the bodice, coming around the sleeves. Wedding dress of white chiffon has a lace belt.

Ruth Hussey is nicely tailored in all her frocks and even her dinner dress is plain with the new neckline. Mary Nash as the mother is neatly gownned in several creations, and Virginia Weidler as the precious child does a swell job.

The music stage show is "Pan-American" and is as colorful as the name suggests. La Fiesta has the girls in red and green skirts very short, with purple bodices. Many tassels decorated the bodices and large hats. That Miss Hepburn stands, "Ravel's Bolero" has all the girls in rounded dresses with the lights changing the colors in rapid succession. When the line of girls stretches to full length they take in the entire stage and the side boxes. It is a sight worth seeing. Always was.

Sounds Familiar

"Kitty Foyle" starring Ginger Rogers at the Rivoli is so old fashioned it is laughable. The girl on the wrong side of the tracks attracts the boy on the coin side. They love, marry, separate, she has a baby, she dies, she divorces, and he marries again. If the picture follows the book we wouldn't know, not having read it. As a working girl Miss Rogers looks very neat in several tailored dresses all with white collars and cuffs. There is an evening gown of gold lame with a belt and necklace of a fancy trim. One tailored suit had at the neck and cuffs a trim consisting of many white loops. The hat is an off the face affair triangle in shape.

Miss Cowl and Miss Wood

John Van Druten has written a pleasing comedy, "Old Acquaintance" now playing at the Morosco Theatre, and is very fortunate in the casting of Jane Cowl and Peggy Wood as the principals. Both women impersonate writers of novels, one serious, and one flighty. Jane Cowl dresses the part nicely appearing first in a wine-colored dress trimmed with a gold braid and worn with a green cape. She changes to a house coat of a sand color with deep pockets. A street costume is of a bluish green made with a pleated skirt with jacket three quarter length with pleated pockets. A red fox hat was small and a big matching muff. The last act has Miss Cowl in a beaver hat and coat over a beige dress.

Miss Wood is purrily over-dressed right up to the minute. First, in a bikini suit trimmed at the waist in kolinski fur. A small hat belted and gold chains hang from the neck.

A satirical hostess gown for an interview with her ex-husband, is of gold lame over a pink chiffon skirt. Necklace of pearls with matching earrings. In the last act Miss Wood appears in a grey two piece frock with a fascinating brooch of gold and diamonds at the lapel.

Adele Longmire, the ingenue, is in white net made with three flounces and a flowered cape and later a red dress and a plaid suit.

Shirley Booth's Wiscracks

Max Gordon presents "My Sister Eileen" a new play by Joseph Fields and Jerome Chodorow based on the stories by Ruth McKenney. This is what the program at the Biltmore Theatre tells you, but of the utmost importance to the story is staged by George Kaufman, without him there would have been no play.

It is a whacky comedy dependent mostly on the wiscracks of Shirley Booth and some laughs situations, which after a while get rather boring. Jo Ann Sayers is Eileen but it is Miss Booth who is all-important. A pretty red head in this miss who did such a swell job last season as the photographer in "Philadelphia Story." The clothes worn by these two girls are of the simple tailored type in many colored combinations. One doesn't expect clothes in Greenwich Village basement flat.

Acting Better, Clothes Aint

"Comrade X" (Metro) shooting at the Capitol has Hedy Lamarr acting. Some one has been coaching this gal. As a Moscow trolley car she wears a suit and man's cap. This is followed by a Russian blouse dress and beret. For an instant she appears in an old fashioned night gown but soon changes to one more fancy. For the most part hereafter she is in a soldier's coat and for the finish after leaving Russia a short shot shows the baseball game in Brooklyn where she is in a white suit and large hat.

Their Favorite Recipes

Baked beans a la Jeannette MacDonald

Two cans best grade baked beans. Put layer of beans in a pyrex casserole, cover with peeled, sliced fresh tomatoes, pour over two tablespoons Karo molasses, add another thin layer of beans. Over these spread a layer of chili sauce and sprinkle with generous portion of brown sugar. Repeat until casserole is filled, and on top cut up strips of bacon or fresh pork chops (if preferred). Cover casserole and place in medium oven. Bake 1 1/2 to two hours. When almost done, remove lid and allow bacon to brown.

Serve with Boston brown bread (it comes in a can too!) with lumps of hot butter on the slice of bread. (Serves six or 8).

LAWYERS DECIPHER DECREE

Hal Roach Sues Loew's, Metro For \$1,263,993, Claiming Deliberate Over-Charging on Prints, Holdbacks

Hal Roach Studios, Inc., filed one of the most important suits in recent years in the N. Y. federal court Wed. (8) against Loew's, Inc., and Metro Distributing Corp., seeking damages of \$1,263,993.31, based on claims of alleged deliberate overcharging on cost of prints, failure to pay rebates from the U. S. and New Zealand governments, failure to pay for the salvage value on junked prints, failure to devote its best efforts to the distribution of features, block booking of shorts, violation of contracts, etc. Attorney Louis Abrahams, representing the plaintiffs, says the Loew's has collected over \$40,000,000 on the producer's pictures which have been distributed by Loew's over a period of 14 years, starting in 1928.

Suit is divided into seven separate causes of action, each of which practically represents a complaint in itself. It is based on the five contracts of distribution signed with Loew's by Roach.

N.Y. WB EXEC'S PLAN COAST TREK IN FEB.

Trek of Warner Bros. home office executives to the Coast is tentatively set for early next month. Group includes Grad, Sears, Mort Blumenstock, Roy Haines, Ben Kalmenson' and Samuel Schneider. Conferences will be held with Harry Cohn, Jack Warner, Hal Wallis and Charles Feldman on "Meet John Doe" and other product to be sold in the next six months. "Doe" likely will be sold separately.

Visit to Hollywood is a regular affair for this season of the year. Grout will be on the Coast about two weeks.

Group Theatre's Clurman Will Be 20th Producer

Hollywood, Jan. 14. 20th-Fox signed Harold Clurman, founder of New York's Group Theatre, as an associate producer, to function without portfolio until he had time to study the studio's methods and story material.

Clurman's only previous picture experience was as addition to Walter Wanger a few years ago. As a stage producer he turned out 32 plays and is credited with the launching of various playwrights and actors. Among them are Clifford Odets, Sidney Kingsley, William Saroyan, Irwin Shaw, Franck Ture, Luther Adler and John Garfield.

Coslow's Musical Shorts

Hollywood, Jan. 14. Sam Coslow, the new Canadian Productions, has closed a deal to produce eight musical subjects for the slot-machine trade. To be released by the Mills-controlled Soundies Distributing Corp.

Soundies now has on hand eight reels of eight subjects each, to serve 1,500 boxes now in operation in the country, most of them as demonstrators. "Distributing" Company, currently operating from Hollywood, plans exchanges in Chicago and New York.

Hop and a Skip

Hollywood, Jan. 14. Harry Sherman moved up the starting date of his next Hopalong Cassidy picture, forcing Bill Boyd to postpone his coast-to-coast stage tour.

Picture rolls in two weeks.

One Good Hop Deserves Another for Abrahams

Hollywood, Jan. 14.

Dervin Abrahams drew a director contract from Harry Sherman after finishing the latest of the Hopalong Cassidy pictures, "Border Vigilantes." It was Abrahams' first job on the series.

Film Cos. Vote Immediate 50G To Brit. War Relief

Hays office directors last week voted to immediately advance \$50,000, pro-rated among member companies, to aid Nazi air raid victims in England, money being earmarked against anticipated rentals on "Land of Liberty," all-industry historical feature which does not go out on general release until the end of this month. Thus far the film has played only a few test dates.

Hays' directors called in major company theatre-men to get their views on how "Land of Liberty" could be promoted best. Major L. E. Thomas, president of Columbia; Charles Schneer, Leon Nester, and Charles Goldenson attended this hurried call. One result of the decision to give raid victims part of the receipts from the film, British relief organizations throughout the U. S. are laying plans to assist the picture by selling tickets and holding local premières.

Directors also discussed a new plan for carrying on the Will Rogers Memorial, the original five-year deal having run out a few months ago. A permanent plan will be worked out at subsequent sessions, no action being taken last week.

Those attending Hays' directors meeting were Jack Cohen, Earle W. Hammons, J. H. Hazen, F. L. Herron, Will Hays, Austin Keough, W. C. Michel, C. D. Prutzman, George J. Scherer, Nicholas Schenk and Murray Silverstone.

M-G SHOWS INTEREST IN DUNKIRK STORY

"These Are the Lads" yarn by Louis Golding, is receiving attention from Metro as a possibility for early 1941-42 release. British novelist recently came to this country with official sanction of his government to peddle the screen story. It deals with the war, culminating in the evacuation of Dunkirk.

London studios and American companies were interested in the tale, but it created little enthusiasm when Golding arrived with it a couple months ago. Metro, however, in the past two weeks suddenly took interest and several confabs have been held with Golding in New York.

Batcheller Heads Prod. For Producers Outfit

Hollywood, Jan. 14.

George Batcheller took over his new duties as supervisor of production activities for Producers Releasing Corp., headed by O. Henry Briggs.

First two films to be made under the Batcheller regime are "Emergency Landing" and "Duke of the Navy."

Picture rolls in two weeks.

SPECIAL LESSONS FOR SALESMEN

Austin Keough-Louis Phillips, Par, and William Zimmerman, for RKO, Touring Exchanges—WB and Metro to Follow

LAYMAN LANGUAGE

Because of the complexities of the consent decree and the legal language in which it was written, film companies are starting to decipher it for the sales forces, and from time to time a special sales memo or information card is sent out to keep the personnel posted on what to do and what not to do. Because of the necessity of covering every branch office, this will entail much work for the skilled attorneys assigned to the task as well as run into considerable expense.

All of the companies that signed the consent, Metro, Paramount, Warners, 20th-Fox and RKO, have published special cards for the sales force to use in their own people in sales as well as other departments, including the exchanges. In addition to covering all the exchanges to explain the decree and answer questions, 20th-Fox is publishing an interpretation of the various clauses of the decree, couched in language for the layman. It awaits the approval of S. R. Kent, now on the Coast, after which it will be distributed to 20th-Fox forces.

Meantime, Felix Jenkins of the legal department of 20th, who is also

(Continued on page 19)

TOBACCO ROAD' ROADSHOWING IDEA UP

Believing it has an outstanding popularity in "Tobacco Road," with a ready-made audience for it throughout the country, 20th-Fox may road show the picture on a two-a-day basis or under a sun plan similar to that which figured for "Gone With Wind" and "Dictator."

In any event, the film is not expected to be delivered on this year's (1940-41) contracts. No promise for it was made. It very probably will be made available during this season, however, rather than the mid-winter, when it would be sold under a current decree. If held until then, very unlikely since the picture is completed, it could be placed in a group of five under the consent, but everything at that moment points away from that.

If marketed singly this spring or summer at increased admissions it might later be thrown into a group for national release.

When Harry Zanuck was sent a wire, he said that the road showing and sales plan for "Tobacco" will be the subject of an important discussion shortly on the Coast. It has not been seen at the home office. A very complicated percentage deal figured in the acquisition of rights to the record-run play. Among other things, when the deal was made it was contingent on approval from the Hays' office for the use of the title. That was quickly granted.

Used to It by Now

Hollywood, Jan. 14. Another Myrna Loy-William Powell coupling is set for the Metro comedy, "Last Crayon," to be produced by Pandro Berman and directed by Jack Conway.

David Hertz and William Ludwig are sophisticating the story.

Oscar Morgan May Be Par's Short Subject Sales Mgr. in Amplified Distribution Setup Under Decree

Three Endings

Hollywood, Jan. 14. Deanna Durbin has recorded three separate vocal finales for three separate sets of audiences in her Universal starrer, "Nice Girl." In the U. S. version the star sings "Thank You, America" in American. The same song in American, the same song in Latin-American, and the same song in British, "There'll Always Be An England."

Several promotions and appointments in the Paramount distribution department, consequent upon the consent decree when added manpower as well as coverage of the country will be required, being worked out. In addition to three appointments already known to have been made, it is reported Oscar Morgan may be named short subject sales manager. Unless he also retains the southern division, which is a possibility, it is believed one of the district managers will succeed Morgan over that territory. A vacated district post would no doubt be filled by one of the more experienced branch managers. At the same time, as recently occurred in May, managers may be promoted from smaller exchanges to larger branch points.

Paramount has nine different districts, but for better coverage of the various territories, some of which are now large, new district regions will probably be created by his company as well as by others.

Marvin Seltzer
Par has 103 salesmen. Editions in that field will be required to handle the increased selling activity under the provisions of the decree for groups of five features at a time. Number of extra sellers is a problem at present.

A sales head over shorts alone is of little importance because the briefs and shorts must be merchandised separately and forced through the sale of features.

For Morgan, if reports on the appointment are correct, it will become an important exec home office post. Formerly southeastern district manager at Atlanta, Morgan was made southern sales division chief when three divisions were created about two years ago.

Reportedly being worked out now, Paramount will make the appointments and promotions official when Par holds its mid-season distribution meeting at Chicago. This is understood to be scheduled for next Monday (20). Whole new sales setup will be completed by then.

Reasons for the postponement were twofold. The court was informed that Edward C. Rafferty, appearing for UA and Universal, would have to be in California during this month and could not prepare and argue his application. Louis Frolich, attorney for Columbia, so mixed up in the various aspects of litigation involving the American Society of Composers, Authors and Publishers, it took him impossible to prepare argument this month.

Universal and United Artists will ask that all allegations referring to the five producer-exhibitors, signers of the consent decree, be stricken from the new complaint, and that it be amended so as to contain just the charges against the little three. Columbia will cite the actual decree to the court, with specific references to the section of requiring the Department of Justice to secure decree against the non-theatre owning defendants by June, 1942, or else the signers to use the "escape clause."

Columbia will state that, as well as the other two majors, are being used as "guinea pigs," and that the original decree is unconstitutional since it seeks to deprive another of rights without due process of law.

Due to the fact of an application for summary judgment, will be made in the Oklahoma City suit on Jan. 30. Judge Goddard indicated Monday (13) that if it should prove inconvenient for counsel to argue the motions on Jan. 31 in N. Y., he would set the hearing back to the first week in February.

STRIKES OUT

Holden's Second Walkout Ends In Failure

Hollywood, Jan. 14.

William Holden called off his one-man strike and reported at Columbia for top role in "Texas," which he had refused three weeks ago. It was his second strike in three months.

Actor is under contract to Paramount, which shares his services with Columbia because that firm gave him his big chance in "Golden Boy" when he was unknown. It is understood to have gone back to work without the increase in salary he demanded.

NURSE' FOR BURTON

Hollywood, Jan. 14.

Darryl Zanuck is trying to outmaneuver the California rainy season by sending four important location troupes far ahead for exterior shots.

"Miami" company goes to Florida. Jan. 20. "Blood and Sand" is at work in Mexico City. "Flight Surgeon" slated for work in Pensacola, Fla., and "Bell Starr" goes to southern Arizona for extended shooting.

Abuse of authority causes Zanuck to move from location to indoor studio until the weather clears. Films are "The Sea Wolf," "The Bride Came C.O.D.," "Miss Wheelwright Discovers America" and "Wings of Steel."

Hollywood, Jan. 14.

David Burton gets the director job on the Sol Wurtzel production, "Private Nurse." 20th-Fox.

Filming starts next month when Burton returns from his South American vacation.

20TH DETOURS LOCATION TROUPES AROUND RAIN

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Bill Brandt Survey Points Up 1,000% Liability Ins. Increase for N.Y. Theatres

Increase of almost 1,000% in New York theatre liability insurance rates in the past 20 years has brought about an effort by metropolitan chain and independent operators to force a reduction. One point in their argument is that tilt in premiums are asking a get-together by exhibitors to fight it has been round-robin by William Brandt, of the Brandt circuit, during the past couple of weeks.

Upturn has been so sharp, it is revealed by Brandt's letter, that Loew and RKO circuits have turned to self-insuring themselves up to a certain point. In the latter hand, it is pointed out, with increasing cost of booth equipment, cost of fire insurance has come way down.

Brandt uses his own group of 11 theatres as an example of how rates have gone up. Houses include Central, Liberty, Selwyn, Times Square, Town, Flatbush, Suter, Windsor, Bayside, Apollo and Stanley. Annual premiums on \$5,000,000 liability coverage:

1920-1925	\$2,474.99
1925-1937	3,712.48
1927-1935	8,249.96
1925-1939	13,164.71
1939-present	21,542.25

Premiums were paid on a per-seat basis until 1935, when they were switched to a per-100 admission basis. Prior to 1932, standard rate for all theatres in the Brandt operating area was 22¢ per seat. At that time, the Theatre Owners' Chamber of Commerce, of which Brandt was president, was formed and, following a survey by insurance expert Herbert R. Ebenstein, who instituted a plan of accident prevention and more careful investigation, a group policy was adopted. Theatres were arranged at 11¢ per seat.

At the end of the first year for which the arrangement was made, many changes of theatre ownership and management had taken place and the group plan disintegrated. Claims became more frequent and costly and insurance went up to 25¢ per seat. That was in force less than two years when it went up to 40¢ a seat, an increase of 233% over the group rate.

Phoney Claims

Among the reasons for the spurt, according to Ebenstein, who has just completed a new survey for Brandt, was a scourge of fraudulent negligence claims encouraged by unscrupulous lawyers. Theatre owners, too, weren't resisting the claims and in some locations managements were unable to buy insurance, even at 40¢.

This high rate was unfair, however, in certain nubes with large seating capacity but which didn't have the turnover of the midtown houses. So in 1935 the method was changed to per-100 admissions through the Orlando plan, 11¢ per 100 admissions, but in 1939 insurance companies maintained that experience showed this too low and it was pushed up to 18¢ per 100.

Ebenstein's survey recommends a return to the group plan. He also points out that the reason rates go up is an increase in accidents being reported in all categories of the metropolitan area, e. g., He suggests, therefore, a central agency, which among other things, will assist members in elimination of causes of accidents, will investigate all accidents in order to resist claims and will maintain experienced lawyers to fight them.

Survey by Ebenstein also points out that rates are not uniform in all cities, many locales having premiums as low as 5¢ per 100 admissions, while other typical rates per 100 admissions are:

Los Angeles	....	\$0.08
San Francisco	....	.08
Philadelphia	....	.09
Chicago	....	.10
Newark	....	.10
Buffalo	....	.10
Albany	....	.10
Pittsburgh	....	.13
New York City	....	.18
Boston	....	.25

'Mr. & Mrs. Smith' May Get 38-City Teoff

Tentative plans this week are being made by RKO for a 38-city premiere affair of 'Mr. & Mrs. Smith.'

Present intention of the company is to bring in critics and exhibitors from nearby cities for each pre-miere showing.

'Flight Command' Gets Big Bally in Rochester

Rochester, Jan. 14. Manager Lester Pollock, Loew's has full sized airplane in upper lobby as part of extensive air exhibit ballying 'Flight Command' Machine, a new one from Detroit to be used as trainer in defense instruction, is first ever assembled inside a theatre here.

On opening day of film, 36 pilots flew in formation over the city at noon as salute to the picture and were guests of theatre that evening.

Democrat and Chronicle conducted contest for model planes tying in with 'Flight Command,' with heavy publicity in newspaper's Under Dan column, which has big following among city's children.

3 EXPLOITATION VETS ON 'LIBERTY' BALLY

Three industry exploitation veterans have been added to the Hays office force assisting in the campaign to bally 'Land of Liberty,' the all-industry feature being distributed by Metro. Jack Larkin will cover New England and the Great Lakes region; Tom C. Shea, western and southern States, and Gabe Yost, the Southwest and West, in furnishing supplemental exploitation and publicity for the picture, which is being released nationally Jan. 24.

Additionally, I. E. Deering, regular Hays office community service department representative, will work out of Chicago on special club and community tieups and publicity. 'Land of Liberty' was given an emergency preview at the Strand when it opened last week at the Columbia theatre. Profit realized on the picture will be given to worthy charities. Initial \$50,000 being designated for British air raid victims.

BOYLE TO TURNER
James A. Boyle, of RKO's home publicity department, this week joined the exploitation staff force under Terry Turner. Boyle has been assigned to duty in Buffalo.

LOS ANGELES
Terry Turner, of RKO's home publicity department, this week joined the exploitation staff force under Terry Turner.

Boyle has been assigned to duty in Buffalo.

Balaban Foresees Decentralized Ad Campaigns to Meet Varying Playdates

Following undetailed remarks made last week by Barney Balaban concerning "decentralized advertising," it is disclosed the president of Paramount is of the opinion that pictures may play different territories months apart under the consent decree and that advertising campaigns should be plotted to fall concurrently with playdates.

Balaban thinks that if release dates are not met in all parts of the country when they are ready for booking, advertising in national areas, as well as exploitation, will not have its fullest force.

In other words, if a picture plays New England right on top of release but doesn't go out so fast in other sections, the advertising and exploitation should be staggered in the various territories or zones to break with the first-run engagements of the film.

There are some territories, well controlled by various circuits, that can hold up a picture for some time if available.

On occasion it has been two or three months before certain pictures have been picked up by such circuits in some sections of the country.

It is probable that exploitation staffs of all companies will be increased to the point where there may be a field representative in each exchange territory. Only with the few exchanges in all the exchanges, RKO, Par, United Artists, and Warner Bros. have smaller forces, while 20th-Fox and Universal have none. Pat has already indicated it will put on extra exploitation men.

While Balaban's thought that the

'Back Street' Set For Miami Preem, Feb. 4

First world prem on an elaborate scale in the New Year will be that of 'Back Street,' Universal top-bracketer, which will be staged in Miami Feb. 4, with newspaper people and others from key cities flown to the Florida watering place for the festivities. Bruce Manning, producer of the film, and members of the cast will plane from Hollywood. Uncle Sam, from both there and the home office, will also attend.

Plans is to hold the prem simultaneously in at least two Miami houses, not yet selected.

VA. AT \$3 TOP FOR CAN. WAR RELIEF, NEAR SRO

Taking over 2,000 seats for the special 8:30 prem of 'Virginia' at the Paramount, N. Y., the night of Jan. 28, the Maple Leaf Fund, an amateur relief organization, has been getting rid of its seats at increased prices so rapidly that it is indicated it may want to stop.

Fund took 1,840 orchestra seats, the entire floor except for about 50 up front, which it is selling at \$2.50 each, and 200 in the mezzanine, which are bringing \$3. Regular established scallop of the Far for both orchestra and mezz seats is \$5. The difference for the Fund is providing the band proceeds. Fund is asking those who buy seats to show up formal wear.

Arrangements have been completed by the Par to have the Glenn Miller band, originally set to come in with the picture Jan. 29, to play the special prem the night before. Act for the opening night to go with the band are to be set by the Fund itself, with an eye to carriage of the band.

Arrangements have been completed by the Par to have the Glenn Miller band, originally set to come in with the picture Jan. 29, to play the special prem the night before. Act for the opening night to go with the band are to be set by the Fund itself, with an eye to carriage of the band.

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Arrangements have been completed

Stage Shows Again Prop Up Chi; Santa Fe-Vaude 40G, 'News'-Unit \$20,000, 'Navy'-Gray Gordon \$19,500

Chicago, Jan. 14.

Two stage attractions rate as the particular boxoffice interest of the current week, making the figures at the State-Lake and Oriental large and round to the satisfaction of all concerned. The "News" unit, which came new to Chicago, is giving the State-Lake a nifty session. Meanwhile, the Oriental, which has been having pretty much of a struggle of it for the past few months, is getting plenty of new currency with its A. B. Marcus show, tagged "Continental Review."

The picture side sets the best bet is "Santa Fe Trail" in the Chicago. Picture has drawn rave reviews.

Word-of-mouth, still a beauty at the wicket. Looks for a real stay in the loop, no only in the Chicago but in the likely hold-over spots.

Continuing at the same pace is "Till We Meet," which must be said for the hang-up job Tom Gorman, RKO midwest chief, is doing to keep public interest white-hot on this item. Has tie-ups all over the place and the pictures seems cinch to smash through for four or more weeks in the Palace.

Estimates for This Week

Apollo (B&W) (1,200; 35-55-75) — "Love Neighbor" (Par). This is third loop session, coming over from fortnight in the Chicago, and headed here by the "News" unit. "Night Train" (Col.) finished excellent three-week run to tally \$6,000.

Chicago (B&K) (4,000; 35-55-75) — "Santa Fe" (WB) and stage show. Ink Spots heading for a real come-back after the take. Headed for \$40,000 fine. Last week, "Love Neighbor" (Par), finished two weeks to good \$2,000.

Garrison (B&K) (1,000; 35-55-75) — "The Street" (M-G). Second week here and fourth in loop. Holding to satisfactory \$4,500. Last week managed all right \$6,200.

Oriental (Jones) (3,200; 28-44) — "Red Devil" (RKO) and A. B. Marcus' "Continental Review" on stage. On sole strength of the unit, house is pounding to bang-up \$2,000. Last week, "Night Tropics" (U) and vaude headed by Thurston's magic act and Millie Dillinger, did \$1,500.

Palace (RKO) (2,500; 34-44-66) — "Kitty Foyle" (RKO) and "Saint Palm Springs" (RKO) (2d wk). Former is a smash winner, especially because of excellent exploitation and district office help. Total for week \$18,000, currently following wallopin' \$23,700 last week.

Rosewell (B&K) (1,000; 35-55-65) — "Bagdad" (USA) (3d wk). Holding to good \$4,000, currently following net take last week of \$1,100.

State-Lake (B&K) (2,700; 28-44) — "Here Comes Navy" (WB) (re-issue) and vaude. Gray Gordon orchestra headlining account for bulk of the trade. Total \$10,800. Last week, "Sky Murder" (M-G) and Pats Waller headlined, turned in good \$17,700.

United Artists (B&K-M-G) (1,700; 35-55-65) — "Comrade X" (M-G). Clark Gable moniker is considerable boxoffice item and on this strength holding over. Figures for \$8,000, good, currently, following snappy \$13,500 last week.

West (10G, "Victory" \$9,500, Balto Swell

Baltimore, Jan. 14.

Evening-out process following previously shifted openings to accommodate daily holiday bookings taking place here, with most of the h.o. pic staying on for added days. Last night with traditional opening and closing. Biggest news of the town is "North West Mounted," starting a third week today after hanging up a house record. The amply seated Stanley, on its initial 10 days, has biz continuity seems in the bag.

Also highly successful is "Kitty Foyle" figure to stay at the combo. 16 days, but extended to 18 playing days. "Victory" at Keith's, given a rousing critical response and fairly consistent action at the b.o.比 all-around healthiest in weeks.

Metropole (Paramount) (2,205; 28-33-33-44) — "Kitty Foyle" (RKO) (2d wk) well-preserved. Figures to stay on for 8 days with strong current take added to big \$18,000 on opening round figure to mount to rosy total of \$34,000.

Keith's (Schamberger) (2,405; 28-33-33-44) — "Victory" (Par). Rousing response from crits and very steady action at the wicket, with nice

First Runs on Broadway

(Subject to Change)

Week of Jan. 16

Astor—Great Dictator (UA) (14th wk).

Broadway—Fantasia (Disney) (10th wk).

Capitol—Flight Command (M-G).

(Reviewed in VARIETY Dec. 18)

Criterion—Behind the News' (Rep) (15).

(Reviewed in VARIETY Dec. 25)

Globe—Night Train (20th) (4th wk).

Music Hall—Philadelphia Story (M-G) (4th wk).

Palace—She Couldn't Say No' (WB).

Paramount—Second Chorus' (Par) (15).

(Reviewed in VARIETY Dec. 4)

Rialto—Convoy" (RKO) (15).

(Reviewed in VARIETY June 26)

Rivoli—Kitty Foyle" (RKO) (2d wk).

Roxy—Hudson's Bay" (20th) (2d wk).

Strand—Four Mothers' (WB) (2d wk).

Week of Jan. 23

Astor—Great Dictator" (UA) (15th wk).

Broadway—Fantasia (Disney) (11th wk).

Capitol—Flight Command' (M-G) (2d wk).

Criterion—A Night at Earl Carroll's' (Par) (22).

(Reviewed in VARIETY Nov. 20)

Globe—Night Train (20th) (5th wk).

Music Hall—Arizona's (Col.) (Reviewed in VARIETY Nov. 20)

Paramount—Second Chorus' (Par) (2d wk).

(Reviewed in VARIETY Dec. 24)

Rivoli—Kitty Foyle" (RKO) (3d wk).

Roxy—Tall, Dark and Hand-some" (20th) (2d wk).

Strand—High Sierra" (WB) (2d wk).

Week of Jan. 30

Astor—Great Dictator" (UA) (16th wk).

Broadway—Fantasia (Disney) (12th wk).

Capitol—Flight Command' (M-G) (2d wk).

Criterion—A Night at Earl

Carroll's' (Par) (22).

(Reviewed in VARIETY Nov. 20)

Globe—Night Train (20th) (5th wk).

Music Hall—Arizona's (Col.) (Reviewed in VARIETY Nov. 20)

Paramount—Second Chorus' (Par) (2d wk).

(Reviewed in VARIETY Dec. 24)

Rivoli—Kitty Foyle" (RKO) (3d wk).

Roxy—Tall, Dark and Hand-some" (20th) (2d wk).

Strand—High Sierra" (WB) (2d wk).

BENNY - ALLEN FINE 20G, D.C.

Washington, Jan. 14.

It must be pre-Inaugural visitors, although the hotels aren't even near their peak yet. Maybe it's just a carnival spirit getting underway. In any event, the b.o. is up and climbing higher all along the mainstem.

Tops is "Love Thy Neighbor" at Erie, WB vaude house, with "Go West" at Capitol, Loew's and vaude. Other newcomer is "Land of Liberty" at Columbia, normally Loew's second-run house. Documentary historical montage got swell reviews and a good deal of star power appearing for brief scenes. Result is at least house average for non-fiction pic.

"Comrade X," "Kitty Foyle" and "Santa Fe Trail" (the holdovers, are also solid moneymakers, though not as well as the new ones. "Year's Eve" All week estimates for last week include midnight New Year's show and are for nine or 10 days.

Estimates for This Week

Capital (Loew's) (3,434; 28-33-44-66) — "Go West" (M-G) and vaude. It's all up to the Marx Bros. and they'll pull solid house every week.

"Comrade X" (M-G) rode high, reaching local world premiere ballyhoo for 10 days to nice \$28,500.

Columbia (Loew's) (1,234; 28-44) — "Land of Liberty" (M-G). Strong reviews and ballyhoo on star roster offsetting educationals. "The Young Called Loretta" (Col.) seven days plus two-day sandwiched return engagement on "North West Mounted" (Par), \$7,500, very good.

"Love" (Loew's) (2,000; 33-44) — "Second Chorus" (Par). Asante-Goddard combine showing fair, though not as well as the new ones.

"Hudson's Bay" (2d wk) and "Second Chorus" at New Malco, are making a moderate showing.

Estimates for This Week

Capital (Loew's) (3,434; 28-33-44-66) — "Go West" (M-G) and vaude. It's all up to the Marx Bros. and they'll pull solid house every week.

"Comrade X" (M-G) rode high, reaching local world premiere ballyhoo for 10 days to nice \$28,500.

Met (WB) (1,600; 28-33-44-66) — "West" (WB) old and new, under wraps, in a 20th. Last week, "Love" (WB) (2d wk) and "Second Chorus" (Par) in a 20th.

"Arise Love" (Par) (2nd run), three days; "Who Killed Maggie" (Rep), two days; and "Find a Friend" (Rep), two days. "Arise Love" (WB) (re-issue) same day, plus \$2,000. Last week, "Arise Love" (Par) (2nd run), three days; "Who Killed Maggie" (Rep), two days; and "Find a Friend" (Rep), two days. "Arise Love" (WB) (re-issue) same day, plus \$2,000.

Palace (Loew's) (2,242; 39-55) — "Comrade X" (M-G) (2d wk). Holding for the week. Last week same pic took big \$22,000 in nine days.

Metropole (WB) (1,600; 28-33-44-66) — "West" (WB) old and new, under wraps, in a 20th. Last week, "Love" (WB) (2d wk) and "Second Chorus" (Par) in a 20th.

"Arise Love" (Par) hand open here today (Wed.).

Okay Pix OK in N. Y.; Muni Fancy

\$45,000, 'Foyle' Good 35G, 'Philly'

3d Big 95G, 'Mothers'-Kaye, \$32,000

(Best Exploitation: Rivoli)

Since the first of the year, grosses on Broadway have dropped, as is to be expected after the holidays, but where the pictures have more than the ordinary pull business is good. "Fantasia" (Disney) is drawing heavily, with at least one spot, the Music Hall, which is drawing heavily, with "Philadelphia Story" now in its third week at the theatre. While week-to-week figures are not available, it is apparent that the picture is holding up well, despite the fact that it is a 3d show.

"Mothers"-Kaye (M-G) and stage show (3d week). A mighty b.o. entry, the third (current) stanza auguring a big \$35,000. Last week (2d) was \$11,000, sensational for a fourth week in Jan. Remains a fourth.

"Philly" will get \$95,000 this week, immense, and goes a fourth. Only the other two have had such a long run. The Hall's 21-day engagement, remarkable for a Disney film, is drawing steadily. The Hepburn star got \$130,000, the first week, second best in money here for a single week. Last week (2d) the gross was \$11,000.

No less outstanding has been the 28-day run of "Love Thy Neighbor," a big draw nationally, plus the Broadway's strong pull at the Palace, which pulled in a lot last night (Tues.) with \$23,500 nabbed for the final round. It got \$52,000 last week, \$75,000 the second (a new high) and \$63,000 for the initial seven days for a grand total of \$226,000.

New shows this week include "Hudson's Bay" at the Roxy, which is drawing strongly, plus "The Music Hall," which is pulling in a lot at the Palace.

"Sweat" (M-G) (2d wk) begins the second rubber this morning (Wed.) after coming through on a little slam the last seven days, ending last week with \$11,000. Remains a fourth.

"Sweat" will hit about \$45,000. "Foyle" ran to a good \$35,000 in its first seven days through last night (Tues.), and "Mothers"-Kaye suggests \$40,000, maybe a little over. All had over.

The Capitol is on its final day to day (Wed.) with "Comrade X," which has been a fine profit-getter at this straight film. It's going to be a great hit, according to the house next to it, former Thursday opening tomorrow, when "Flight Command" comes in. The concluding eight days will be better than usual. The second week, however, is \$35,000, while the first was close to \$20,000, plus disappointing though o.k.

"Flight" (M-G) (2d wk) and "Four Mothers" (WB) and Sammy Kaye. Not quite up to expectations, but satisfactory at \$32,000, perhaps a shade above. "Hudson's Bay" (Col.) and "Alice" (Lynn) on the stage, and \$25,000 on the floor. Film is an outstanding grosser throughout the country.

Flight' Neat 11G, Kitty, 'Neighbor' H.O.s Strong, K.C.

Washington, Jan. 14.

New films are headed by "Flight Command" at the Midland, while "L'il Abner" at the Esquire provides a bit of a surprise. The comic strip take-off was set as a filler for a five-day stretch, but is likely to play six or seven.

"Love Thy Neighbor" at the Orpheum and "Kitty, 'Neighbor'" at the Newman are holdovers, and both look certain for added business. "Kitty" is but a shade under the initial week and is the best piece of film the Orpheum has had since. "West" (WB) got \$12,000 the first week, 12th.

"Comrade X," "Kitty Foyle" and the Rivoli management scored the highest on exploitation this week among the new stuff that came in.

Estimates for This Week

Astor (1,012; 75-85-\$1.10-\$1.15-22-20) — "Dictator" (UA) (14th wk). Last week (13th) \$15,000, good profit. Price (12th) week, New Year's Eve. All week estimates for last week, when film also was at the Capitol.

Broadway (1,895; 55-75-\$1.10-\$1.15-22-20) — "Fantasia" (Disney) (10th wk). All week, undependable, but at \$1,000 last week (9th) a very good money-maker. At 50% of this figure would still be on the right side of profit.

Capitol (4,220; 35-85-\$5.45-\$1.10-31-28) — "Flight" (M-G) (2d wk). For windup, eight days will be around \$25,000. Good. Prior two weeks were close to \$50,000 (1st wk) and \$35,000 (2d wk). On the run a handfull of houses, b.o. good.

Forrest (1,662; 28-44-55-65-66-67) — "Be Neighbo'r" (RKO) and vaude. Benny-Alen feud leading down with stars 200,000 under wraps, ending last night (Tues.), \$7,500. In ahead on its second lap, "Little Nellie Kelly" (M-G) got over \$8,000.

Globe (1,180; 28-35-44-55-57-Night) — "Flight" (M-G) (2d wk). Mainly strong, good. Approximate \$18,500 for 10 days seen for this week (3d). Last week was \$11,500.

Met (WB) (1,600; 28-33-44-66) — "Love" (WB) (2d wk) and vaude. Benny-Alen feud leading down with stars 200,000 under wraps, ending last night (Tues.), \$7,500. In ahead on its second lap, "Little Nellie Kelly" (M-G) got over \$8,000, okay. Last week.

Palace (WB) (1,600; 28-33-44-66) — "Flight" (WB) (2d wk). Mainly strong, good. Approximate \$18,500 for 10 days seen for this week (3d). Last week was \$11,500.

Palace (WB) (1,600; 28-33-44-66) — "Love" (WB) (2d wk) and "Case" (WB) (2d wk). Mainly strong, good. Approximate \$18,500 for 10 days seen for this week (3d). Last week was \$11,500.

Orpheum (RKO) (1,500; 10-28-44) — "Kitty Foyle" (RKO). Completed a two-week run Monday (13th), with receipts from the second week only slightly under the opening. Starter of \$10,500 and second week of \$8,500 are certain to result in a third week for the film.

Tower (Joffee) (2,110; 10-30-44) — "Shayne Detective" (WB) and stage show (2d wk). Last week, "Cherokee" (WB) vaude, came along similarly to \$3,700.

Kansas City, Jan. 14.

New films are headed by "Flight Command" at the Midland, while "L'il Abner" at the Esquire provides a bit of a surprise. The comic strip take-off was set as a filler for a five-day stretch, but is likely to play six or seven.

"Love Thy Neighbor" at the Newman are holdovers, and both look certain for added business. "Kitty" is but a shade under the initial week and is the best piece of film the Orpheum has had since. "West" (WB) got \$12,000 the first week, 12th.

"Kitty, 'Neighbor'" at the Newman and "Alice" (Lynn) on the stage, and \$25,000 on the floor. Film is an outstanding grosser throughout the country.

Estimates for This Week

Esquire and **Uptown** (Fox Midwest) (620 and 2,043; 10-28-44) — "L'il Abner" (RKO). Doing a better-than-expected job with \$5,500 in six days. Last week, "Love Thy Neighbor" (WB) (2d wk) and "Ellery Queen" (Col.) stayed for 10 days and brought in a creditable \$10,500.

Newman (Paramount) (1,900; 10-28-44) — "Love Thy Neighbor" (WB) (2d wk) and stage show (2d wk). Last week, "Cherokee" (WB) vaude, came along similarly to \$3,700.

Orpheum (RKO) (1,500; 10-28-44) — "Kitty Foyle" (RKO). Completed a two-week run Monday (13th), with receipts from the second week only slightly under the opening. Starter of \$10,500 and second week of \$8,500 are certain to result in a third week for the film.

Tower (Joffee) (2,110; 10-30-44) — "Shayne Detective" (WB) and stage show (2d wk). Last week, "Cherokee" (WB) vaude, came along similarly to \$3,700.

Margie-Holtz Unit Terrif \$14,000**'Alley' Immense \$11,000, Mpls. Okay**

Minneapolis, Jan. 14.

The Minnesota's Lou Holtz Hollywood unit with Wendy Barrie, Lola Lane and Arline Judge, and the State's "Tin Pan Alley" are locking horns in a fight to top the current boxoffice competition. However, the stage show, heavily loaded with names, is well out in front. At that, "Tin Pan Alley" is giving a fine account of itself and between it and the Holtz array much of the available patronage is being hogged. Margie is running mighty tough for all other attractions.

"Arizona" and "A Night at Earl Carroll's" at the Orpheum and

Gopher, respectively, are being left in the dust by the two leaders. Next over, "Comrade X" and "Chief of Bagdad" continue to hang on grimly in the face of the heavy Minnesota and State opposition.

With the Minnesota has the stage show spotlight to itself this week, its monopoly will be short-lived. Next Friday the Orpheum comes to the front with Cab Callaway against the Minnesota's "Tin Pan Alley." Following week the stage show battle will continue with Joe Venuti, the "Three Stooges" and Andrew Sisters at the Orpheum. On Sunday to the Minnesota's "Salute" goes. Also Ruth Chatterton comes this week, and Lunt and Fontaine the ensuing week to the Lyceum.

Estimates for This Week

Aster (Par-Singer) (900; 15-29)—
"Merry Servants" (Col) and "Elles Queen" (Col), dual first-runers with "Phantom Submarine" (Col) and "Couldn't Say No" (WB), also dual first-runs. Getting heavy play and should reach good \$2,200 per week.

"Raymond Scott" (Col) and "Hullaballoo" (M-G), dual first-runs, split with "Wolf Date" (Col) and "Jennie" (20th), also dual first-runs, okay \$1,500.

"Century" (Par-Singer) (1,600; 28-44)—"Comrade X" (M-G) (2d wk). Holding up well after eight days and niftiness, "Year's Eve" at State, when it moved here, reached for good \$4,000. Last week "Love Thy Neighbor" (Par) (2d wk), good \$4,700, including New Year's eve midnight show after satisfactory \$7,500 first week.

Earl Carroll's (290; 15-20)—"Missing People," "Chamber of Horrors" (Mono). Came in Sunday (12). "Pisces Parade" (Par) (re-issue) got \$100. Last week "Love Thy Neighbor" (Par) (re-issue) was \$800. Mild.

"Gopher" (Par-Singer) (998; 28-28)—"Earl Carroll's" (Par). Will do well to reach moderate \$2,400. Last week "Her Comes Navy" (Col) (re-issue), five days, Fair \$3,000.

Minnesota (Middle States) (4,000; 28-39)—"Margie" (Lou Holtz) and "Tin Pan Alley" (Col). Both Judge or state. Stage show very well liked. Zoning toward \$14,000, considering low scale and the town. Last week "Hit Parade" (Rep) and "Kingsway" (Col). Dances Ruth Petty, etc., etc. From opening bill started New Year's eve and ran 10 days, with last three days spoiling healthy, weekly boxoffice showing. Very good \$11,000 per week, including leaving house in red at \$13,500.

Orpheum (Par-Singer) (2,800; 28-45)—"Arizona" (Col). Pic praised by critics but having poor boxoffice, still in face of Minnesota and State opposition. Will stretch to reach mid \$5,000 in 10 days. Last week "Go West" (M-G) and Gertrude Niesen, "Love Thy Neighbor" (Par), etc., on stage good \$11,000 per New Year's eve and 55¢ scale helping.

State (Par-Singer) (2,800; 28-45)—"Arizona" (Col). Pic praised by critics but having poor boxoffice, still in face of Minnesota and State opposition. Will stretch to reach mid \$5,000 in 10 days. Last week "Comrade X" (M-G), good \$10,200 in eight days and New Year's eve midnight show.

Uptown (Par) (1,200; 28-39)—"Arise Love" (Par) split with "Zorro" (20th). First neighborhood showings. Okay \$2,500 indicated. Last week "Love Thy Neighbor" (Par) (1st first neighborhood showing very big \$3,500, including New Year's eve midnight.

Worship (Par-Singer-Steffes)—"Bagdad" (UA) (2d wk). Playing to end and nearly at end of rope. Should hit good \$2,000 after good \$3,000 second week.

'NELLIE' 20G IN BKLYN

"Santa Fe" (H. O. Strong) \$17,000—
"Chad" Bright \$15,500

Brooklyn, Jan. 14.

Fabian Paramount holding "Love Thy Neighbor" and "South of Sue" for a third week, and Fabia Fox is in second stanza of "Santa Fe Trail" and "Always a Bride." Low's Metropolitans are to open, however, with "Little Nellie Kelly" and "Son of Monte Cristo."

Estimates for This Week

Albee (RKO) (3,274; 25-35-50)—
"Chad Hanna" (20th) and "Romance

"Rio Grande" (20th). Satisfactory \$15,500. Last week, "Nautilus" (RKO) and "Private Detective" (20th), good \$18,000. "Fabian" (4,000; 25-25-50)—"Santa Fe Trail" (WB) and "Always a Bride" (2d wk). Good \$17,000 after magnificent \$28,000 on the first round.

"Michael Shayne" (3,618; 25-35-50)—"Nellie Kelly" (M-G) and "Son Monte Cristo" (UA). Splendid \$20,000. Last week "Third Finger" (M-G) and "Kid Carson" (UA), okay \$18,000.

"Paramount" (RKO) (4,126; 25-35-50)—"Northwest Passage" (WB) and "South West" (WB) (3d wk). Satisfactory \$13,000. Last week, \$18,000.

"Strand" (WB) (2,870; 25-35-40)—"Love, War" (Col) and "The Shrub" (WB). Quiet \$4,000. Last week "Devil's Pipeline" (U) and "I Murderer" (Ind), okay \$1,500.

Frisco Okay, But Needs Product; 'Comrade' Fair 19G, 'Love' \$13,500

San Francisco, Jan. 14.

Business generally perky, despite plenty of rain which has been spilling just in time to nick the first evening shows. Biggest problem of the moment, according to Arch Bowles, Fox-West Coast chief, is getting strong enough product. Points out there's plenty of product up, but it needs a chance to clear up. Paramount is doing okay with "Love Thy Neighbor," moving into a third slot. "Thief of Bagdad" is solid enough to hold its own as a steady second week without trouble. Orpheum's "This Thing Called Love" opened better than "Arizona," which is a much-needed break. Gate gives credit for all this to Bob Crosby's stage date.

Estimates for This Week

Fox (F-WC) (5,000; 35-40-50)—"Comrade X" (Col.) (20th). Didn't kick off quite as strong as expected, but still good for \$19,000. Last week, 10-day sesh of "Santa Fe" (WB) and "Come On Ma- rines" (Rep.) (re-issue), finished with \$2,500.

Golden Gate (RKO) (2,850; 39-44-55)—"Music Box" (RKO) and Bob Crosby on stage. Crosby credited for what biz there is, but \$14,000 is under expectations. Last week, per- sonal 2nd. "Silent People" (Col.) and "Palm Springs" (RKO) to theater \$21,000.

Orpheum (F-M) (2,440; 35-40-50)—"Thing Called Love" (Col.) and "El- lery Queen" (Col.) fine, first week. \$13,500. Last week, "Arizona" (Col.) and "Nobody's Sweet- heart" (U) (3d wk.), finished with \$7,500.

Paramount (F-WC) (2,470; 35-40-50)—"Love Thy Neighbor" (Col.) and "Murder New York" (20th) (2d wk.). Going okay toward \$9,500. Actually, this bill is lapping over into its third week, due to a pre-New Year's start, with the first two days figured as a loss. Total week, \$25,000.

St. Francis (F-WC) (1,475; 35-40-50)—"Santa Fe" (WB) and "Marines March" (Rep.) (moveover). Pick- ing up nice \$7,000. Last (2d) week, "Night Commando" (M-G) and "Gold Diggers" (Col.) ditto.

United Artists (Cohen) (1,200; 30-40-50)—"Bagdad" (U) (3d wk.). Surprising \$7,000 in view. Last (2d) week, delightful \$9,000. Will stay a third week.

Warfield (F-WC) (2,680; 35-40-50)—"Hudson's Bay" (20th) and "Shayne Detective" (20th) (2d wk.). Won't do over \$8,000. First (10-day) week, just average at \$17,500.

Key City Grosses

Estimated Total Gross	
Last Week.....	\$168,600
(Based on 25 cities, 108 theaters, chiefly first runs, including N.Y.)	
Total Gross Same Week	
Last Year.....	\$1,701,700
(Based on 28 cities, 177 theaters)	

Total Gross Same Week

Last Year..... \$1,701,700

(Based on 28 cities, 177 theaters)

'ARIZONA' 26G,
TWO HUB SPOTS

Boston, Jan. 14.

"Kitty Foyle," holding over at the Memorial after nine days of sturdy business, is still class act around town. This week, "Second Chorus" at the Met and "Arizona" at the Orpheum and State are both doing medium trade in one-week stands. Four-day vaudeville by John Carson, 2nd week, "Sullivan" (turning it good tally) at the RKO Boston.

Estimates for This Week

Boston (RKO) (3,200; 28-33-44-55)—"Give Up, Go On" (Col.) and "Kings of the World" (Col.) (20th). Last week, "Love Thy Neighbor" (Par) and "Red Hair" (WB) (both continued from Met), \$6,000.

Keith Memorial (RKO) (2,907; 28-33-44-55)—"Kitty Foyle" (RKO) and "Saint Palm Springs" (RKO). Hold over, around \$10,000 for first half of stanza. First week (nine days), big \$27,000.

Metropolitan (M&P) (4,367; 28-39-44-55)—"Second Chorus" (Par) and "Shayne Detective" (20th) (2d wk.). Last week, \$15,000. Last week, "Santa Fe Trail" (WB) and "Earl Carroll's" (Par), \$22,000, big.

State (Loew) (2,900; 28-39-44-55)—"Arizona" (Col) and "Angels Broadway" (Col). Slightly soft, around \$11,000. Last week, "Comrade X" (M-G) and "Gallant Sons" (M-G) (11 days), big \$25,000.

Paramount (M&P) (1,707; 28-35-44-55)—"Four Mothers" (WB) and "Texas Rangers" (Par). Adequate \$7,000. Last week, "Love Neighbor" (Par) and "Red Hair" (WB) (both continued from Met), \$6,000.

United Artists (F-WC) (2,028; 28-39-44-55)—"Love" (WB) and "Red Hair" (WB) (both continued from Par and Fenway). Aiming at okay \$4,500. Last week, "The Pan Alley" (20th) (continued run from Par and Fenway) and "Kit Carson" (UA) (2d week), \$4,500.

State (Loew) (3,600; 28-39-44-55)—"Arizona" (Col) and "Angels Broadway" (Col). Slightly soft, around \$11,000. Last week, "Comrade X" (M-G) and "Gallant Sons" (M-G) (11 days), big \$25,000.

KITTY 102G, DENVER
B.O. HITS HIGH TIDE

Denver, Jan. 14.

Business is good up and down the line, and with the National Western Livestock show in progress, it's bound to last that way for another week at least.

Estimates for This Week

Avalon (Fox) (1,400; 25-40-45)—"Aladdin" (Col.) (20th). Last week, "Santa Fe Trail" (WB) (2d wk.) and "Bagdad" (UA), after a week at the Denver, fine \$5,000.

Broadway (Fox) (1,040; 25-35-40)—"Comrade X" (M-G) and "Jennie" (20th) (2d run) follow for next four days. Last week, "Santa Fe" (WB) and "Shayne Detective" (20th) (2d run), \$6,000. Considering extended run, Last week, Benny-Alien comedy was within a few dollars of the opening week with \$14,000.

Devon (Fox) (2,425; 25-35-40)—"Lafayette" (Hayman) (3,300; 30-40-45)—"Arizona" (Col) and "Anything But Love" (U) (2d wk.). Holding satisfactorily for probably \$6,000. Last week, "Shane" (Col.) (2d wk.) and "Great Lakes" (Shea) (3,000; 35-55)—"Flight Command" (M-G) and "Keeping Company" (M-G). Looks around hefty \$13,000. Last week, "Comrade X" (M-G) and "Jennie" (20th) (2d run) extend session, good for fancy \$18,500.

Hipp (Shea) (2,100; 30-45)—"Love Neighbor" (Par) and "Rangers Ride" (Par). Soft, snug \$4,000. Last week, "Love Neighbor" (Par) and "Rangers Ride" (Par), nine days and extra show came through with neat \$10,000.

Great Lakes (Shea) (3,000; 35-55)—"Flight Command" (M-G) and "Keeping Company" (M-G). Looks around hefty \$13,000. Last week, "Comrade X" (M-G) and "Jennie" (20th) (2d run) follow for next four days. Last week, "Santa Fe" (WB) and "Shayne Detective" (20th) (2d run), \$6,000. Considering extended run, Last week, Benny-Alien comedy was within a few dollars of the opening week with \$14,000.

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Palm Springs (RKO) big \$15,000. **Paramount** (RKO) (2,200; 35-40-45)—"East River" (Col) and "Phantom Submarine" (Col.) okay \$5,000. Last week, "Bank Dick" (U) and "San Francisco Dock" (U), fine \$6,000.

United Artists (F-WC) (2,078; 35-40-45)—"Bagdad" (UA) (2d wk.) and "Street Memories" (20th). Still enough pull to bring in \$2,300. Last week, "Hired Wife" (U), after a week at each the Denver and Aladdin, and "Phantom Chaton" (Mono), ditto.

Paramount (F-WC) (2,850; 39-44-55)—"Music Box" (RKO) and Bob Crosby on stage. Crosby credited for what biz there is, but \$14,000 is under expectations. Last week, per- sonal 2nd. "Silent People" (Col.) and "Palm Springs" (RKO) to theater \$21,000.

Orpheum (F-M) (2,440; 35-40-50)—"Thing Called Love" (Col.) and "El- lery Queen" (Col.) fine, first week. \$13,500. Last week, "Arizona" (Col.) and "Nobody's Sweet- heart" (U) (3d wk.), finished with \$7,500.

Paramount (F-WC) (2,470; 35-40-50)—"Love Thy Neighbor" (Col.) and "Murder New York" (20th) (2d wk.). Going okay toward \$9,500. Actually, this bill is lapping over into its third week, due to a pre-New Year's start, with the first two days figured as a loss. Total week, \$25,000.

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United Artists (Cohen) (1,200; 30-40-50)—"Bagdad" (U) (3d wk.). Surprising \$7,000 in view. Last (2d) week, delightful \$9,000. Will stay a third week.

Warfield (F-WC) (2,680; 35-40-50)—"Hudson's Bay" (20th) and "Shayne Detective" (20th) (2d wk.). Won't do over \$8,000. First (10-day) week, just average at \$17,500.

Paramount (M&P) (1,707; 28-35-44-55)—"Four Mothers" (WB) and "Texas Rangers" (Par). Adequate \$7,000. Last week, "Love Neighbor" (Par) and "Red Hair" (WB) (both continued from Met), \$6,000.

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Metropolitan (M&P) (4,367; 28-39-44-55)—"Second Chorus" (Par) and "Murder New York" (20th) (2d wk.). Pretty good \$10,000. Last week, "Chicago" (U) and "Charter Pilot" (Col.) (20th), fair \$8,000.

Paramount (Tristates) (2,000; 10-30-40-45)—"Second Chorus" (Par) and "Murder New York" (20th). Pretty good \$10,000. Last week, "Chicago" (U) and "Charter Pilot" (Col.) (20th), fair \$8,000.

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Sequel to
"LONDON
CAN
TAKE IT!"

"XMAS
UNDER FIRE"

One Reel... Filmed Under Fire, and Narrated Under Fire in London by the Famed War Correspondent of Collier's Magazine

Quentin Reynolds

ANOTHER WARNER WAR SCOOP!

French Tale of 'Affluence'

Group of French film and legit players, virtually destitute after serving nine months in the French army at about 1c a day, came to comparative affluence by forming a touring legit company last September, a member of the group revealed this week upon his New York arrival from France.

Players, headed by Pierre Brasseur, hit on the idea of touring in Marcel Archard's *'Domino'* while starving together in an 11th century castle near Brive in the unoccupied portion of France. Show was on the road for two and a half months in all sizes of French towns and was sold out in advance wherever it went. People were that hungry for amusement, Vladimir Pozner, a writer who traveled with the company, disclosed.

Among the difficulties of getting started was that the players didn't even have ordinary civilian clothes in which to appear on the stage and were forced to wear makeshifts. Lack of food and transportation were other factors. Working with Brasseur was his wife, Odette Joyeux, Maurice Bouquet and André Brevert. In addition to players less well known in the U. S.

Pozner got to this country via North Africa and Lisbon. Among his books is *'Bloody Baron'*, translated into English and published by Random House. He's currently doing another novel for the same outfit.

French Performers Getting Back In Stride; Chevalier in Marseilles Show

Paris (via Madrid), Dec. 15. Through the maze of political intrigues that have retarded the return to normalcy of the French Government, Gallic performers are increasingly rehabilitating themselves.

Maurice Chevalier, idling on the French Riviera since the German occupation of Paris, is back in harness in a Marseilles music hall show and is slated to return to the French capital February to head new musical at the Casino de Paris. He appeared in Marseilles music hall recently reciting poetry and singing some of the numbers which have made him such a favorite with French audiences.

A couple of weeks ago, Henri Varna, director of the Paris Casino, announced that the French actor would head a new show at the Casino in February. Although the Casino is unshuttered with 'Loves of Paris' there are no headliners such as the showhead set by Chevalier and Jeanne Beyer, which the Germans interrupted in June. Some of the sketches for the new show are already in rehearsal.

Chevalier recently told pressmen that he would leave shortly for Switzerland to sing and act for French soldiers who have been interned in Swiss concentration camps. Before the Varna announcement Chevalier also said that he would only go to Paris if the government gave them the right. We actors should not mix acting with politics.

Madame Beyer, who went on the road in the free zone after a short rest at Brive, went to Lisbon by plane from Toulouse late in November, supposedly to return to the United States. After a short sojourn in Lisbon, however, she returned to free France, where she is presently.

Jouvet to Lead Troupe

Film and stage star Louis Jouvet is to lead a theatrical group to South America in the spring. He hinted that he may try to extend his tour to include the U. S. If this trip materializes it will be the first theatrical group to leave France since the collapse, and it would replace the much publicized Sacha Guitry tour which never materialized.

Jouvet, who was in Bordeaux at the time of the Armistice and had succeeded in getting a visa for the U. S. will shortly go on the road in both zones with Madeleine Ozerry and others of his company. They will give 'Ecole des Femmes,' 'Jean Giraudoux's 'Ondine,' some Racine and Moliere plays and 'Amphytrion 38,' all plays he intends to give on his American tour.

Recently asked what he thought of the future of the French theatre, Jouvet replied:

"Briefly this. Art only flourishes under protection or oppression. I'm confident that the French theatre will be protected."

Ageing Mistinguett, and her former 'million dollar legs' are heading a new musical in Lyons with Charles Trenet, the 'singing fool.' He has a new repertoire of popular hits, but many who have heard him recently say that he has lost much of the spark and punch of pre-war days.

The other honey-voiced crooner of France, Tino Rossi, is touring from town to town with a dose of his singing.

Francoise Rosay, has already toured 20 free-zone cities with a

series of sketches, 'Ce Qu'il ne Faust Plus Voire,' ('What you can no longer See'), written by her husband Jacques Feyder. It's a monolog act and she stays on the stage for more than one hour by herself. The act is said to be popular.

Batch, the old French favorite, is starring in 'Papillon dit Lyonnais' in the free zone. Fernandel, the horse-faced comic, is presently engaged in a new musical at the Casino de Paris. Pagnol studio in Marseilles, but he is returning to the stage in a new operetta by Jean Mauné with music by Paul Cambon.

Other Favorites

Other favorites in the free zone are: semme singer Mireille, who's preparing the music and libretto for a new operetta in which she will take main role. Pauline Carton is touring with the Theatre de Dix Heures troupe. Albert Prejean and Kene Dary, both screenwriters, are touring with the operetta 'L'Escalier du Bonheur' ('Fortunate Landing'). Max Delaly is starting 'Azais' at Montreuil. Sophie de Claude, Jean Torossian, Danielle Darrieux, leading man, and his brother, Jean Nohain, and Marguerite Moreno are at the Gymnase theatre, Marseilles, with the Comedians de France troupe.

Other 'free-zone' activity is reported. 'Majuscule' ('Comma'), written before the war and destined for a Paris stage, has been presented by the Compagnons de France. 'Trois en Un' ('Three and One'), written by Georges Amiel, is soon to repeat its success on the road, with Jean Pierre Autant, Robert Lyrat, Jean Wahl, Aspis, and Germaine Engel. Eva Franics has staged Paul Claudel's 'Annonce Fait à Marie' ('Announcement made to Mary') in Lyons.

Theatrical activity in Paris is showing no letdown, with most of the legit again functioning. There are about 40 plays, revues, variety shows and operettas functioning, no count, thus subsidized theatres.

Sacha Guitry is to open his new play 'Le Bal Ainsi' ('The Well Loved') which replaces 'Florence' and 'Louise XI' at the Madeleine. The new play deals with the life of Louis XIV, with Guitry himself taking the role of the king. Mlle. Huguette Duflos carries the role of Mme. Pompadour and Elvire Poepsoc that of Marie Letzinska. Others in the cast are Guillaume de Saxe, Spinnelli, Geneviève Guindon and Gérard Lecointre.

Guitry, who gave the reason he explained reason the play has only received brief newspaper notices and has started much gossip.

Steve Passer's 'Le Vivant Un Grand Amour' ('I Will Live a Great Love'), which had its debut last spring, has finally been supplanted by Eugene Labiche's 'Céphale le Bien Aimé' ('Well Loved Céphale'), with Jeanne Venier, Jacques Castelot and Guy Mariano.

The Ambassadorate, the ex-Henry Bernstein theatre, is soon to be unshuttered with 'Le Rendezvous de Senlis' by Jean Anouilh, with the theatre under new management. Bernstein is now in America. Anouilh has a second play, 'Leon Cadia,' at the Michodière with an all-star cast made up of Yvonne Printemps, Pierre Fresnay, Victor Boinel and Marguerite Derval. A third Anouilh play is being staged at the Atelier, which has recently opened with 'Le Bal des Voleurs' ('The Crooks' Ball').

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Mycroft as Indie

London, Dec. 14. Walter Mycroft, for 10 years director of productions for Associated British Picture Corp. at Eustree, has resigned.

He intends producing independently.

NAZIS FINISHING UNCOMPLETED FRENCH PIX

In one of the first trade info letters gotten out of occupied France to Jack Forrester, repatriated American film producer whose Forrester-Parant Productions in Paris was an elaborate distribution-production setup until the Nazi invasion, states that Tobis and Film Alliance have taken over uncompleted French pictures. These two are Nazi units.

Among them is 'Remorque' (Jean Gabin) and 'Le Nom de la Rose' ('The Name'), which Jacques Feyder has completed under Nazi direction. Michele Morgan is in that. She has come to Hollywood for RKO; and, incidentally, Feyder is formerly a Metro director in Hollywood. Still another film now under Nazi direction is Marcel Pagnol's 'La Fille du Puisatier,' produced by Fernand Rivers, written by Pagnol, with Raime and Fernandel stars.

Meantime, Tobis has sent 25 German pictures into the French market, some even dubbed, just with subtitles.

But, as an instance of native French preference for its own product, reissues of even the oldest pictures in unoccupied zones like Marseilles and Cannes are doing extraordinary business and commanding almost unbelievable rentals.

As for former French shownmen, the Seitzky brothers, owners of one of the largest cinema circuits, have been stripped of everything. They're in semi-hiding on the Riviera. The Salwick Bros. are in Portugal with Philippe de Gaulle. Some of them are migrating to the Americas. Cahinal and Raymond Bernard are trying to get to New York. Dormann, another distrib, sold out to Mourel, an 'Aryan' Frenchman, and de Rouvre was forced to liquidate his holdings.

Black-Olivier Flare-Up Forces Hylton to Nix Troupe's Circuit Tour

London, Dec. 31. The differences between George Black and Vic Oliver seem to last much longer than expected in the trade. Earlier, Oliver claimed he would never work for Black, but it looks like Black is determined Oliver will never work for him.

Jack Hylton, who gets most of the English theatrical Corp. shows, was anxious to secure 'Hi, Gang,' starring Bebe Daniels, Oliver, and Ben Lyon, which is conceded to be best thing BBC has done to date.

But Black is said to have intimated to Hylton that so long as Oliver is in the show it will never be booked for General Theatres Corp. or Moss Empires, both of which are controlled by him.

Hylton, therefore, had to bow out of the deal.

Irish Split With London Due to Denial Of Larger Voice in U. S. Film Buying

London, Dec. 31. Trade worth \$1,500,000 may be lost to Ireland by sudden breakaway of Irish exhibitors into their own organization. Demand is for a larger voice in film buying. Segregation came about under lead of Joseph Stanley, chairman of the Provincial Exhibitor Assn., and Joseph Fagan, theater and cinema Assn. chief, who has formed a new group, Irish Cinema Assn., combining these split trade bodies.

New deal arises as result of Stan-

Mexican Show Biz Has the Jitters

As Red Labor Czar Denies He'll Quit

New Mex Deluxer

Mexico City, Jan. 14. Show biz, in general and pix, in particular have been jolted into the jitters by new moves of Vicente Lombardo Toledano and his Confederation of Mexican Workers.

Mexico's labor czar, who is an outright adherent of Stalin, it was strongly indicated just before the new government took office, was soon not only to quit the Confederation but Mexico, as well. His downfall was counted upon soon after the turn of the New Year. But he is going along stronger and stranger than ever. The labor boss has issued a statement branding much baloney reports that he has decided to step down from office, retire to private life and make his home in Colombia.

This now indicates that there is not much left of the hope that rose just before Dec. 1 that Lombardo Toledano will be kicked out when his outfit holds its annual election of officers in February. Prospect of the Stalinites continuing to carry on is frankly worrying show biz.

Pic producers have made good their threat to suspend production as soon as they can to protest the government's warning that it will not tolerate disturbances in cinemas and that any pic, no matter its political background, can be screened here provided it is in accordance with the dictates of decency and good taste.

The Hitlerites and their fellow Nazis and their political sides, a recent enlistment for their drive against pix they no like, have seemingly been scared off by the civic government's warning that it will not tolerate disturbances in cinemas and that any pic, no matter its political background, can be screened here provided it is in accordance with the dictates of decency and good taste.

All work in the studios has stopped.

Top of this pic has been dropped to \$2.50 (Mex.) from the initial \$3.

LONDON EXHIBS BACK STICKS VS. DISTRIES

London, Dec. 31. London exhibs are furthering squaws of their hinterland brethren against rental domination. Metropolis branch of Cinematograph Exhibitors Assn has petitioned its general council to hold a special meeting on rental argument. When seeking an earlier get-together, London exhibs received a flat turndown from Kinematograph Renters Society.

Trouble surrounds attitude KRS is taking over cancellations. Exhibs are required to deliver personal notice to do this, then seeking release from contract covering a blitzed house. Circuit owners are particularly resentful at this demand.

London in War Time

London, Dec. 31. Though going in for extensive weight reducing, all they would accept Henry Sherek for as Air-Raid Warden. But Sherek still has hope of joining the Life Guards, the regiment he served in during the last war.

Vaudeville is reaping a golden harvest in small spots unheard of before the war, but now crammed with evacuees.

Cantinflas, Mex. Comic, Scraps Political Satire After Pointed Advice

Mexico City, Jan. 14. That Cardenass government sympathizers, who burned whenever revolutionaries or comedians cracked on politics, are still strong was demonstrated by the forced yanking by Cantinflas, tramp comic, at the Polies Bergere here of the skit, 'Los Millones de Don Damasco' ('Don Damaso's Millions').

The skit made fun of Damasco, the contractor who is the brother of the ex-president. President was ousted by Gen. Juan Andre Almazan, who lost in the presidential election of whole-sale graft in connection with the building of the highway between here and Guadalajara, Mexico's second city. The government hotly denied Almazan's accusations and issued a long statement proving that the ex-president's brother acted honorably in connection with this contract.

Cantinflas got 'gales of laughter with the presentation of his skit. But the golden goose was cooked when he was called upon to dress a room by Congressman Cesar Cervantes and A. Ochoa Renteria, leader of the government workers' union, both staunch Cardenassists, and advised pointedly that he had better scrap the skit. Cantinflas immediately obeyed.

Scholars to Resume Tour

Robert Schles, Warner Bros. film sales chief, who returned to his New York office from Mexico last week, now is planning to resume his Latin-American tour of inspection in February.

Alfred Sidney Raphael, son of Percy Raphael, now a pilot in the Royal Air Force.

Cheers for Miss Bishop

Hollywood, Jan. 11.—United Artists release of Richard Aldrich's "Cheers for Miss Bishop," with Martha Scott and William Gargan. Directed by Tay Garnett. Adaptation: Stephen S. Endow. Story: John Ayres. Technicolor. With: Dorothy Peterson, Shirley Glenny, from novel "Miss Bishop," by Bess Streeter Award; "The Moon Is Blue," by William Claxton. Previewed at Ambassador, Jan. 11. Running time: 94 minutes.

Billie Burke, Marlene Dietrich, Scott Peters, William Gargan, Fredric March, Charles Laughton, Sidney Blackmer, John Stevens, Dorothy Peterson, Donald Douglas, Dorothy Lamour, Richard Clark, Gretchen Carlson, Louis Hayward, Hobart Clegg, Anton Radich, Knob Stevens, Snapper Morris, Jack Mulhall, Dorothy McGuire, Howard Da Silva, Judge Peires, Anna Mills, President Crowder, Ceco, and Buzz Whewright, Rand Brooks, Buddy Warner.

"Cheers for Miss Bishop" is a pictureization of Bess Streeter Aldrich's biography of a midwestern teacher—covered in her half-a-century from her original enrollment in the first class to retirement from the college faculty 50 years later. Necessarily episodic in covering the long stretch of filled with incidentals, hair-pullings, story of a woman's burdens and sacrifices—with two frustrated romances included—nevertheless provides strong appeal for women strength.

With its emphasis on strength, picture requires plenty of advance selling for key-run openings, but will quickly build up word-of-mouth for profitable biff up and down the line.

Peter Lorre, Paul Henreid, and others, what similar to "Goodbye, Mr. Chips," with switch of main character from man to woman, but there's the resemblance ends. "Miss Bishop" is a visual slice of American life, with its life philosophies from the 80s on, filled with incidents and sidelights that wend leisurely, and at times sentimentally, along the path without too great stress on dramatic development of the personal period. Its sketchiness, however, provides sufficient highlights for attention of the women patrons, who will easily overlook that factor in the picture as a whole.

Ella Bishop (Martha Scott) graduates from Midwestern College and assumes a faculty position. An early romance with a young lawyer is frayed out on the wedding day when her flighty cousin elopes with the bridegroom. Miss Bishop then concentrates on her teaching, providing sympathetic and friendly help to the students under her care. Her romance hits a snag when her lover cannot secure freedom from his estranged wife. Then her interest in the progress of her students is interrupted by the chaperone of her son, William Gargan, continually at her side in times of emergency and stress. There is also her interest in her daughter and granddaughter of her son, who have been occupying the former in her home and college. The final honorary alum dinner on her retirement provides a fitting climax to her years of service, and provides sufficient heart tug for the whole.

Martha Scott and William Gargan head the extended cast necessary for the half century covered. Formerly a ranker, Gargan's boy scenario department can tell. But it must be superior to the current bit of sticky sentimentality in the series. Fannie Flagg's "The Yearling" and the new novel, "Sister Act," is to live on. The next film may as well be "Four Hourly Notices" unless the studio can cook up a hit.

First it was "Four Daughters," then "Four Wives," now "Four Mothers"—and the last will only be the beginning. Warner Bros' scenario department can tell. But it must be superior to the current bit of sticky sentimentality in the series. Fannie Flagg's "The Yearling" and the new novel, "Sister Act," is to live on. The next film may as well be "Four Hourly Notices" unless the studio can cook up a hit.

Different treatment of art direction to cover the 50-year stretch is neatly handled by John DuCasse Schulze, with production mounting throughout in keeping with the various periods. Story direction gets the most out of a difficult assignment in spreading story interest episodically for so great a period.

VIRGINIA

(Technicolor)

Hollywood, Jan. 10.—Paramount release of Edward H. Griffith's "Virginia," with Martha Scott and Fred MacMurray; features Shirley Hayden, Helen Broderick, Marie Wilson, Carolyn Jones, and others. Story: Betty Reinhardt; screenplay by Virginia Van Upp, based on story by Edward H. Griffith and Virginia Van Upp; music by Bert Kaempfert; Ham V. Skall; process photography. Farce comedy, with some musical numbers. Directed at Glendale, Jan. 8. '41. Running time: 107 MINES.

Cast includes: Miltonton Carney, Stonewall Elliott, Fred MacMurray, Norman Williams, Shirley Hayden, Tom Powers, Marie Wilson, Connie Potter, Carolyn Jones, Eddie Albert, Carter Francis, Tom Rutherford, Special, and others. Story: Loretta Bevers, Josephine, Darby Jones.

Paramount hereupon assumes the name and background of a state for a written-to-order film tale. Studio has captured the scenic backgrounds of the locale, aided by general excellence of Technicolor photography, but slips on the story. As a result, picture is a slow and

tedious unreeling of obvious situations that take too long in the telling. It will have to battle for more than nominal kudos in the key runs, with marquee drawing power of headline color photography, not sufficient to overcome the story and directional handicaps.

Story follows the line of least resistance in its overall setup. There's a start in a triangle; showgirl Madeline Carroll, who returns to Fairville to claim her inheritance, an old plantation, which she is determined to set aside for the young Mrs. Bishop, Dorothy Peterson.

Deserted by Fred MacMurray, who falls in love with the newcomer, but cannot marry because of a marriage bond; and the rich Yankee, Stirling Hayden, who had previously moved to Fairville to find James Avery.

In love with MacMurray, but faced with the security of Hayden's riches, Miss Carroll bounces from one to the other in confusion, especially to the audience, until Hayden steps aside in favor of the native son.

Despite its general incoherence in story telling, picture has its moments in some spontaneous comedy, such as the arrival of the little Carolyn Lee, the bright spark in the entire proceedings. Hayden, in his first film appearance, does nobly with a more unsympathetic role, and merits opportunity to prove his mettle. The old sib returning home to die provides a strong characterization in a brief appearance.

Miss Carroll's beauty is accentuated by the Technicolor photo booth, with physical validation with material at hand. Some holds true of MacMurray, who just gets by as the overemphasized, loyal Virginian. Helen Broderick and Paul Muni, as the parents, are good.

With Mary Wilson and Tom Rutherford paired as rich socialites addicted to good southern corn liquor.

Picture was produced mainly in Virginia in authentic location. Story: Walt.

FOUR MOTHERS

Warner Bros. release of First National (William Jacobson) production. Features William Lundigan, Marie Wixson, Eddie Albert, and others. Story: Noel M. Smith; screenplay by Robert E. Kent, from play by Eleanor Robins; music by George Gershwin; production by Burton E. Stevenson; cameraman, Ted McCord; editor, Thomas Schatz.

Cast includes: Jimmie Fife, Harry Langdon, comebacks o.k.

Robin Hood of the Feud

(Rep.) Standard westerner starring Roy Rogers and George "Gabby" Hayes.

Plot: Jimmie Fife, Harry Langdon, comebacks o.k.

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Maisie Was a Lady

(M-G-M) Best of the Maisie series, with inclusion of Lee Ayres, adding maturer strength.

Land of Liberty

(M-G-M) Cavalier of American history, compiled from past features, shorts and newsreels. Good b.o.

Three Men From Texas

(Par.) Very good western in the Bill Boyd-Hopalong Cassidy series.

Behaving Husbands

(Prod.) Extremely dull comedy-drama, but Betty Blythe and Harry Langdon comebacks o.k.

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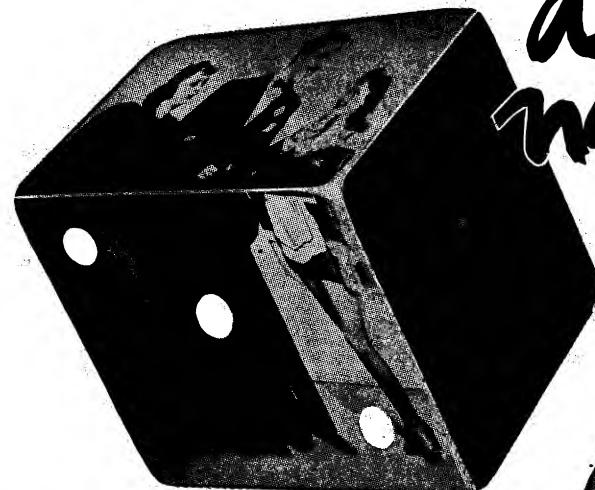
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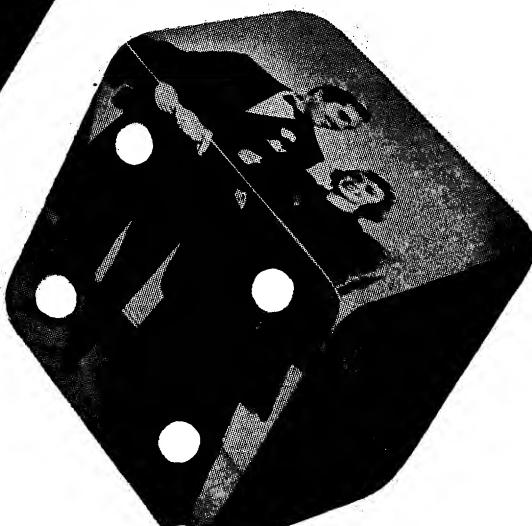
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a
natural!

What they want to
do now is laugh—
so what does 20th
do? *Gives you a
new fun formula!*



TALL,
DARK

and

HANDSOME

loaded-

with excitement...
and all hit songs:

"Hello Ma! I Done It Again!"
"I'm Alive and Kickin'"
"Wishful Thinking"

Opens
Roxy, N.Y.
Jan. 23

with

CESAR ROMERO • VIRGINIA GILMORE • MILTON BERLE • CHARLOTTE GREENWOOD
SHELDON LEONARD • STANLEY CLEMENTS • FRANK JENKS BARNETT PARKER

Directed by H. BRUCE HUMBERSTONE

Associate Producer Fred Kohlmar • Original Screen Play by Karl Tunberg and Darrell Ware



New Det. House Ops Prefer to Keep It Dark Rather Than Hire Stagehand

Detroit, Jan. 14.—Two weeks after the opening of the Royal, starved 2,500-seat movie house, which cost \$300,000, was still dark. Refusing to budge from their stand that since the house did not play vaudeville they would not put on a stagehand at \$78 a week, the co-operators, Wissel, Wetstone, and United Detroit Theatres, were having telephone, lights, and water cut off.

The house failed to open Dec. 27 when the two projectionists refused to go to work after the house chilled on putting on the stagehand. It meant turning away more than 3,000 people at the opening and cut the place off from an estimated \$18,000 during the big holiday week here.

Detroit press has done some ribbing of the union, putting Edward L. King, business agent for the stagehands, on the hot seat by quoting him on the slighthood of a stagehand's duties at the house.

"He turns the lights on and off between pictures and sees that curtains are raised or lowered if necessary," King was quoted. They also quoted him on overtime, that some stagehands here picked up as much as \$200 a week by working more than 42 hours for the week.

Final ribbing came when they pressed him for an explanation of what "extra maintenance" the stagehands performed and were told: "Suppose he comes to work and finds a seat broken. He might fix it if it wasn't a job for a carpenter. Or maybe he's a light bulb that needs changing."

Pickets were slapped in front of the Palms-State, United Artists and Michigan, all United Detroit houses, on New Year's Eve. The men weren't called out, but the pickets are seeking recognition, pending arbitration, for the Building Service Employees Union. They're asking \$5 a day for 48-hour week.

BAKER'S WIFE' FOR ALL LOEW'S HOUSES

"Baker's Wife," French-made film now rounding out a year's run at the World Theatre, N. Y., will play the entire Loew's circuit. Charles C. Moskowitz, circuit head, confirmed the deal yesterday (Tuesday).

Loew's must wait until the film winds up at the World (about Feb. 20).

Baker's Wife, starring Paulette Goddard, directed by Marcel Pagnol and

distributed by Baker's Wife, Inc.

John Erskine did the English subtitles.

It's one of the few foreign pictures getting general distribution by a major circuit. George Jesse recently bought rights to convert it into a legger, or do an American film version.

Drive on Walt Disney By Cartoonists Guild

Hollywood, Jan. 14.—Drive to organize cartoonists at the Walt Disney studio comes to a head at a meeting Thursday (16). Screen Cartoonists Guild, through its attorney, George E. Bodie, has filed a petition with the National Labor Relations Board, asking to be designated as collective bargaining agents for the Disney artists. American Federation of Labor has been phoning its districts to organize cartoonists for several weeks.

Moving Picture Painters Local has advised the studios of willingness to take lower hourly wages if they were guaranteed a 60-hour week. Under the proposal, painters would accept a cut from \$1.55 hourly to \$1.30 for the first 40 hours, with time-and-a-half for the next 20 hours, giving them a guaranteed weekly minimum of \$91.

Nazi Spy' Libel Suit VS. WB to Trial Jan. 31

Katherine Moog's \$75,000 libel action against Warner Bros. will be tried Jan. 31 in the N. Y. federal court. A stipulation to that effect, agreeing on a trial date between attorneys was filed Monday (13).

Action claims that the part portrayed by actress Lya Lys in "Confessions of a Nazi Spy" was meant to be Miss Moog's, and that the characterization libeled her.

To Query Kent

Sidney R. Kent, president of 20th-Century-Fox Film Corp., will be examined Friday (17) before trial in the N. Y. supreme court in connection with a suit against the film company by Iola Forrester and Mann Page, Justice Charles B. McLaughlin ordered the examination Friday (10).

Suit claims the plagiarism in the Sopkin-Tempel drama, "The Poor Little Rich Girl," of plaintiff's play, "Joyous," claimed submitted to 20th-Fox Oct. 23, 1934, and rejected Oct. 28. A previous examination of W. C. Michel, executive v. p. of the film company, was unproductive of the information wanted.

SPG CLAIMS FILM COS. GIVING IT BRUSHOFF

Charges that the major companies are "stalling" and giving them the silent treatment in negotiations to form a unit of the New York unit of the Screen Publicists Guild in a resolution demanding that the eight majors meet with SPG rep immediately so that the latter can prove they represent a majority of employees and can present contractual demands.

Resolve, passed by the membership at an election meeting Thursday (10) night, was signed by presidents of the eight studios. Eighth Charles Kramer of the National Labor Relations Board and to the Hollywood unit of the SPG. It was the first public utterance of charges that had previously been made sotto voce.

Stating that the Guild has for a considerable period of time requested collective bargaining negotiations, that "it has proceeded with forbearance and integrity and by all means available" to get the companies "have consistently evaded their legal obligation to cooperate, resolution protests the silence and non-cooperation of the motion picture companies as a conscious policy of stalling."

Joseph Gould, of United Artists, son nominee for the post, was elected prez of the SPG at Thursday's session. Others chosen were David H. Rosenfeld, of Walt Disney Productions, v. p.; Jefferson Livingston, of Metro, secretary; and Charles Wright, free-lance artist, treasurer.

Claim was made at the meeting that the Guild reps 90% of those eligible for membership.

Coast SPG After Indies

Hollywood, Jan. 14.—Screen Publicists Guild is conducting a drive to bring independent publicity organizations under the provisions of the Guild's basic agreement while free lance flacks are exploiting a picture. Action is the result of a recent practice adopted by studio producers, with the collation of various studio press service, to farm out publishing of special productions to indie press agents. Billy Edwards, member of the SPG executive board, and Russell Birdwell are preparing a basic pact.

Motion Picture Costume Makers, Local 2004, elects officers for the ensuing year Jan. 20.

VALLEE WINDS UP 2D REEL OF JUKE SHORTS

Hollywood, Jan. 14.—Rudy Vallee's new dime-in-the-slot feature, "Valley Graph," completed its second reel of 10 reels for the Coast last week. Vallee himself worked in three of the briefies, Gertrude Niesen in three, the Shadock Boys in three and The Musketeers, a warbling outfit, in one.

According to Vallee, production schedule calls for minimum output of 500 machines monthly by Feb. 1, increasing to 1,000 a month in 90 days. Bell & Howell is making the equipment.

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Wolff, New Prez of N. Y. Film Board of Trade

Robert S. Wolff, of RKO's exchange, was elected president of the New York Film Board of Trade for 1941 at an annual election of officers held today (10). Also elected were Joseph A. Levy of 20th-Fox, first vice-president; Ben Abner, of Metro, second vice-president; David A. Levy, of Universal; treasurer; Robert J. Fannon, of Republic, secretary, and Edward H. Bell, of Paramount, general-at-large.

New officers will be installed with the next two weeks.

2 SLUG, ROB MPLS.

EXHIBITOR OF \$1,000

Minneapolis, Jan. 14.

Fred Berg was slugged and robbed of \$1,000 receipt of the Franklin Theatre here last night (Monday). Two men came up behind the indle nabe operator just after he had picked up the coin for counting and ways were sought.

Another bandit was felled a short time later in an attempt to force his way into the Turf nitery.

Jinx Spot for Thieves

Spartanburg, S. C., Jan. 14.

Thieves had better mark Lyman theatre at Lyman, S. C., off their list.

Two youths who robbed manager Josie Holland and his wife were sentenced to life imprisonment. Next, S. T. Parks, a young Negro, tried his hand. He failed to open the safe but drew a three-year prison term recently.

Film Reviews

Continued from page 16

Misbehaving Husbands

(Continued from page 14)

home became cluttered up with attorneys, their aides and one strong woman.

Understood that Jed Buell may carry out a series with Harry Langdon and Betty Blythe teamed as man and wife. He failed to do better by Langdon than that of his wife—more also plausible plots are needed. Langdon shows possibilities in getting away from his former partner type of comic situation which he cannot direct himself here.

Beth Blythe, queen of silent films, appears a future bet. Esther Muir walks through her characterization as the wretched ex-egghead friend does fairly well in a minor role spotted opposite Luana Walters in the sadly neglected romantic phase of the film.

—Wear.

Robin Hood of the Pecos (WITH SONGS)

Republic release of Joseph Kane, producer, stars Roy Rogers, lead singer. Directed by Kane. Screenplay by Roy Rogers and Roy Wilkins. Camera, Jack Martin; editor, Charles Craft; musical director, E. Peuer; songs, Paul Draper. Story by Roy Rogers. Premiered in Projection Room Jan. 8, 1941. Running time, 78 minutes.

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Gandy...John...George "Gabby" Hayes

Wardrobe...Kendall Kasey

Leigh Whipper

Costumes...Eddie Acuff

Robbie Strange

Art Morris

Steve...Ray Novello

Guffy...Roscoe Ates

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Wardrobe...Kendall Kasey

Leigh Whipper

Costumes...Eddie Acuff

Robbie Strange

Art Morris

Steve...Ray Novello

Guffy...Roscoe Ates

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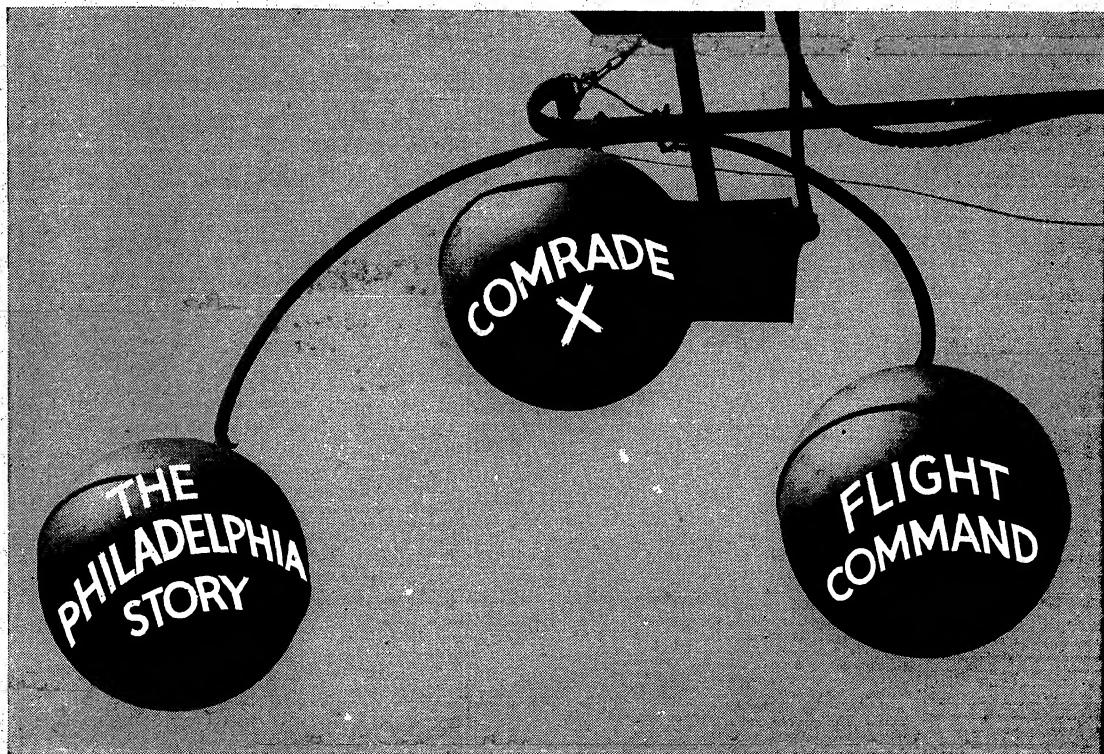
Guffy...Roscoe Ates

Roger...Kane

Gaby...John...George "Gabby" Hayes

Wardrobe...Kendall Kasey

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3 WAYS TO GET OUT OF HOCK!

With chuckles and shekels M-G-M has started its 1941 career in a blaze of box-office glory. Laughing their way into record business are "COMRADE X" and "PHILADELPHIA STORY" whose sustaining power in its day-and-date Los Angeles engagement and whose sensational Music Hall business gives you an idea of what to expect. (4th week at the Music Hall and going bigger than ever after setting a five-year record!) "COMRADE X" is in its 3d big week at the Capitol, N. Y., and a hold-over joy everywhere. "FLIGHT COMMAND" is just what America and your box-office crave right now. Three in a row and it's only the start of a happy and FRIENDLY New Year.

CLARK GABLE • HEDY LAMARR in "COMRADE X." A King Vidor Production with Oscar Homolka, Felix Bressart, Eve Arden. Screen Play by Ben Hecht and Charles Lederer. Directed by King Vidor. Produced by Gottfried Reinhardt. An M-G-M Picture

CARY • KATHARINE • JAMES GRANT • HEPBURN • STEWART in "THE PHILADELPHIA STORY" with Ruth Hussey, John Howard, Roland Young, John Halliday, Mary Nash and Virginia Weidler. Screen Play by Donald Ogden Stewart. Based on the Play by Philip Barry, produced by The Theatre Guild Inc. Directed by George Cukor. Produced by Joseph L. Mankiewicz. An M-G-M Picture

With the Gratefully Acknowledged Co-operation of the United States Navy, Metro-Goldwyn-Mayer presents ROBERT TAYLOR in "FLIGHT COMMAND" with Ruth Hussey, Walter Pidgeon, Paul Kelly, Shepperd Strudwick, Nat Pendleton, Red Skelton. A Frank Borzage Production. Screen Play by Wells Root and Commander Harvey Haislip. Directed by Frank Borzage. Produced by J. Walter Ruben. An M-G-M Picture

Damaged Goods' Denied Hays Seal, So Criterion Pix Sues for \$1,500,000

Los Angeles, Jan. 14. Motion Picture Producers and Distributors of America, Inc., its proxy, Will Hays; Joseph I. Breen; head of the association's production code administration, and virtually all major producers-distributors, as well as a number of leading theatre circuits, are named in an anti-trust suit filed in U.S. district court here charging monopoly and restraint of trade. Action, brought by Criterion Pictures Corp., an independent production outfit, seeks triple damages of \$1,500,000 under the Sherman and Clayton anti-trust laws.

Action is an outcome of the reported refusal of MPPDA and its Production Code Administration to issue a certificate of approval for "Damaged Goods," a picture, "Damaged Goods" produced in 1937, while subsequently approving the Warners production of "Dr. Ehrlich's Magic Bullet," which like "Damaged Goods," dealt with a social disease.

Complainants charges that the Producers-Distributors corporation has been formed to freeze out the independent producers and that it sanctions productions only for a chosen few.

Defendants are the MPPDA, Paramount Pictures, Inc.; Paramount Pictures Distributing Corp., Inc.; Loew's Inc.; Metro-Goldwyn-Mayer Corp.; Metro-Goldwyn-Mayer Distributing Corp. of Texas; Irving Trust Co., as trustees in bankruptcy for the RKO Corp.; RKO Radio Pictures, Inc.; RKO Photopub-lishing Corp.; RKO Producers Corp.; RKO Midwest Corp.; Warner Bros. Pictures, Inc.; Vitagraph, Inc.; Warner Brothers Circuit Management; 20th Century-Fox Film Corp.; 20th-Century-Fox Distributing Corp.; National Theatres Corp.; 20th-Century-Fox Corporation of Texas; Columbia Pictures Corp.; Columbia Pictures Distribution Co.; Universal Pictures Co.; Inland University Film Changes, Inc.; Universal Corporation; United Artists Corp.; Samuel Goldwyn, Ltd.; Will H. Hays and Joseph I. Breen.

Rep's Jungle Queen

Hollywood, Jan. 14. Republic's next serial is "Jungle Girl," based on the theory that the female of the species is more attractive than the male.

New cliffer is based on a yarn by Edgar Rice Burroughs, author of "Tarzan."

Honor Bob O'Donnell

Dallas, Jan. 14. The tribute of Dallas' show business was heaped on R. J. O'Donnell early last week (6) at a testimonial luncheon given in his honor at the Hotel Adolphus by the Texas Club. More than 1,000 persons represented the theatrical, publishing and other industry and other walks of life, attended the event, timed to mark O'Donnell's retirement as chief barker of the organization. He was presented with a small gold plaque attesting to his unselfish service to his community and recording his life membership in the Variety Club.

10c-DUAL HOUSE WAR IMPENDS IN MPLS.

Minneapolis, Jan. 14. Because of the granting of a license to Irving Gillman to operate the Gayety, for more than two decades the home of burlesque here as a dime subsequent-run double feature film house, other exhibitors in the same lower loop Gateway section threaten to "block" city wide open. Northwest Allied will take certain sections and Louis Phillips, a distribution expert of long standing will take others. Phillips, who was in Madison, Wis., last week on an anti-trust suit, went from there to St. Louis to "simplify" the decree for the exchange force there and yesterday (Tues.) he was in Kansas City. He is scheduled to preside at a meeting today with the Indiana circuit going out again later on. Keough himself will take care of the east, all of the south, southwest and far west, under the plan; while Phillips will cover the northern tier of states, the northwest and portions of the midwest.

Zimmerman Tour for RKO
Hartford, Conn., RKO attorney, who sat in on the decree negotiations with the Government, will tour the entire country for RKO. He has already held five meetings, New York, Washington, New Haven, Boston and Albany to explain operations under the decree and with a view to securing a basic formula for similar exchanges in other exchange points.

Zimmerman reported that E. D. Donisthorpe, up-and-coming in RKO that he found the branch personnel well posted and that, as a result of the discussion and the pertinent questions put to him, the company has obtained a broad cross-section of all the basic problems likely to arise anywhere in the country.

WB and Metro are expected to cover branches in the same manner generally as RKO, Par or 20th.

Inside Stuff—Pictures

Despite the unpleasant view of picture mags and their publishers given in "The Philadelphia Story," Life and Henry R. Luce, its publisher, who are not too difficult to tie up as the subjects in the film, came through for it in a big way last week. Star Katharine Hepburn appeared on the cover and "Story" was the "Movie of the Week," handed two pages of photos and a buildup. Mag did take cognizance of the slap at it, however, stating: "But in one respect "The Philadelphia Story" is childish. Part of its plot is based on the naive assumption that 'nice people' don't read picture magazines, that 'the right sort' don't allow themselves to be photographed, that editors get picture stories by blackmail. Philip Barry (author of the play) knows better."

Arthur W. Kelly and his United Artists sales organization did a difficult reselling job on " Thief of Bagdad," going out and getting higher prices from thousands of accounts after they saw what they had in the Korda film. For one thing, its completion in America added some \$300,000 or more on the basic production overhead, the Technicolor film mounting to nearly \$2,000,000. Insurance premium alone on shipping the uncompleted negative to U. S. from England, where Korda was unable to finish it, came to \$50,000. Technicians, paid off on the dollar basis when making the added footage in the west, represented a sizable item in the upped overhead.

Paramount is figuring on a picture based on the career of Joseph Conrad, Polish writer of sea stories. Idea was born while studio research workers were studying Conrad's life in connection with the filming of his novel, "Victory." Author's adventures were found to be as absorbing as his books. Fredric March is under consideration for the title role. March is starred in "Victory."

The French film industry cannot be revived while 2,000,000 French prisoners of war are at the mercy of the Germans, while the mere task of finding enough food is the first thought of everybody. This is the confirmation of the obvious given in New York by Jean Renoir, director of "Grand Illusion" and "The Human Beast."

In tearing out a part of the old wall of the RKO 23d Street, New York, which is the rebuilt Grand Opera House, a ticket envelope that is about 85 years old was found. Its face bore the name of Cohen & Harris' Grand Opera House, but the show for which the holder had bought the ducats was not indicated. Phone number on it is Chelsea 225.

Paramount studio employees who go into military service will draw sums equal to six weeks regular pay, not to exceed \$600, to be paid in 12 weekly installments. Studio also announced that it will carry, at its own expense, all group life insurance policies of its drafted or enlisted men.

Decipher Decree

Continued from page 7

secretary of the company, starts on a tour of all the company's branches to the end of this week. He goes first to Los Angeles and will work east from there. Jenkins will do the whole job alone rather than be assisted by two other 20th-Fox attorneys as was under consideration.

Keough for Far

Austin C. Keough, co-president and general counsel of Paramount who worked on the decree, went to Boston Monday (13) to address Par's branch force there. The program being put to similar appearances elsewhere, Keough stated that he is going "to try desperately hard to reduce the decree to simple English." He added that he wants questions asked to remove and simplify the existing language, meaning the boys will have to sell the 1941-42 product.

Prior to going to Boston on his first out-of-town exchange visit, Keough presided at a mass meeting at the Par N.Y. branch, which also serves northern N.J. The entire department of Par was invited to attend. Members of the home office distribution and theatre departments also were there. Milt Kusel, eastern district manager, makes headquarters at the N.Y. change, which has three branch managers, one for N.Y., one for Brooklyn and another for N.J.

Being unable to cover the entire country, Keough will take certain sections and Louis Phillips, a distribution expert of long standing will take others. Phillips, who was in Madison, Wis., last week on an anti-trust suit, went from there to St. Louis to "simplify" the decree for the exchange force there and yesterday (Tues.) he was in Kansas City. He is scheduled to preside at a meeting today with the Indiana circuit. Phillips will cover the northern tier of states, the northwest and portions of the midwest.

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RKO REVERSES SELF ON 'NIGHT TRAIN' SLEEPER

RKO circuit, which a couple months ago refused to give "Night Train" more than two days playing time, has virtually completed a deal to take the picture and give it a minimum of five days in each house. When RKO failed to give it more than two days, Fox thought it was worth, to Loew's offered a five-day deal. Inasmuch, however, as RKO has first call on 20th product, it will go to them since they have now also offered five days. Only thing that could still upset the deal would be a higher offer from Loew's.

"Picture, 'sleeper,' has been doing terrific business at the Globe on Broadway, averaging three thousand a night. Originally in the 20% allocation used for foreign-made, "Night Train" has since been boosted to the highest, or 40% bracket. Brands bought the film for their Globe on flat rental for the first two weeks (it wasn't expected to hold that long) and are now working out a percentage deal with 20th for the remainder of the run. The house has listed a regular 5c evening admis-sion at 90c, every night, as high as the Radio City Music Hall.

WB'S AUTO CAMPER
Hollywood, Jan. 14.

Auto campers are the latest to hit the camera's eye in "Highway 99," slated to roll March 1 at Warners.

Top female role is assigned to Jane Wyman.

N.W. Allied Convention Problems Run Gamut From Consent to ASCAP Fee

Sarong in Dildo Cay

Hollywood, Jan. 14. Dorothy Lamour draws the starring spot in a semi-tropic play, "Dildo Cay," to be produced and directed by Edward Griffith for Paramount branch force there. The program being put to similar appearances elsewhere, Keough stated that he is going "to try desperately hard to reduce the decree to simple English." He added that he wants questions asked to remove and simplify the existing language, meaning the boys will have to sell the 1941-42 product.

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Caster Wins Judgment

Los Angeles, Jan. 14. Judgment in a \$4,000 suit awarded in Superior Court at Phoenix, Ariz., head of Cinema Casting Agency, against Eugene Franken, W. Gawatin and George Hirliman, to void a chattel mortgage held by the defendants on a motion picture film, "Murder on Sunset Boulevard," which starred Sally Rand.

Franken is the husband of Anna Sten, film actress, and Gawatin is her brother.

New York Theatres

Twice Daily 2-40-40 All Seats Reserved

WALT DISNEY'S FANTASIA
With STOKWICH conducting the miracle music of Fantasy
BROADWAY Bway • 42nd St. • 47th St.
Box Office • C-18-533

RKO PALACE Bway & 47th St.
Week Beginning January 16th
HENRY FONDA, DOROTHY LAMOUR and LINDA DARNELL in "CHAD HANNA"

"SHE COULDN'T SAY NO" ROGER PRYOR EVA ARDEN

PARAMOUNT
"SECOND CHORUS" with Fred Astaire and Gower Champion
and Linda Darnell Minnie Screen Shows

HARRY JAMES ORC. Frank Parker
Ned Healy and Mrs. Waterfall
Midnite Shows

GINGER ROGERS in "KITTY FOYLE"
An RKO Picture

UNITED ARTISTS' RIVOLI Broadway at 40th St.
Ours Open 9:30 A.M. MIDNITE SHOWS

PICTURES 19

Minneapolis, Jan. 14. Northwest Allied has called a convention of its independent exhibitors from bankruptcy, by setting wheels in motion to knock out the five-picture buying provision and other "injurious and unfair" contract decree features, eliminate 16 picture competition stop and other measures to protect independent exhibitors under the American Society of Composers, Authors & Publishers' music fee combat a proposed state license admission tax, launch a campaign to bring the public back to the film houses, halt a move to outlaw theatre giveaways and throw down the gauntlet to distributors guilty of excessive and unreasonable percentage.

It will be Northwest independent exhibitors' last ditch stand against "bananay" which is threatening their very existence—a gathering of the clowns for "the desperate battle for self-preservation," according to Fred Strom, the organization's executive secretary.

The independents will devise ways and means to obtain passage of a code of trade practices by the state legislature, Strom says. This code already has been adopted and abrogated the objectionable consent decree clauses, according to Strom. His provisions, he asserts, were approved by film company executives before the consent decree came into being.

While "exorbitant" film and other costs and "unfair" trade practices are forcing exhibitors to the wall, many Northwest Allied leaders still feel that the principal problem confronts the industry in the effort to increase theatre attendance, Strom says. In line with this, a campaign will be formulated to "bring back" to the theatres the many people who have quit attending, he announces.

Particularly under fire, as far as percentages go, is Metro's demand for 50% and advanced admissions for the subsequent "Gone With the Wind" releases, according to Strom. Independents are determined to resist this and any other 50% demand, he declares.

Lab Sues for Print

Los Angeles, Jan. 14. Williams laboratory filed suit in superior court against Slavko Vorkapich, demanding the immediate return of the print of "The Forest Murmurs," a film depicting a musical composition by Richard Wagner. Actor charges that Vorkapich is holding the print illegally.

Capitol

St. Paul, Thursday, Jan. 16. "A Star of the Navy" Cole Porter, in "Flight Command" a Metro-Goldwyn-Mayer Picture

LORETTA STATE Bway & 47th St.
Last Times Wed. "THIRD FINGER LEAD" In Person
Sally Rand, Harry Hooper, Gisele Van

Monte Cristo Bway & 47th St.
John Wayne, Artie Jarrett, Dorth

MUSIC HALL HELD OVER "PHILADELPHIA STORY" Spectacular Stage Productions

SECOND WEEK!
The Four Daughters Are Now
"FOUR MOTHERS"

Frances LANE — Rosalie LANE
Lois Lane — Gale Page

PERSON Swing and Swash With
SAMMY KAYE AND HIS ORCHESTRA

STRAND B'way & 47 St.

"A trade paper not subsidized by any one faction or person of that trade is a valuable weapon for the trade itself as a whole" (quotation from an editorial in VARIETY Feb. 14, 1924).

Read that again, please.

It's the thought for this week, the week when VARIETY resumes its normal weekly grind after producing its annual special number under date of Jan. 8. It's the obvious thought as the United States and the world and the entertainment industry and specialized publications, plunge ahead toward an uncertain fate. One-half the peoples of the world live under tyranny. For them the independence VARIETY loves to brag about does not and cannot exist. In their lands the very concept of editorial policy based on nothing more authoritarian than editorial judgement is considered naive and laughable.

Even here, let it not go unrecorded, men who seem willing to applaud freedom of the press for daily newspapers are sometimes slow to accord the same "privilege" to a trade publication. And let it be added it took a bit of getting there for VARIETY to reach its 35th Anniversary in devotion to the quixotic notion that it should be the sole judge of what was news.

In those parts of the world where a free newspaper may still freely circulate the 35th Anniversary edition of VARIETY began last week to spread outward from New York the widening ripples of its considerable weight of 180 pages. By mails and on newsstands it circulated throughout this country and Canada last week and is already in the nearby countries of Mexico and Cuba. Later it will reach England. Hardly before two weeks, perhaps not for three weeks. They may be reading the special annual green-covered edition of VARIETY in the Malay Straits at Easter time. It may bob up in remote Tasmania months hereafter. Meantime there are new multi-lingual broadcaster-showmen readers in South America, made freshly aware of American radio and show business by recent Pan-Americanism.

The Anniversary edition—any year—is always a very special effort of the staff of VARIETY. It is always heavy-laden with a wealth of special text. Through the years it has become a standard adver-

tising medium for the year-end, year-beginning announcements of great organizations and great personalities. It has been the mirror of the entertainment-makers of the whole world and no fact in the 35th Anniversary edition is so significant and so eloquent as the pages of advertising from England. Bombed, blitzed and blasted, under the constant menace of extinction, the entertainment business of England carries on. Nothing could so vividly illustrate this as the calm confidence implicit in those announcements by English advertisers addressing the rest of the world through the VARIETY Anniversary edition—the special dress parade number that is kept for future reference.

For 51 issues every year VARIETY is a high-speed catch-it-on-the-fly newspaper eternally rushing to press with information for its readers. Once a year in the big green-covered special it sums up its own work and each year in this issue leaders join with VARIETY in an inventory of achievement: The Anniversary edition is primarily a prestige catalog, a recapitulation of what has happened in the immediate past and is likely to happen in the immediate future. In the 35th edition last week readers found among the advertisers established successes, names everybody now knows, names everybody will soon know. All of them taken together form a pretty good index of 1940-41 importance. All of them express by their participation an appreciation of the institution of the VARIETY Anniversary edition.

Those two rich midwinter specials (a) fruit cake and (b) the anniversary edition of VARIETY need not be devoured at one sitting. Save what you didn't get to the first time for the tasty morsels to be enjoyed at later, more leisurely nibblings.

How did the advertising agencies rate in showmanship during 1940—you won't see this frank calling 'em anywhere else, but it's on page 89 of VARIETY.

Interested in how Chicago radio production thrives without names? Read Harry Kopf's article on page 87. The radio art of manufacturing catch-phrases is interestingly explained by L. J. Wagner of Schwimmer & Scott agency on page 92. Read CBS report captioned "Television Becomes Colorful" (page 94) and Charles Gaines of World Broadcasting discusses "The Past—and Future—of

Variety" on page 101. Ever stop to reflect on the business side of operating a quiz program? Ralph Edwards of "Truth and Consequences" itemizes some of the problems on page 103. There are interesting remarks about announcers by Ben Grauer and about Frequency Modulation by Jack Poppell (both page 91) and Haydn Evans of WTAQ, Green Bay explains "Small Town Talent" (93).

Any of these stories may provide you with a tauty morsel you would be sorry to have missed.

RADIO'S SOOTHSAVERS—Ed Grunwald of VARIETY, explains the numbo-jumbo of radio research (page 103).

HOW TO OPERATE IN THE PUBLIC INTEREST—11 pointers for smart stations are underscored by Gene Carr of WGAR, Cleveland (page 104).

LITTLE BROTHER OF THE ROOSTERS—The early morning side of radio broadcasting is sketched by early-rising Pat Barnes (page 126).

SAWING A SPONSOR IN HALF—A reflective essay by Robert J. Landry, tells nearly all on how they don't do it at the networks (page 88).

FAREWELL TO BLONDIES—Ben Bodree of VARIETY isn't being autobiographical in this one. Instead he traces certain changes in the art of stations relations (page 94).

HOLLYWOOD—A short reprise. VARIETY's Jack Hellman was sick, so he wrote the same story he did in 1939, and it still fits (page 91).

WILLKIE HAD SCRIPT TROUBLE—The author of "The Key to Happiness," Harold Sherman, analyzes why Willkie's showmanship couldn't match F.D.R.'s (page 93).

RADIO CLICHE EXPERT TAKES STAND—Some fun with the overdone radio phrases by Dick Pack and Lester Gottlieb (page 95).

SPEAKING OF RADIO MONOPOLY THE ACTORS WHO CAN'T GET IN HAVE SOME IDEAS—The eternal question, how to crash radio, is looked into by VARIETY's Hobe Morrison (page 96).

VAGUE WORDS BUT VITAL—Julius Sebe of WOR considers some radio fundamentals (page 104).

HOW NBC SERVICES NEWSPAPERS—The modus operandi of a network press department told by Bill Kostka (page 95).

And this is only a part...the 35th Anniversary edition repays careful re-readings.

Funny Money' Case Costs J. W. GUM Two Year Disbarment From FCC

Washington, Jan. 14.

A two-year disbarment from practice before the Federal Communications Commission was meted out Saturday (11) to James W. Gum, Washington radio attorney, because of shady transactions connected with the affairs of WSAL, Salisbury, Md. Because he failed to conform to recognized standards of professional conduct, Gum's name was stricken from the list of accredited barristers until Jan. 1, 1943. Spanking is the outcome of "funny-money" activities indulged in by Gum when the station first was established. Transmitter—whose license was revoked several months ago—was financed in a mysterious manner, with a dummy setup involving an obscure station operator, a United States Senator and a Washington radio engineer. The attorney, however, takes the rap.

Commission action came after Gum refused to appear on the rule to show cause, Jan. 6, but sent his attorney, Jess L. Hall, to argue the matter before the federal body. Hall, after a full hearing, ruled that the record should include the full record in the revocation case against WSAL, it was pointed out.

Although Gum's engineering expert, D. Gillett, also was suspected of flagging in the WSAL application, no means exist whereby the FCC can exert punitive measures. Former Senator Clarence A. Dill (D., Wash.) also eluded the searchlight.

Unusually harsh penalty imposed on the attorney has led to rumors that further action may be taken against the WSAL principals. Justice Department sleuths are said to be readying for an investigation which will include Gillett and the ex-Senator.

SOMERSET MAUGHAM TO INTRO HIS PIECE

Somerset Maugham will do a guest shot Feb. 26 on the "Wheatens Playhouse" recorded series over WEAF and other local stations to introduce a radio version of his "Of Human Bondage." Novelist will probably give his spleen in person, but in case he isn't available at that time, will be heard via recording, the transcription having already been made.

"Bondage," the sixth drama in the "Wheatens" series, will start Feb. 9 and run three weeks. Current play, "The Citadel," with Ralph Forbes and Jill Esmond co-starred, winds up a five-week run Jan. 31. "One Way Passage," from Robert Lord's original screenplay, is being adapted by the regular "Wheatens" authors, David Victor and Herbert Little, Jr.

The being considered for leads are: Lee Latimer, Somers, Arlene Francis, Lee Daniels, James Meighan and Jean Allen. The others: it is being package-produced by Wolf Associates and directed by Carlo DeAngelis. Actual recording will begin next Monday. Cast for "Bondage" is still unselected.

May Knock Harmonica Down His WHO Throat

Des Moines, Jan. 14.—Glen (Shorly) Hogan, harmonica-playing member of the Sunset Corners Symphony, staff orchestra at WHO, Des Moines, Iowa, is entered in the 1941 WHO Golden Gloves amateur boxing tournament. Hogan will compete in the flyweight class. He was flyweight champion of southern Missouri in 1933.

FORMER ACTOR NOW EXEC

Charles Garland Is Asst. Commer.
Manager of WBDM

Chicago, Jan. 14. Charles Garland has been appointed assistant commercial manager of WBDM, Kelly Smith, general sales manager of Radio Sales, and commercial chief of WBDM, and made the appointment.

Garland has been with WBDM since 1928, during the early years as a performer and producer and since 1930 in the sales department.

Old Gold Men To N.Y. for New Thompson Plan

District sales managers for Old Gold have been gathering in New York the past week to hear and see the latest developments and make plans for the presentation of the new plan. Walter Thompson, new agent on the account, has drawn up for the cigarette, Radio phase of the forthcoming Old Gold campaign will be fixed as a result of these meetings this week.

Thompson has considered 19 programs in its quest for Old Gold.

Hunt for Philco

Frazier Hunt, correspondent-commissioner, starts Tuesday-Thursday-Saturday night series over WOR Mutual next Tuesday (21) under Philco sponsorship. He'll play as a reporter, not a commentator.

Shows will be transcribed and will allow a time break at the close for a local announcer of each station airing the series to cut in with last-minute news flashes.

FCC Declines to Rescue Donald Flamm

He Asked, It Gave Permission to Sell WMCA—It's Flamm's Problem If He's Sorry

Washington, Jan. 14. Donald Flamm could stew in his own juice as far as the Federal Communications Commission is concerned with the scheduled sale of WMCA, New York, for \$850,000, is a matter for the courts to determine. Such an answer was given last week in reply to Flamm's request for reconsideration of the Commission order approving transfer of control of WMCA to the candy mint magnate.

On legal grounds, the FCC refused Flamm's application for permission to sell WMCA. The effect of regulators said they found the transaction would benefit the public and do not propose to take a second look to see if perhaps they erred. Five of the six kilocycle cops sought to wash their hands of the affair (Commissioner T. A. M. Craven, who originally cautioned less speed and said that the whole transaction did not deserve such a hasty arrangement between the parties).

The Commission conceded its order does not compel Flamm to turn over the WMCA stock to Noble, since the action was "permissive" in character. At the same time, the regulators saw no reason for tearing up their minds any more since "our concern has been given and the matter has been closed." Noble did not participate despite spreading rumors the deal was tinged with intrigue.

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Schick Razors has tagged the 8:30-o'clock period on CBS Saturday nights for a program which it figures to debut Feb. 22. The show has not been selected.

Schick has heretofore confined itself to spot broadcasting, specializing in sports programs.

Cleveland—Charles Swink leaves WIRE, Indianapolis, to join staff of WGAR as announcer.

ARNOLD GROWLS AT RADIO

HIS STAND ON BMI IS TOUGH

N.A.B. boardmen and counsel for the networks were still huddling yesterday (Tuesday) on the question of yielding to a decree. The CBS forces appeared to be as adamant as ever on not knuckling down to the Department of Justice's requirements. Intimations have been made that NBC had agreed to go with Columbia for another 10 days, as from last Tuesday (7) in the hope that a solution would be found for the continued existence of BMI. No "or else" contingency was attached, it was said, to the remark.

Both radio and ASCAP camps were of the impression yesterday (Tuesday) that Arnold was prepared to go into huddling again with ASCAP and BMI in Milwaukee at the middle of this week. In the meantime ASCAP proposes to sit back and watch what happens to the quality of network music and the effect that this might have on listening habits.

Washington, Jan. 14. Efforts of radio leaders to negotiate an armistice with the Justice Department that would head off threatened prosecution on anti-trust charges growing out of the pecuniary arrangements of networks failed to succeed without a surrender that industry people, especially CBS, declare would be an excessive price for small reward. Over the strenuous protests of a minority which resolutely maintained the trust-busters do not have a case, the industry did sound out Assistant Attorney General Thurman Arnold and discovered the A.J. official was adamantly insistent on no change whatever in the method of operation followed by Broadcast Music, Inc. Table pounding and club waving by the Anti-trust Division head astounded the flag of true carriers and brought I-told-you-so chorus from the element which wanted to fight the issue rather than explore the possibility of compromise.

After initial sessions with Arnold and his aides, broadcasters were uncertain this week about the prospects of reaching an agreement. The Justice Department attitude is that BMI and the networks must yield to demands for abolition of the blanket license principle and for assurance of clearance at the source. Broadcasters insist they cannot overhaul the entire structure as speedily as Arnold wants, besides protesting that some aspects of his proposal are unfair and will do widespread damage.

The proposed settlement must contain an escape clause, the radio people insist. No equity in requiring

(Continued on page 37)

'ASCAP on Parade' Delayed a Week

**Initial Program (18) Will Include Cohan, Rodgers,
Speaks—Lucky's Agency Retorts**

WHN, WNEW and WMCA, N. Y., will all go through with their contract to broadcast the series "ASCAP on Parade" starting this Saturday (18). This ASCAP produced and sponsored series will run from 8 to 9 p.m.

The sales manager of one of the stations called Lord & Thomas, agency on the Lucky Strike account and asked whether L. T. would hold the incident against the station until anyone else would come up. The agency spokesman replied that he (the agency exec) wasn't running the station and that it was up the the station to decide what it wanted to do about the ASCAP program. Latter will be broadcast just before (9 p.m.) the now non-ASCAP Lucky Strike Hit Parade (CBS).

WMCA will originate the program. Billy Rose will produce and among

Radio Men Are Saying—

At the end of the first two weeks of severance of relations between most of the radio broadcasting industry and ASCAP the comment of radio men ranges along these lines:

"The public isn't protesting."

"Infringement suits have largely been avoided."

"Newspapers are stirring up the issue."

"The film companies will force ASCAP to settle sooner or later. Film musicals need radio publicity."

"There is and can be no satisfactory modern merchandising substitute for mu-

sic publishers. Radio is the easiest way, the best way, the indispensable way to sell music to the public. Going back to slides would be like Detroit going back to buggies."

"Taxidrivers and stenographers are whistling BMI tunes. That proves our case."

"ASCAP will settle in April or May at reasonable terms."

"Having gone over the falls in a barrel the radio industry has finally faced the one thing it always feared and found that ASCAP music is not indispensable."

WTCA Formula Avois Music Union Embargo On NBC Breakfast Club

Minneapolis, Jan. 14.

When the Musicians' Union threatened to pull the "Breakfast Club," coming from Chicago by remote control, off WTCA here because the station persisted in making advertising announcements during the program, despite the union's warning, WTCA devised a way to circumvent the edict and retain part of the program and continue with the spot announcements. Announcements will be made on behalf of the program, as permitted, and after 15 minutes of the "Breakfast Club," from 8 to 8:15 a.m., the station will use its own program for the next 15 minutes to allow more announcements. Then at 8:15 it will cut in again on "Breakfast Club" for 15 more minutes, winding up again with another of its station programs for the final quarter hour.

H. C. RICHARDSON WITH SEEDS AGENCY

Chicago, Jan. 14.

Freeman Keyes has brought H. C. Richardson into the Russell M. Seeds agency picture with Richardson slated to act as special assistant to Keyes on general production and radio set-up.

Likely that Richardson will journey between Chi and New York for some time which is figured to preface the opening of an eastern office for the Seeds agency.

STAN SHAW STAYS SET

Stan Shaw, conductor of WNEW, New York's owl record program, "Milkman's Matinee," signed a new contract with the station last week keeping him there another three years. Program has been airing now for six years between the hours of 2 to 4 a.m.

It has 12 sponsors.

(Continued on page 37)

ANTI-RADIO BILL FROM TOBEY

Washington, Jan. 14.

Proposal for a sweeping study of the conduct of radio networks highlighted a batch of radio bills and resolutions thrown in the Congressional hopper in the first few days of the new session. Most of the measures are old friends, but the probe request of Senator Charles W. Tobey of New Hampshire is a major innovation.

Bearing strongly on angles concerning incidentally last year in the hearings on the Thad Brown nomination and the chain-monopoly report, Tobey wants the Interstate Commerce Committee of which he is a member to undertake a five-point inquiry that would have both the industry and the Federal Communications Commission as targets. His bill of particulars is another measure of similar character that have been put before the legislators in past years.

Principal topics the New Hampshire Republican wants aired are:

- Existence, extent, formation, legal and consequences of any monopoly in broadcasting or equipment business.

- Effect on public interest of net-work affiliate contracts.

- Attempt by any individual in the radio business to unduly influence any public office in the exercise of his duties.

- Performance of licensees and the way they have exercised the privileges conferred upon them by their permits.

- Effect on public interest of net-work affiliate contracts.

- Attempt by any individual in the radio business to unduly influence any public office in the exercise of his duties.

The new resolution he has sponsored for years providing for inquiry into license trafficking was hoppered by Representative Richard B. Wiglesworth, Massachusetts Republican. Representative Francis Culkin of New York, another Republican, reintroduced bill banning any liquor advertising over the air, and Representative J. Hardin Peterman (Dem.) of Florida again proposed new section of the general law increasing superpower for any station carrying network programs.

(Continued on page 37)

R. & R. Revise Stock

Albany, N. Y., Jan. 14.

Ruthrauff & Ryan, Inc., New York, has changed its capital stock from 1,300 shares, 1,000 "A" common at \$100 par value, and 300 "B" common, no par value, to 15,000 shares at no par value.

Neil F. Gullow was the attorney who filed papers with the secretary of state in Albany.

(Continued on page 37)

Cheri McKay's Renewal

St. Louis, Jan. 14.

Cheri McKay Show, sponsored by the Alpen Brau beer over KSD was renewed last week for the fourth consecutive year. The McKay crew includes Miss McKay, of the original Merry Macs, Joe Karner, Clair Callahan, the Toppers and Russ David's orch. Olan Agency handles account.

(Continued on page 37)

ASCAP SITUATION MARKING TIME

Intimations have come from important quarters in the broadcasting industry that the time isn't far off when a way will be sought to settle the current conflict with the American Society of Composers, Authors & Publishers. These important quarters are not alone, in negotiations, finances, etc., with the anti-ASCAP freebands, but have at the same time maintained a clear and hard-headed perspective. They have kept their ears closely to the ground for public and Governmental repercussions with the view of making a subtly-contrived peace move at an opportune moment.

Keeping a Watch

Despite the confident attitude which prevailed at the meeting of the N. A. B. board in Washington the past week, these same quarters have among themselves adhered to a policy of watching for any indications of the fight getting out of bounds; as far as radio was concerned, and believe in cooping such tenders as may be given. They have kept a sharp eye on public expressions from disinterested parties to see what trends the music war might take, such as that of greater Governmental regulation for radio. These broadcasters are as adamantly opposed as ever to the terms of the ASCAP contract but they figure that in another few weeks indie broadcasters animosity toward ASCAP may have cooled off sufficiently to sub-

(Continued on page 37)

Author Leston Huntley In On Production of P.G.C. Serial 'This Small Town'

Leston Huntley, Chicago author of "Small Town," has taken over production supervision of this Procter & Gamble-sponsored daily serial on NBC red (WEAF). He will work through the John E. Gibbs production office. Maury Lowell, who recently left Bentor & Bowles, will direct. No immediate other changes are contemplated.

Shirley, formerly pageant-produced by Edwin Wolfe (as Ed Wolfe Associates) and directed by Chick Vincent, Contract gave Huntley the right to change the production setup at the end of the original 13 weeks. Hal James supervises the program for the Compton agency.

Howard Keegan Back

Chicago, Jan. 14.

Howard Keegan has returned to full production work with the Cari Weiser program firm and has resumed as production manager for Weiser.

Keegan was out for some time due to illness.

Glenn Miller Back on Air in Deal

**His Music Goes to BMI—Dancemen in General Stall
Signing Infringement Responsibility Form**

Return of Glenn Miller's band to NBC sustaining pickups last week without agreeing to assume responsibility for any ASCAP infringements in his programs, is allegedly in return for Miller's subsequent action of aligning all of the song output of his Mutual Music Society publishing house with Royalty-owned Broadcast Music, Inc. Miller had originally pulled his band from the air rather than submit to NBC's demand that he take off and instead sign with BMI.

Miller signed a deal giving him rights against possible infringement of ASCAP copyrights.

Original songs published by Miller's company and thus restricted for use only by BMI or BMI licensed radio stations, live or recorded, include two of his newest releases, "Old Black Joe" and "Anvil Chorus." "Sarong," "Slumber Song," band's closing theme, "Solid as Stowaway Jackson," "Long Time No See," "Down for the Count," "Are You Rusticating?" "Daisy May," "Are You Jumpin' Jack?" and "Oh So Good" are others. None of those outside of the first two have been re-

corded. "In the Mood," one of the originals which helped to "make" the band, was not written by him and not published by his company, therefore not included. It's an ASCAP song, however, published by Shapiro-Bernstein.

Few of the more important bands on the air have so far signed with NBC's get-out-from-under papers which protect the net from possible dance-band remote ASCAP infringements. Outfits have been stalling off signing in the hope the order will be rescinded around the time they get lost. All of the major bands have signed, though to lose if they inadvertently air a snatch of ASCAP melody. Bands that have signed are those less heeded and out of which little infringement damages could be written. They have little to lose and everything to gain by remaining on the air.

Before approaching the bands to underwrite charges which might accrue through ASCAP infringements, NBC tried to get hotel operators employing the various bands to do the signing. Net was turned down cold.

UNION MUSIC EXTENSION DUE IN N. Y. C.

Officials of NBC, Columbia and WOR, Mutual's New York key stations, were still negotiating the terms of an agreement with the New York musicians union yesterday (Wednesday). Indications are that the new contract will be approved all around before the end of the current week. The union, which has the employment of considerably more than 1,000 men, and a substantial increase in the amount that will be spent by the network originating outlets annually during the run of the new contract.

The old agreement, which was for slightly less than three years, expires today (15). No serious hitches are reported to have developed during the current negotiations.

UNION DEMAND EJECTS CONTESTANTS AIRCAST

Troy, N. Y., Jan. 14. Insistence of "Troy Musicians' Union" (AFRA) that an orchestra be hired because contestants on "Double It" program were "live talent" forced withdrawal of the quiz show from the station's 2:50 p.m. slot in WTRY's studio. It had been staged on Saturday night and recorded for broadcasting on Sunday afternoon. Half-hour is now aired from studio on the Sabbath block. Union is said to have threatened a picketing of theatre unless an orchestra of six numbers were engaged. WTRY's studios are in the Proctor building.

Show sponsored by an insurance agency.

Buddy Clark on Armour Transcription Series

Chicago, Jan. 14. Buddy Clark is set with Lord & Thomas agency to headline a new three-a-week variety show for Armour Treet product. Clark will m.c. the proceedings as well as unloosen tonal tension.

Also on the show, which will be disked, are the Frank Kettner orchestra, Johnny Duffy at the organ, Marie Gifford with household hints. John Weigel will handle the straight commercials.

Show will be on a three-a-week basis, with the agency snapping up space on 100 stations coast-to-coast. This show, known as "Treat Time," replaces the former "Your Treat" disked program.

BOBBY BYRNE'S SET-UP

With Line Charge For Local WEAF Program

Bobby Byrne's radio program for Raleigh cigarette strictly local New York show over NBC's WEAF, will be piped in from stages and affiliated station studios when the band hits the road after finishing its current stand at Meadowbrook, Cedar Grove, N. J. Line charges will be paid by Byrne. Program is called "Discoveries of 1941."

On Jan. 31 outfit is playing the Metropolitan theatre, Providence, R. I., and that night's show will be from that stage. Feb. 26, from Pittsburgh, radio City, New York; Mar. 7, from Palace theatre, Cleveland. Ted Steel took over emceeing job on the show last week (10). Steel will be the week's "Discovery" on the Hartford program inasmuch as he comes from there.

Contract for the show gives the cigarette maker an option on the band for three years. If it's exercised the salary increases each 26 weeks.

James Parks' Office

Chicago, Jan. 14. James Parks is setting up his radio talent agency here and has brought in Carl Bowen as his assistant. Park was formerly with the Willis Morris office and recently with the General Amusement office here.

Parks is representing Quiz Kids along with the other radio programs controlled by Lou Cowan. He also represents Arch Oboler, Milton Geiser and J. P. McEvoy.

(Continued on page 23)

Advertising Agency Expenditures

(Via Major Networks in 1940)

Agency	CBS	NBC	MBS	Total
1. Black & Deppert-Hummert	\$1,959,603	\$748,501	\$584,766	\$12,106,788
2. Benton & Bowles	5,262,963	1,748,501	—	7,076,574
3. Young & Rubicam	4,362,245	2,134,921	—	6,497,166
4. Ruthrauff & Ryan	4,569,165	1,604,674	169,520	6,345,370
5. Compton	669,647	4,392,655	—	5,262,502
6. J. Walter Thompson	1,333,142	2,972,116	286,977	4,572,235
7. Lord & Thomas	1,274,655	2,454,059	50,899	3,779,586
8. Newell-Emmett Co.	1,569,539	1,936,610	—	3,526,349
9. Batten, Barton, Durstine & Osborn	2,063,012	1,164,534	164,221	3,411,767
10. Warde-Wheelock	3,344,475	1,950,000	—	3,434,755
11. Feder & Ryan	1,515,350	1,042,990	64,265	2,652,605
12. Remond & Seeds	—	1,920,143	—	1,920,143
13. Blow	1,084,199	707,846	46,195	1,630,326
14. H. W. Kastor	613,165	990,143	—	1,603,326
15. Lennen & Mitchell	19,008	1,580,537	—	1,579,545
16. Knox Reeves	413,376	1,142,878	—	1,556,235
17. N. W. Ayer	1,033,432	406,308	55,807	1,495,547
18. Stack-Goble	—	1,460,764	—	1,460,764
19. Wade	—	1,393,362	—	1,393,362
20. Erwin, Wasey	57,101	725,040	270,878	1,053,607
21. Buchanan	589,329	118,236	5,831	713,396
22. Rosen-Meyerhoff	69,661	—	68,940	1,358,601
23. Gardner	704,733	319,004	—	1,023,737
24. Roche, Williams & Cunningham	255,031	678,712	37,000	969,743
25. McCann-Erickson	476,630	386,576	—	662,506
26. Maxon	264,294	295,968	116,731	675,991
27. Needham, Louis & Brorby	—	633,512	—	633,512
28. Arthur Kudner	532,256	—	79,510	611,766
29. L. W. Ramsey	16,629	557,664	—	576,513
30. C. L. Miller	566,121	—	—	566,121
31. Grant	156,340	544,714	15,000	510,854
32. McKee & Albright	—	346,105	510,949	857,043
33. Felt & Ellington	—	—	—	—
34. Felt & Stoen & Ross, Inc.	—	503,592	—	503,592
35. Sweeney & James	—	492,842	—	492,842
36. Federal	165,864	3,320	—	165,864
37. R. H. Albert	—	—	—	—
38. Aubrey, Moore & Wallace	371,042	16,224	—	387,266
39. Lambert & Feasley	363,463	—	421,421	788,484
40. Warwick & Legler	—	378,402	—	378,402
41. Leo Burnett Co.	96,024	259,679	—	354,603
42. Sherman & Marquette	116,535	225,388	—	341,923
43. Constanti, Karp & McDonald	—	304,724	—	304,724
44. Vinton, H. Banks	7,968	—	—	7,968
45. J. M. Mathes	—	—	—	—
46. Sherman K. Ellis	3,749	—	—	3,749
47. Hutchinson	—	—	—	—
48. Clickman	51. Wm. Blair Bagaley	121,339	93,479	214,818
49. O'Dea, Sheldon & Canaday	209,067	—	—	209,067
50. Hixson-O'Donnell	3,510	201,137	—	204,647
51. Geyer, Gandy & Newell	65,937	123,446	—	176,466
52. Hirschman & Hoffman	5,061	169,626	—	165,576
53. H. M. Kleisewetter	4,690	168,256	—	154,290
54. Critchfield	125,232	—	40,344	135,567
55. Sherman & Co.	—	16,364	137,326	137,326
56. Kenyon & Eckhardt	135,567	—	—	135,567
57. Kelliher, Stuhlm & Zahnrt	7,566	126,564	127,466	123,860
58. C. W. Hoyt Co. Inc.	—	123,260	—	114,660
59. Franklin Bruck	—	114,660	—	112,132
60. Raymond R. Morgan	112,132	—	—	110,550
61. U.S. Advertising Corp.	311,050	92,566	—	100,000
62. George Davis & Staff	14,644	—	—	89,965
63. Campbell-Milner	65,965	—	—	62,046
64. McJunkin	—	62,048	—	75,046
65. Ryer & Bowman	—	75,048	—	72,415
66. Bayless-Kerr Co.	—	—	—	72,415
67. Clements	—	69,887	—	69,887
68. National Classified Adv.	—	67,836	—	67,836
69. Barton A. Stebbins Adv.	—	61,212	—	61,212
70. Alkin-Kynett Co.	55,657	—	—	55,657
71. Fitzgerald	—	48,924	—	48,924
72. D'Amato	—	44,510	40,716	40,716
73. M. Fischer Associates	—	—	40,546	40,546
74. R-field-Johnstone	—	—	40,291	40,291
75. Berlingham, Castleman & Pierce	—	36,206	—	36,208
76. Tomeschke-Elliott	—	34,112	—	34,112
77. Long	—	33,264	—	33,264
78. Wels & Geller	—	29,543	—	29,543
79. Morse International	—	26,600	27,856	27,856
80. Plat-Forbes	—	—	26,025	26,025
81. Commercial Radio Service	—	—	22,376	22,376
82. Anderson, Davis & Platte	—	21,752	—	21,752
83. Campbell-Ewald	—	20,426	—	20,426
84. Botsford, Constantine & Gardner	—	—	16,054	16,054
85. Weston-Barnett	—	—	—	16,054
86. Glasser	17,403	212	—	17,615
87. Geo. W. Hartman	—	—	17,148	17,148
88. Charles R. Stuart	—	16,844	—	16,844
89. Nachman-Rhodes	—	16,019	—	16,019
90. Schlesinger-Luckoff	—	—	13,472	13,472
91. Dilley, Ladd, Linnmore & Durham	—	11,680	—	11,680
92. Leon Livingston	—	11,670	—	11,670
93. Caples	—	11,310	—	11,310
94. J. Edward Long	—	—	10,847	10,847
95. Al Paul Lefton	1,857	8,131	—	9,966
96. Gilliam	9,150	—	—	9,150
97. Parla & Peart	6,993	—	—	8,983
98. Smith & Drum	6,896	—	—	8,696
99. J. D. Tarcher	6,602	—	—	6,602
100. Wagner	—	7,788	—	7,788
101. Wahl & Warner	—	6,666	—	6,666
102. Walter Barison	5,910	256	—	5,910
103. Harold Cahet	6,129	—	—	6,129
104. Albert Frank-Guenther Law	—	4,466	—	4,466
105. Grey	—	—	4,440	4,440
106. Ray Davidson	3,408	—	—	3,406
107. McCord Co.	3,278	—	—	3,276
108. Little Sheldon	—	2,910	—	2,910
109. Leo Sant, Dugdale	—	—	2,691	2,691
110. M. H. Hackett	—	2,670	—	2,670
111. Broadcasters Inc.	—	—	2,576	2,576
112. Cossar & Associates	368	1,026	—	2,314
113. Wood Brown & Wood, Inc.	—	1,044	—	1,044
114. Lowe Features	—	1,435	—	1,435

(Continued on page 23)

AFRA 'OR ELSE' FOR DISC CUTTERS

American Federation of Radio Artists may not consult the transcription producers on its proposed transcription code, but may simply attempt to impose the regulations through its membership. No decision has been reached on the matter, but the union's executives are meeting various plans.

In case no exact date and the national board decide to go ahead without further negotiation with the transcription makers, the procedure would probably be an order to all AFRA members not to work on any transcriptions except under specified AFRA requirements and with AFRA members.

Explained that the producers' uneasiness about the uncertainty of the commercial network code, which they offered as an excuse for not signing a transcription agreement at some time, is no longer valid since the code is now in effect. It's possible that AFRA will decide to submit its proposed transcription code to the producers, but the union heads declare they are determined to put the conditions into effect without delay, so they will insist on a minimum of discussion even if they decide to negotiate.

Agents' Licenses

Talent agents franchise situation is still not completely clarified by the union. It has issued more than 200 licenses so far. No waivers were granted to Coast agents and none for package show contracts. However, it was found that a number of performers had exclusive contracts with more than one agent. That and other complications has delayed the final cleanup up of the agency situation.

National board has voted to raise the initiation fee from \$25 to \$50 in New York, Chicago, Los Angeles and San Francisco, as had been predicted. It has also been decided to hold the union's fourth annual convention Aug. 14-17 at the Book-Cadillac hotel, Detroit. Fourth anniversary of the organization's founding will occur during that time.

Officers elected last week in New York, local scene as follows: William P. Adams, president, succeeding Alex McKee; Ben Grauer, first vice-president; Walter Preston, second vice-president; Betsy Garde, third vice-president; Alex McKee, fourth vice-president; Ray Collins, fifth vice-president; Evelyn MacGregor, recording secretary, and Ned W. Conover, treasurer.

Washington, local elected as its first officers: Hugh Conover, president; Donald Fischer, vice-president; Dorian St. George, secretary; Reginald Allen, treasurer.

Furniture Prospects

Washington, Jan. 14. Epidemic of CBS engagements was started last month when Louise Hollinger, secretary of WJSV Counsel Paul A. Porter, announced that she would marry Clayton Miller of the Department of Agriculture. She was the first gal employee of the station to become engaged eight years.

After the announcement, however, the following staff members admitted they would shortly follow suit: Toni Poston, amanuensis to Arch McDonald, to Ernest McIver, Jr., of the Fredericksburg (Va.) Free Lance Star; Carolyn Hardie, assistant to Mrs. Lucille Cohan (WJSV's "Nancy Drew"), to Robert Blos, pilot of Eastern Air Lines; Robert Bayer, assistant to sales promotion director John Heiney, to Helen Rein-dollar, of Baltimore.

Add WHK-WCLE Romances Cleveland, Jan. 14. WHK-WCLE, which had 13 marriages last year among staff of 102 members, is on right foot again, according to its management. Jimmy Aubel, sound effects director, is engaged to Ruth Manning of Cleveland, and Helen Thornton announces engagement to John Corrigan, also of Cleveland.

AGENCIES' RADIO SPENDING

312 Bids for New Stations

FCC Statistics Also Reveal Only Six of 56 Got Re-Hearing Chance

Washington, Jan. 14. Speeding up of clerical routine during the last fiscal year was claimed by the Federal Communications Commission in its most recent annual report which summarizes the numerous procedural changes effected in recent months.

By getting more information on the expanded application blanks and following up with letters in case additional explanations appear desirable, the Commissiion said it has been able to reduce greatly the number of matters that have to be taken up at hearings. In the following of parties and cases through inspection of proposals also lightened the burden and cut down delay.

Hard-heartedness of the regulators toward persons who think they did not get thorough consideration is shown in some of the statistics in the annual survey. Out of 56 petitions for rehearing, only were granted.

Rush to get into the radio business became a major item of 1940, with 3,000 applications, including the periodic requests for renewal licenses, shot up to a new record. Approximately 3,000 pleas were docketed, compared with around 1,700 the prior year and a previous peak in 1937 of slightly over 2,500. There were 312 proposals for new stations as well as 452 requests for construction permits and 394 applications for license modification.

Expansion of the industry brought 70 new transmitters into existence, of which 62 were the unlimited time Class IV type. Total of 10 stations gave up the ghost for one reason or another.

Wider use of directional antennas was a continuing trend that set a new record for the number of plants concentrating their signals on particular areas or taking unusual engineering precautions to protect other transmitters. There were a total of 110 such arrays at the end of 1940, a jump of 39 in 12 months.

WCAE TO MBS IN OCTOBER?

Pittsburgh, Jan. 14. According to information here, when Oct. 1 rolls around and NBC's Red web switches from Hearst station WCAE to Westinghouse-controlled KDKA, WCAE will take Mutual's web exclusively, as NBC's Blue, which now has KDKA for an outlet, will go to little WWSW, therefore without any network affiliation.

WCAE commitment is figured in the bag inasmuch as Cliff Daniel, program director for WCAE, was in New York last week attending a meeting of program managers of Mutual stations. Leonard Kasper, station manager, refused to say definitively, however, that deal had been closed.

As for WWSW, owned by Positive Gazette, morning daily, it has always concentrated on local shows, occasionally taking an NBC Blue show from KDKA, when latter station couldn't handle it because of local commercials. WWSW lately has been stepping out and is the first local outlet to obtain an FM license, with frequent modulation broadcasts scheduled to get under way some time in February.

For a time there was a possibility that WCAE would make an effort to land the CBS wire, but Columbia is sticking to its regular outlet here, WJAS. Blue net was offered to WCAE but Hearst group is so peeved at NBC for giving the Red to KDKA that it would listen to no overtures. Even during its Red tenure, WCAE has been using frequent programs from Mutual and of late has been increasing them gradually as the time for the switch nears.

NBC Top Accts.

Procter & Gamble Co.	\$8,759,452
Sterling Products	5,981,680
General Mills	5,045,735
Liggett & Myers	3,932,386
American Home Products	1,969,741
Brown & Williamson	1,965,600
General Foods	1,794,388
Standard Brands	1,504,198
Miles Lab.	1,383,382
National Dairy Products	1,339,299

CBS Top Accts.

General Foods	\$4,992,519
Campbell Soup	4,944,369
Colgate-Palmolive-Peet	3,658,706
Lever Bros.	3,055,922
Procter & Gamble	2,239,964
Liggett & Myers	1,424,327
Wrigley	1,368,224
Brown & Williamson	1,158,722
R. J. Reynolds	1,084,619
American Tobacco	1,074,751

MBS Top Accts.

Wander Co.	\$526,826
Bayul Cigars	510,949
Goose Broadcasting Assn.	402,232
Continental Ciga. Co.	243,681
Macfadden Publications	231,004
Richfield Oil Corp.	197,388
General Baking Co.	184,221
American Safety Razor Corp.	158,857
Lutheran Laymen's League	127,466
Wheeling Steel Corp.	123,556

War Morale Gabfest

"Morale in War Time" will be discussed Friday (17) on the University of Chicago roundtable program on NBC in a special New York pickup. Three gabby guys will fight for the mike.

They are: Harold Lasswell, Edward Bernays, Norman Thomas.

MANY CHANGES IN RELATIVE RANK

Blackett-Sample-Hummert Still Tops in Appropriations on Networks—Benton & Bowles Was Second in 1940 Before Losing Two Big Accounts

OTHERS

Agency ratings by network billings (NBC, CBS, and Mutual) experienced in 1940 about the severest reshuffling in radio history. The agencies which stood out by their margin of increase over the previous year were Blackett-Sample-Hummert, Benton & Bowles, Ruthrauff & Ryan, Compton, Newell-Emmett and Knox-Reeves. Only agency which disappeared from among the first 20, as against 1939, was Gardner. Accumulative billings of the first 20 agencies was again 77% of the total network billings, and this accumulation was again \$10,000,000 over what it had been for the previous year.

While B-S-H continued by a wide margin to lead the list of agency spenders, the billings career of Benton & Bowles, as shown by the year's figures and, after events, such as the loss of the Colgate-Palmolive and Continental Baking accounts, will likely prove of particular interest to the trade. B & C came up from fourth to second place, displacing Young & Rubicam. Latter dropped to third place and, as network ratings were concerned, the edge over '39 came to but \$16,000. Ruthrauff & Ryan, which had the biggest all-around year in its history, jumped to fourth place with added billings of \$135,000.

Lord & Thomas took a dip from sixth to seventh place and Ward Wheelock slipped from ninth to 10th spot, even though it had a strong 1940. For Newell-Emmett it was a hikie from 11th to eighth slot, while Pedlar & Ryan eased off to 11th

American Tobacco, Long a 'Headache,' Dropped by Young & Rubicam Agency

Luckies on Spots

Lucky Strike is slated to put on another spot campaign similar to the one it ran in some 20 eastern markets last summer. That one came in minutes and a half recordings and was aired on the hour several times a day.

New campaign won't be ready for several weeks.

WSM CUTS 13 DISCS FOR ARMOUR

Nashville, Jan. 14.

An Armour Fertilizer transcription series has just been completed at WSM under the caption of "Uncle Jim's Cross Roads Store." The 13-week series will be placed on approximately 12 southern stations by C. P. Clark, advertising agency of Atlanta and Nashville.

Lark Taylor has title role of Uncle Jim. Jack Shook and His Missouri Mountaineers (eight performers) from the WSM Grand Ole Opry, with warbler Alcyon Bate, Nap Bastien, and Dee Simmons, and Fiddlin' Mac McGhee form the musical group, set up with a variety-type guests spotted through the series from the Opry. Platiers produced by Jack Harris of WSM staff.

Marks second year these waxings have been produced at WSM by the Atlanta agency.

from the previous year's No. 8 rating. Others that moved down on the spending tabulations were Lenzen & Mitchell, Kastor and Stack-Goble.

Young & Rubicam has dropped its end of the American Tobacco account, effective yesterday (Tuesday). It has been a 'headache' to the agency for some time. Pall Mall cigarettes and Half 'n Half tobacco are the products involved. Neither one has a radio series on the air currently.

There's no indication as yet who will get the business. Lord & Thomas has the remainder of the American Tobacco account, principally Lucky Strike. In a statement issued to Y & R employees on the incident Raymond Rubicam stated that the account threatened to interfere with the quality of service that the agency gave its accounts. American Tobacco has been with Y & R three years.

W.J. DUNN, CBS, TO MANILA

William J. Dunn has been promoted from news editor in CBS' New York office to director of the network's correspondents in the Far East. He left for his new post yesterday (Tuesday) and will make his headquarters in Manila.

Meanwhile Dunn will tour Japan, China, the East Indies, Indo-China, Australia and other down under British territories, contacting CBS correspondents and establishing new correspondents. Dunn comes by way of South Bend, Ind.

N.A.B. TOUGHER

Thinks Exhibits Not Supporting Org Should Be Scrapped

Washington, Jan. 14.

Equipment people, transcription makers, station representatives and other first cousins of station operators will be coldshouldered at future National Association of Broadcasters conventions unless they ante up for associate memberships in the trade body. New rules, carrying out the N.A.B.'s policy of all-inclusiveness with a common interest with transmitter proprietors contemplate an informal boycott of persons unwilling to help support the organization representing the people from whom they make a living.

Plan approved by the N.A.B. directors stipulated that only associate members in good standing can stage exhibits, throw cocktail parties, and open headquarters in the official convention hotel. (Nothing was said that the above spirituous free drinks that may be offered by the 'unofficial' exhibitors and salesmen.)

Urging all members to try and work in associates, N.A.B. explained that dues are 'fair and equitable' but no voting privileges will go with the membership.

Time Out for Baby

Pittsburgh, Jan. 14.

Impending maternity is breaking up but only temporarily. Pittsburgh's oldest radio singing trio, They are the Sophisticated Ladies of WCAE, who started broadcasting together here in 1932. Expectant mother is Dorothy Laterman, and for next month she'll be replaced in threessome by Gene Price, both as accompanist and third voice. She's the wife of Howard Price, WCAE staff tenor.

Others in act are Jeanne Baxter and Henrietta Littman. Girls have been a trio ever since they met each other at a party eight years ago and started harmonizing at the piano.

Advertising Agency Expenditures

Continued from page 22

Agency	CBS	NBC	MBS	Total
122. H. C. Morris	1,430	.....	.....	1,430
123. Samuel Gross Co.	.....	.....	.....	1,036
124. Mifflin & White	.....	.....	.....	800
125. Bernard F. Ostrichler	800	.....	.....	800
126. Wm. A. Ingoldsby Co.	320	600	.....	600
127. Callaway Associates	320	.....	.....	320
128. Badger & Brown	214	.....	.....	214

COMPARATIVE AGENCY SPENDING:

1940, 1939, 1938
(WITH CBS, MBS, NBC)

Agency	1940	1939	1938
1. Blackett-Sample-Hummert	\$12,108,788	\$10,714,498	\$9,003,195
2. Benton & Bowles	7,678,574	(4) 5,385,301	(4) 4,900,399
3. Young & Rubicam	6,497,166	(2) 6,481,352	(3) 5,093,640
4. Ruthrauff & Ryan	6,343,379	(5) 4,991,348	(6) 4,015,688
5. Compton Advertising	5,282,502	(7) 3,811,128	(7) 3,107,788
6. J. Walter Thompson	4,572,235	(3) 3,642,268	(2) 5,320,608
7. Lord & Thomas	3,779,906	(6) 3,891,308	(5) 4,791,588
8. Newell-Emmett	3,526,349	(11) 1,987,362	(9) 1,693,314
9. BBDO	3,411,767	(10) 2,481,296	(10) 1,588,554
10. Ward Wheeck	3,344,475	(9) 2,595,270	(8) 2,258,425
11. Pedlar & Ryan	2,930,000	2,902,570	1,588,181
12. Wm. Esty & Sons	2,650,405	(12) 1,852,209	(18) 1,096,359
13. W. H. Wasey	1,921,413	(15) 1,041,433	.....
14. Blow Co.	1,850,340	(18) 1,234,522	.....
15. H. W. Kastor	1,603,328	(13) 1,322,120	(15) 1,245,302
16. Lennen & Mitchell	1,579,945	(14) 1,613,974	(12) 1,500,635
17. Knob Reeves	1,555,256	.....	.....
18. N. W. Ayer	1,495,547	(20) 1,144,316	(13) 1,397,535
19. Stack-Goble	1,460,784	(16) 1,294,410	(20) 1,007,060
20. Wade Advertising	1,393,382	(17) 1,236,254	(14) 1,383,741
	\$74,927,193	77.7%	75.7%
		\$86,257,512	\$54,278,083
		77.3%	75.7%

Portion of total network gross revenue.

* Not among 20 first spenders.

** Including the Gardner agency, which ranked 24th in 1940.

† Including Gardner and Erwin, Wasey.

Joe Penner, Hard Worker and Worrier, Dies at 36; Hit \$13,250 One Week

Philadelphia, Jan. 14.

Joe Penner, 36, burlesque and vaudeville comic, who died Saturday night in his sleep at the Ritz-Carlton hotel, Philadelphia, Jan. 10. His death is the first involving a performer who came to national prominence strictly through broadcasting. In his career as an entertainer Penner had worked and achieved some success in show business, but it was radio that lifted him to stardom. In 1937 he had married a woman, Anna, whom he divorced in 1939 for \$13,250 for a one-week, sole personal appearance at the Earle here during Holy Week of 1934. He went in at a guarantee of \$3,750 and a 50-50 split over \$20,000, the house grossing \$39,000.

Physicians gave it as their opinion that he had died of a heart attack due to a "work." Penner had been working hard on the musical and roadshow, "Yodel Boy," starring himself, which opened here Monday (6). In radio Penner was known as its ace worrier. Regardless of the years of experience he had had in the medium the comic when he did his series for Ward Baker in 1939-40 still exhibited a nerve-wrecking fret just before a broadcast. Toward the end of the Ward contract Penner would become so worried he would take a sedative and go to bed immediately after a completed program that at the conclusion of the show he would have to repair to a hospital for a stay of several days.

Penner made his entry in network radio as a guest on the Rudy Vallee program in 1933. Later that same year J. Walter Thompson, which was Vallee's agency also, starred the comic in his own show, the Bakers' Broadcast, (RCA).

After his successes with the latter account Penner went on the payroll of Cocomalt (R. D. Davis) and remained there until the summer of '38. The following season he plugged Huskies (General Foods) and during the latter part of 1939 and early 1940 he did his "Penners of Park Avenue" series for Ward.

Penner was found dead by his wife, a former dancer, Miss Vega around 1 p.m. Penner, his wife, Robert Crawford, general manager of the show, and Martha Raye, the comedienne, had gone to Jack Lynch's Walton Room Thursday night after the show. Miss Raye was in town to see Penner's performance.

The party broke up at 3 a.m., with Penner making haste to meet Crawford the next afternoon to go to a gymnasium.

The Penners retired to their suite at the Ritz. Mrs. Penner arose early the next day and didn't awaken her husband.

Crawford phoned at 2:30 but Mrs. Penner said she thought Joe should sleep a little longer. When Crawford called again, two hours later, Mrs. Penner sent for John Gandy to awaken him. Crawford heard her scream over the telephone. He rushed into the suite. A house physician pronounced comedian dead. Mrs. Penner was placed in his care, suffering from hysteria. The physician said Penner had been dead about four hours.

An Immigrant

Penner, who is an immigrant boy, was born Josie Pintel in a little village near Budapest, November 11, 1904. He came to this country with his grandparents at the age of nine. His father and mother had come here years before, the father getting employment in a Detroit auto plant.

He started working in carnivals, graduated into burlesque, from there going into vaudeville. In 1924 he went into the roadshow of the "Greenwich Village Follies." A number of other musicals in which he appeared failed and he went back to night clubs and vaudeville during which he evolved his famous catchphrase "Wanna Buy a Duck?"

Penner made his last air appearance on 250-watt WDAS in a benefit performance in a "Bundles for Britain" program. Penner and Carl Douglas, female comic in his revival of the musical "Yodel Boy," sang their hit duet from the show "Comes Love."

Penner had a remarkable Jim Farley-like memory for names and faces, frequently greeting by name people he had met only casually a year or more before. On one occasion more than five years ago he astounded a couple of newspaper men at a cocktail party for the press at the time by making a personal appearance in Philadelphia. Without coaching from his press

agents, he remembered the full names and papers of the two critics an hour or more after the party had begun. They were among several dozen strangers to whom he had been briefly introduced, and he had not spoken to them in the interim.

About three years later one of the men in Hollywood and past Penner's table at luncheon in the restaurant of Ward Baker's, recalled the fellow, recalled his last name and the fact that he was from Philadelphia, but couldn't remember his first name or his paper. He explained his ability by saying he "had to have a knack in that line, but had worked hard to perfect it."

After a post mortem examination, Dr. Charles Moriarity said Penner's death was caused by a cardiac colapse. He added that the star had been in poor physical condition and should have been under strict medical supervision.

Despite this diagnosis, Coroner Charles H. Hersch said an examination would be made of the contents of Penner's stomach "strictly as a precaution." A bottle of sleeping tablets was found in Penner's bedroom, and the coroner said there was a possibility that the comedian had accidentally taken an overdose.

The body was displayed by trial Glendale, Calif., on Saturday (11), where a funeral will be held on Thurs. (18).

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ADMEN IN RAP AT N.A.B.

Blamed for Everything Else

Washington, Jan. 14. The radio industry was accused last week of destroying the younger generation's belief in Santa Claus.

Assistance of the Federal Communications Commission was sought by a Louisiana woman who squawked that "as a result of remarks made from time to time on the radio," American moppets are losing faith in an accepted Christmas tradition. Commiss was unable to officially uphold the constitutionality of Santa Claus, although suggesting that the woman "convey her comments to the management of the network which carried the reference to which she objects."

Rivalry for 3rd Nashville Station

Burton, Insurance Man, Applies for Same Facilities
Dailies Are Seeking—Ward, WLAC, Would Operate

Nashville, Jan. 14.

A. M. Burton, president of Life & Casualty Insurance Co., filed an application with the FCC on Saturday (4), seeking to operate a 1,000-watt station on a frequency of 1380 k.c. Burton proposes to operate Nashville's third station without network affiliation and the cost of the station would be \$70,000.

Application listed Burton's assets at \$500,000. Burton would be licensee of the proposed station, but it would be managed by S. A. Ward, who in the application agreed to sever his connections with WLAC.

Burton is not a newcomer to radio. The Life & Casualty Co. which he heads formerly owned and operated WLAC.

A few weeks ago the Nashville Broadcasting Co. filed an application seeking to operate the same power and frequency as Burton purposed to use. This company is controlled by the Newspaper Printing Corp., which publishes the two local dailies.

WSM is owned by another insurance company.

**WJR-WGAR Jointly Sold
For Noxema Inter-City
Quiz, Mayors Lead Off**

Detroit, Jan. 14.

Latest Noxema entry in the "Quiz of Two Cities" series pits Detroit versus Cleveland. The series will run for 26 weeks on Sunday from 8:30 to 8 p.m.

Under the same ownership, WJR here and WGAR, of Cleveland, will line up slates of men each Sunday and alternate on the questions. Program opened on Jan. 6 with the contestants headed by Mayor Edward Jeffries of Detroit, and Mayor Edward F. Blythin, of Cleveland.

Ted Grace, of WJR, and David Baylor, of WGAR, will conduct the quizzes, with stations switching back and forth after each series of questions for its team.

FOR DEAR OLE ALMA NOX

**Buffalo Vs. Rochester Added To
Inter-City Quiz Contests**

Buffalo, Jan. 14.

Latest "Quiz of Two Cities" set by Ruthrauff & Ryan on WBEN, Buffalo, and WHEC, Rochester. Popping the question in Buffalo is Ed Reimers, and in Rochester is Al Taylor, with Jack Barry handling for WHEC. Quiz utilizes traditional rivalry between two cities, 78 miles apart. Two-way hookup finds teams being asked same queries. Groups can not hear each other's responses, but dialers hear all.

On opener (5) were Mayor Thomas Holling, Buffalo, and Samuel Dicker, Rochester, welcoming the series. Contract is for one year. Ed Reimers announces from WBEN.

Edwards at Fox, St. Louis

Ralph Edwards' "Truth or Consequences" show goes through another vaudeville date Jan. 25, playing the Fox theatre, St. Louis.

Program will be done from the theatre's stage.

Washington, Jan. 14.

The radio industry was accused last week of destroying the younger generation's belief in Santa Claus.

Assistance of the Federal Communications Commission was sought by a Louisiana woman who squawked that "as a result of remarks made from time to time on the radio," American moppets are losing faith in an accepted Christmas tradition. Commiss was unable to officially uphold the constitutionality of Santa Claus, although suggesting that the woman "convey her comments to the management of the network which carried the reference to which she objects."

BURN AT ACTION OVER SPOT PACT

Time Buyers Group of American Association of Advertising Agencies Sees Sending Out of N.A.B. Form As a 'Disturbing' Tactic

'SECRET RATES'

The radio time-buyers committee of the American Association of Advertising Agencies is displeased by the recent activities of a committee of the National Association of Broadcasters concerning the issue of adopting a new standard form of spot time contract. A group of Four A's members last week dispatched a wire to the N.A.B. expressing themselves as "deeply disturbed."

Advertising agencies inform Va-

nitzky that such an attempt to outsmart us which we don't appreciate,"

In retaliation for the alleged attempt to outsmart the committee of time buyers from agencies represented in this section of the Four A's, has put into effect the contract form as originally drawn up by the committee with only one amendment words "Broadcast Music, Inc., substituted for ASCAP. Station assumes responsibility for all infringement suits accruing from the use of BMI-controlled music.

Pending for Months

The special Four A's committee had been working four months on a new spot order form and a couple weeks ago it met with a committee from the N.A.B. to discuss the terms and wording of the contract. There was another meeting last Tuesday (7), and at this gathering the broadcasters' group advised the agency people that they didn't like the form which had been prepared by the Four A's committee. They demanded that the form make no stipulation that the contracting station avow that it has "no secret rates" that references to cash discounts be eliminated and that provision be made for an advertiser to obtain agency recognition in the event no agency participated in the transaction.

On the "no secret rates" angle the broadcasters group argued that the agency people were right since stations have no secret rates. As for the broadcasters insistence that an advertiser be given agency recognition where no agency is involved, the Four A's committee rejoined that the motive was obvious, namely, stations would be free to rebate the 15% commission directly to advertisers.

When the Jan. 7 meeting broke up, according to the Four A's committee, it was understood that the N.A.B. would again meet with it shortly. Two days later stations throughout the country received from the N.A.B. sample forms of the N.A.B.'s own new spot time contract, with enclosed letters of explanation stating that the form had been recommended by the trade association on Jan. 7. As information as to the new form was given to the Four A's committee they went into collective burn and there followed the protest to the N.A.B. and teletyped messages to Four A's members throughout the country to ignore the form that was being distributed by the N.A.B.

The Four A's committee of time buyers on the new contract project, composed of Fred Middlecamp, of E.B.P., O. C. Ulrich, of WCCO, Franco, Young & Rubicam, Linnea Nelson, J. Walter Thompson; William B. Mailefert, Compton; John Hynes, Lord & Thomas, and Charles Ayres, Ruthrauff & Ryan.

In letter which he sent to member agencies last Friday (10) Fred Middlecamp, executive secretary of the Four A's, suggested that for new spot business or for renewals of existing contracts, the agencies continue to use the old standard form of contract with the BMI indemnification clause included.

Pratt, who conducted the Topsy-Turvy Club in Chicago and over the networks for six years before coming here, recites his own verses and sings to his own piano accompaniment in the Coco-Wheat program.

Portrait of One Sponsor

San Francisco, Jan. 14.

Adventures of a screen personality, related to the star of a network radio show, who sat in on a broadcast one row behind the sponsor, are being hailed by insiders as the perfect picture of modern ether-commercializing. Sponsor, who looks like one, waddled in with a row of satellites and as he sat down, he nudged his nearest companion with the remark: "Extra commercial tonight." As show opened he settled himself, displaying no interest until first commercial. Then, beaming, he leaned forward with pencil and paper and listened attentively. As it ended, he nudged his friend again, beamed "First commercial" and relapsed into indifference.

This went on throughout the show. Near end he got fidgety, stumbling his pitch, but in the last few seconds the announcer squeezed in four lines of the fourth plug. "The sponsor sighed happily, nudged his friend, "See, extra commercial tonight" and went home. Show is notorious for its windy copy, script often having to be cut during the actual broadcast to provide enough time for the blubs.

21 Complaints Against Lotteries Filed with FCC in Fiscal Year

Washington, Jan. 14.

Broadcasters who play fast and loose with the statutory restriction against lottery stations are individuals who shoot Section 3105, which relates to ownership and control of stations, gave the Federal Communications Commission most trouble during the fiscal year ended last June 30.

Congress was told last week that investigations involved 106 plants, while three stations accused of law or rule infractions were taken off the air. Of the 42 stations licensed at the start of the year, 27 were disposed of. The Commiss carried 12 old complaints over into the current year, seven involving unlawful transfers, three program matters, and two engineering offenses.

The 106 investigations made in 1939-40 covered a wide variety of matters. The regulators adjusted 70 cases without hearings and took formal evidence in three matters. At the end of the year, investigations were still on the fire involving 33 plants.

The number of complaints (sometimes more than one offense was charged against the same outlet) checked during the last year were distributed as follows:

Ownership and control, 31.

Failure of licensee to receive prizes or free merchandise, 15.

Alleged false or misleading statements, 13.

Alleged violation of various sections of the act, 6.

Medical programs, 5.

Miscellaneous program matters, 8.

Foreign language programs and propaganda, 8.

Engineering difficulty, 3.

Horse race information, 2.

Newspaper programs, 2.

Financial fitness, 2.

Labor programs, 1.

Obscene language, 1.

Fortune telling, 1.

Inferior programs, 3.

RUPERT CAPLAN NOW WITH CBC FULL TIME

Montreal, Jan. 14.

Rupert Caplan, veteran program producer, moved over to the Canadian Broadcasting Corp. this week officially as radio production exec. Until recently he worked for the CBC on special assignments only, producing the Bible classics and other dramatic shows on a part-time basis. Now going over to the government radio network on full time, Caplan relinquishes his private business.

Caplan formerly produced "Spotlight Parade" (Magic Baking Powder) and other shows for J. Walter Thompson and currently directs "On Parade," with the Grenadier Guards, network program for Robin Hood Flour.

Billie Wood, formerly associated with Caplan, has teamed up with Ed Baudry.

Sam Henry Off N.A.B.

Washington, Jan. 14.

Resignation of Samuel J. Henry, Jr., as director of the National Association of Broadcasters' Bureau of Radio Advertising, has been accepted by Neville Miller, N.A.B. prez effective Feb. 1.

Henry's plans for the future not divulged.

"We have," wrote Gamble, "been assured by the N.A.B. of the willingness of its committee to resume discussions with us on the points of issue."

FLANTER SUES WOV Seeks Pre-Trial Examination of La Fount, Kizcales in Pact Breach

Adrian, James Flanter has filed suit in the N. Y. supreme court, seeking \$4,150 damages against Station WOV, New York. Charges breach of contract and unwarranted discharge.

Flanter states that on Jan. 12, 1940, he signed a contract with WOV as adviser on sales promotion at \$85 weekly plus 15% of the gross on all accounts brought in without the aid of an advertising agency, 7½% on accounts brought in with the aid of an agency and with the promise that he would receive as much money as he liked to his own radio production agency. He was hired for a year and discharged April 13. He claims to have brought in \$1,048 in advertising.

Another charge is that he secured a sponsor for the program "La Branca Massia" at \$100 for 13 weeks, but station turned down the sponsor. Suit was revealed by an application to examine Harold A. La Fount, vice president, and Hyla Kizcales before trial.

Pot o' Gold' Adds Local Gotham Outlets for Tums; Web Dips 15%

WHN: Lewis-Howe Co. (Tums), through Critchfield & Co., renewal, through Stack-Goble "Pot o' Gold" with Tommy Tucker's orchestra, half-hour weekly; Ex-Lax, Inc., through Joseph Katz, renewal for 12½ weeks, daily station-break announcements; Busch's Kredit Jewelry Co., daily spot announcements, one-year contract; Pepsi-Cola Co., through Newell-Emmett, renewal, daily station-break announcements, 52-week contract; American-Jewish Broadcasting Co., through A. L. Landau, Inc., renewal, spot announcements; 52-week contract; Gospel Broadcasting Association, through R. H. Alter Co., "Old Fashioned Revival Hour," renewal, 52-week contract; Hearn Jewelers Store, through Milton Rosenberg, weekly, full-hour program, 52-week contract.

WMCA: St. Peter's Inn, "Ave Maria," renewal, WIB (Inter-City Affiliate), placed by WMCA, 26 weeks; Wintergarden Theatre, through Blaine-Thompson, spot announcements; Shubert Theatre, through Blaine-Thompson, spot announcements; Fisher Bros., through Norman B. Furman, 15 announcements weekly, 13-week contract; Dale Carnegie Institute, through R. Kupsick Agency, spot announcements.

WNEW: Tums, "Pot o' Gold," half-hour weekly for 52 weeks; Paramount Pictures Corp., through Buchanan & Co., three 15-minute programs on "Make Believe Ballroom"; The Delta Co., Inc. (kitchen cleaners), through E. T. Howard Cleaning Co., 15-week contract; Morden, through Friday, 13-week contract; Busch Kredit Jewelry, direct, renewal, 77 announcements weekly, 52-week contract; Busch Jewelry Co., direct, 15 minutes Monday through Saturday on "Dance Parade," 52-week contract.

WOR: Shelbourne-Rand Hotel Co., through Prudential Advertising Agency, "Dr. Stephen S. Wise," two quarter-hour programs weekly, 6½-week contract; Consolidated Drug Trade Products, Inc., through Benson & Dall, extended from half-hour to full-hour program Monday through Saturday, 11-week contract; Terry Candy Co. (Terry Mints), through W. I. Tracy, Inc., Direct Import, 52-week contract; J. C. Egan U. S. Ltd., through Atherton & Currier, Inc., five five-minute spots, 13-week contract; Wheeling Steel Corp.,

PHILCO DISCS FOR DEALERS

Transamerican Broadcasting & Television Corp. has sold Philco a transcription series with Frazier Hunt. The campaign has already been set on 27 stations with the schedule calling for three quarter-hour programs a week. The station lineup is expected to go to 108 within the next few weeks.

It's a co-operative arrangement with the set manufacturer furnishing the platters free and the local dealers paying for the time. Most of the scheduled spots are between 8 and 7 p.m.

Gude's Pepto on WBEN

Buffalo, Jan. 14.—Quarter-hour of 4 1/2 "Sweat Gresters Club" from 6 to 8½ am. on WBEN ticketed by Gude's Pepto Mangan, Through Morse International Inc.

INTRODUCING



... and that's me! ... A Hard-Working Plug who will fly your sales messages into "WSAI-Town" with its 285,260 Radio Homes. ... Note my figures! I'm built for, and emphasize better listening, not just sending. That's why I carry more pay-off programs.

WSAI

CINCINNATI'S
OWN STATION

REPRESENTED BY INTERNATIONAL RADIOS SALES

SPONSOR GOLF TALKS DURING TOURNAMENT

San Antonio, Jan. 14.
Betty Jamison, golf champ, will be commentator in a special series WOAI aired daily for a quarter hour for four days beginning Feb. 6, the span of the Texas Open Golf Tournament, San Antonio Brewing Association, (Pearl Beer) sponsor.

NETWORK, NATL SPOT BENEFIT SAN ANTON

San Antonio, Jan. 14.
Both network and national spot took an upward swing this weekend, with other figures holding their own.

Jack Schlichemairer, of the

merchandising department of KTSA,

took a trip down to old Mexico and

in Montreal made special

comparisons on merchandising there

and in this country.

KONO: Modern Radio Service & Motorola Sales Co., 100 announcements per month for six months, direct; Cash & Carry Printing Co., quarter hour Sunday afternoon program, 52 times; Stark Bros. Agricultural School, 10-minute studio program, each Tuesday.

KABC: Renewal on Texas State Network of Grand Prize Dance Parade, one hour each Saturday.

Muehlebach Beer, 10 announcements per day, through Payne Adv. Agency.

San Antonio Health Club, three five-minute programs per week; Seven Up Co., ten announcements per day for one year through Payne Agency.

Wheeling Steel Corp., through Mutual, 15 minutes, half-hour each Sunday.

Maurice J. Kastor, for Williams Motor Sales Co., through Payne Adv., five 100-word announcements, one five-minute, three 15-minutes, six 30-minute programs.

WOAI: Linda Pinkham Co.,

through Erwin, Wasey, five one-

minute announcements per week;

North American Accident Insurance Co., through Frankel Bruck, three five-minute per week, through Sherman E. Ellis.

KTSA: 15 minutes, half-hour each

day, through Dallas Jacobs, renewal

for four announcements per week;

Manhattan Cafe, one announcement per week, direct.

Jan. 11 Compared to Jan. 4

Network Local National Total

Units Units Spot Units Units

6,458 8,207 1,053 15,718

6,298 8,185 1,009 15,492

+2.5% +0.3% +4.4% +1.5%

(Included: KABC, KMAC, KONO, KTSA, WOAI)

WBBM: Chicago Furniture Mart, 15 minutes once weekly, through Newby, Peron & Flitcraft; Olson Rug Co., 15 minutes three times weekly, through Presba, Fellers & Presba.

Jan. 11 Compared to Jan. 4

Network Local National Total

Units Units Spot Units Units

9,885 8,265 11,222 27,382

9,885 8,112 11,150 27,147

+2.3% +0.6% -0.8%

(Included: WBBM, WENR, WGN, WIND, WJD, WLS, WMAQ)

* No change.

(Included: WBBM, WENR, WGN, WIND, WJD, WLS, WMAQ)

FULL-HOUR PLUGS 26 CONSOLIDATED DRUG PRODS. ON KNX; L.A. FAIR

Dodge Dealers Purchase

NBC Washington Show

Washington, Jan. 14.

Sale of a half-hour Sunday afternoon variety program "Washing and Calling" to the Dodge Dealers of Washington has made WRC (WRC) representative the second commercial

client for the NBC staff orchestra, with Gene Archer, baritone; Jean Cathon, French singer; and Linda Carroll, station warbler, starring.

Washington outlets of the network—WRC—WMLW—are now originating 21 shows a week to the southeast Red web. Programs are all musical and total six hours and 15 minutes over a period of five days.

Los Angeles, Jan. 14.

Local units were still lagging last week while others carried along with the upsurge. Gains were slight and the aggregate showed only a pickup of a couple of hundred units. Best showing was made in national spot.

Best piece of new biz was the early morning time buy on KNX by Goodwill, through The Products Station. Jan. 10, the outfit's entire 26 nostrums will be heard in an hour show of transcribed hill-billy music and capers from 5 to 6 a.m. five times a week. Marks the first time local radio has dipped into Consolidated's million dollar air budget through Benson & Dall, in four years. Biz is spotted only on 50,000-watters.

KNX: Standard Oil of California, 728 time signals, through McCann-Erickson; Hills Bros. bread, 78 participation in Fleischman's combination, through New Crop, Washington State Apples, 24 participations in Wiley combo, through J. White Thompson; Zeeman Clothing, 158 participations in newscast, through Lockwood-Shackelford; Lever Bros. (Spry), 364 time signals, through Ruthrauff & Ryan; Central Chevrolet, 52 announcements, through Stodel agency.

KHJ: C. H. Baker (shoes), 52 quarter-hour programs, through Sidney Garfinkel; Desmond Clothing, 520 quarter-hour programs, through The Products Co.; P. E. Kenyon, 52 half-hour programs, Dr. Miles California Co., 750 quarter-hour programs, through Associated Advertising; American Popcorn Co., 30 spots, through Buchanan-Thomas; Eckert Brewing, 156 announcements, through Charles Mayne.

KFI: Slavick Jewelry, 261 participations in Art Baker's "Notebook," through Advertising Arts; Chemicals, Inc. (Vando), 20 participations in Mirandy's Garden Patch, through Baker's Combination & Gardner; Beech-Nut Gum, 78 transcriptions, through Newell-Emmett; White Laboratories (Chooz), 87 one-minute transcriptions, through H. W. Kastor; Central Chevrolet, 380 announcements, through Stodel agency; Beech-Nut Gum, 100 announcements, through Newell-Emmett.

KOAB: Olson Rug Co., 15-minute news period three times weekly, through Presba, Fellers & Presba; White Laboratories, announcement by White Laboratories, 20 one-minute transcriptions, through William Ward Baking Co., announcements three times weekly, through Raymond Spector agency; Studie Baker Corp., 15-minute news period six times weekly, through Roche, Williams & Cunningham.

WMAQ: Olson Rug Co., 15-minute news period three times weekly, through Presba, Fellers & Presba; White Laboratories (Chooz), 87 one-minute transcriptions, through H. W. Kastor; Central Chevrolet, 380 announcements, through Stodel agency; Beech-Nut Gum, 100 announcements, through Newell-Emmett.

KOAB: Ex-Lax, 150 one-minute transcriptions, through Joseph Katz; White Laboratories (Chooz), 38 one-minute transcriptions, through H. W. Kastor; Beech-Nut Gum, 100 announcements, through Newell-Emmett.

JAN. 11 COMPARED TO JAN. 4

Network Local National Total

Units Units Spot Units Units

13,208 8,762 1,722 23,692

12,891 8,894 1,659 23,444

+2.8% -1.5% +3.8% +1.1%

(Included: KECA, KNL, KFWB, KHJ, KNX)

Hall Byers' New Bankroller Minneapolis, Jan. 14. Studebaker is sponsoring "Sunday Noon News" over WCCO, 12:30-45 p.m., Sundays, with Hale Byers. News program's previous sponsors were Butternut Coffee and Airy Fairy Cake flour.

CLAY MORGAN OF NBC HEADS 'DIMES' PUSH

Clay Morgan, assistant to president Niles Trammell at NBC, is the New York coordinator for the "Mile of Dimes" campaign, part of the Infantile Paralysis campaign headed by Charles Barry, on leave from NBC in Washington. NBC has an all-night stand in Times Square and a nationwide money-collection deposit at NBC in the Penn station, Brooklyn, and also in the Bronx.

Trammell rushed him to the local drive on the air Tuesday when 1,400 dimes for everybody in NBC went into the Radio City "mile."

Ripley Shirt Co. Airs
"Cattle Kings" Series

Fort Worth, Jan. 14.

Ripley Shirt Co. of Dallas, has signed for 13 Sunday afternoon quarter hours over KGKO and the Lone Star Chain. Stories are authored by C. L. Douglas, writer of "Cattle Kings" Texas, and will bear the same title as his books.

Series will be produced by Jimmy McClain and was set through the Grant Agency. Stations KTSA, San Antonio, and KXYZ, Houston, will carry the broadcasts.

Nashville Gas' Historicals

Nashville, Tenn., Jan. 14.

"This Is America" program, financed by the Nashville Gas & Heating Co., made its first bow to WCAU over WLAC Friday (10).

This is a quarter-hour e.t. program dramatizing historical events, mainly designed to appeal to children but educational enough to interest adults.

Lively Showmanship Wins Larger Audiences in the INTERMOUNTAIN MARKET FOR KDYL
Representative JOHN BLAIR & COMPANY
The POPULAR Station Salt Lake City
N.B.C. RED NETWORK

MAILORDER HOUSE'S 'OFFER'

Big Lever Chainbreak Buys

Lever Bros. will, during 1941, probably rate as the biggest and most consistent user of chainbreak announcements. Its policy calls for bulk buys of the plug device and the switching of products as the season and merchandising expediency dictate. Account is currently expanding its market list of chainbreaks for Lipton's Tea and is also gathering similar spots for Silver Dust through B.B.D. & O.

Shuffling policy has already gone into effect. Some of the chainbreaks which have been plugging Spry will shortly carry the Silver Dust tag.

All Frisco Units on Downbeat— Local Off 19%, National Spot, 18%

San Francisco, Jan. 14.

KFRC cracked through with several solid commercials this week, topped by a record spot order calling for 3,650 announcements over a period of two years in behalf of Longines-Wittnauer. Five-spots-a-day account placed by Arthur Rosenberg, New York.

Lord & Thomas picked same station for 13 weekly quarter-hours of ski and snow news underwritten by Southern Pacific Railroad, while O'Connor-Moffatt, department store, pacted Phil Stearns for 312 daily 10-minute newscasts. Rutherford & Ryan agencyed. A year's Coast sponsorship for Wythe Williams on Sunday nights on both KFRC and KJH has been negotiated for Peter Paul candy by Brisacher, Davis, starting this week.

KPO hooked a new one tabbed "What's Brewing in Sports," a five-minute summary by Hal Wolf at 8:35 p.m. Tue-Thur-Fri, underwritten by Buffalo Beer. Ewing Kelly agency, Sacramento, placed it. Station plugging new feature on Telenews screen.

KGO this week starts Stella Under's Hollywood platters spinning three weekly for Cook Products' Girard Salad Dressing.

KROW didn't do so bad, either. Head College, Oakland biz school, bought a three-week series of quarter-hour spots from O'Connor-Moffatt. Paint took a 58-week renewal on its daily noon news; Charis Corset Shop has signed for a year of comment by a 16-year-old news analyst, and the Lincoln Chesterfield Mfg. Co. of Oakland, with 90% of its budget allocated to radio, is underwriting a new five-a-week early morning musical-time-signal-weather report sess.

In field of exploitation, Ray Barnett, window-display man for KSFO, has made a tieup with the Emporium to use out of its main windows for a CBS-Fox-TV window display. Operation also starting an interview series, "San Francisco Industries and National Defense," in connection with the C. of C.

KFRC: U. S. Lines, through J. Walker Thompson, 10 spots; Langendorf-United Bakeries, through Leon Livingston, 45 spots; Southern Pacific Railroad, through Lord & Thomas, 13 weekly quarter-hours; "Ski Show"; O'Connor-Moffatt, Dept. Store, through Rutherford & Ryan, 312 10-minute newscasts; Avco, KJH; Longines-Wittnauer, through Arthur Rosenberg, 3,650 and 100-word spots through 1942; Transport Motors, through Stack-Gobel, 125 spots; North American Accident Insurance, through Franklin Bruch, nine five-minute spots; Loma Linda Foods, through Gerth-Knollin, 30 spots; Peter Paul Candy, through Brisacher, Davis, 53 Sunday eve sponsorships of Wythe Williams (also on KJH); Calif. Breweries & Malt Corp. (Well's and Beer), through Brews Weeks, 21 spots; Foster-Milburn (Dow's Pills), through Spot Broadcasting, N. Y., 104 spots; Health Aids, Inc. (Serutan), through Rutherford & Ryan, three half-hours weekly, three weeks; American Popcorn, through Buchanan-Thomas, 18 spots.

Jan. 11 Compared to Jan. 4

Network	Local	National	Total
Units	Units	Spots	Units
10,761	3,113	1,894	15,768
11,380	3,871	2,316	17,557
-5.4%	-18.6%	-18.2%	-10.2%
(Included: KFRC, KGO, KJHS, KPO, KSFQ)			

URGES EARLIER START AS TEST

Consolidated Drug Seeks Early Morning Buys for 13 Weeks at Nominal Price—Approaches Stations to Revise Operating Schedule Experimentally—Leaving the Card Rate to Results

SEVERAL LINED UP

Consolidated Drug, whose business is essentially that of the mailorder type, has started out with new phase of time-buying operations, which is predicated on getting stations to open their transmitters an hour or so earlier and experimenting with the account as far as rates are concerned. The proprietary outfit has already obtained several such deals in New England, in the south and the midwest.

Consolidated's method in this regard is to approach a station with the suggestion that it open up a half hour or three-quarters of an hour earlier so that the account can be encouraged to start broadcasting at 6 a.m. Consolidated offers to take the preceding half hour, provided the station actually goes on the air at 5:15 a.m. with a quarter-hour sustaining pro-

NBC's Pacific Blue Discounts

NBC has put into effect its new discount policy for the Pacific Coast blue link. Advertisers whose weekly gross billings, on a 13-week basis, amount to between \$350 and \$700, will receive a discount of 2 1/2%. Sales goes to 12 1/2% on weekly billings of \$1,150 or more.

Blue mountain group may be used with the Pacific regional and is subject to whatever discount the advertiser earns on the latter link.

No Segregation of Media Buying At New Ted Bates Ad Agency

Unlike the average larger agency, Ted Bates, Inc., which was formed several weeks ago around two accounts taken out of Benton & Bowles, has passed up the practice of using media specialists for its time buying. Bates instead is operating on a policy which assigns to a single person the authority of buying all media in a particular account, which takes in newspaper, magazines, radio and whatnot. There is no separate buyer of radio or any other media.

Al Toronto, formerly time buyer for William Esty, is handling all the media picking and contracting for the Colgate business in the Bates organization. Dick Mann, formerly of Buchanan, does the same for the Continental Baking account. Toronto and Mann are working under Ed Small, who has the title of media director.

Columbus, S. C.—Caldwell Cline has joined WIS as announcer. Formerly with WBT, Charlotte, N. C.

SEATTLE NET STRONG

Web Figure Up 5.8%; Other Brackets Slow

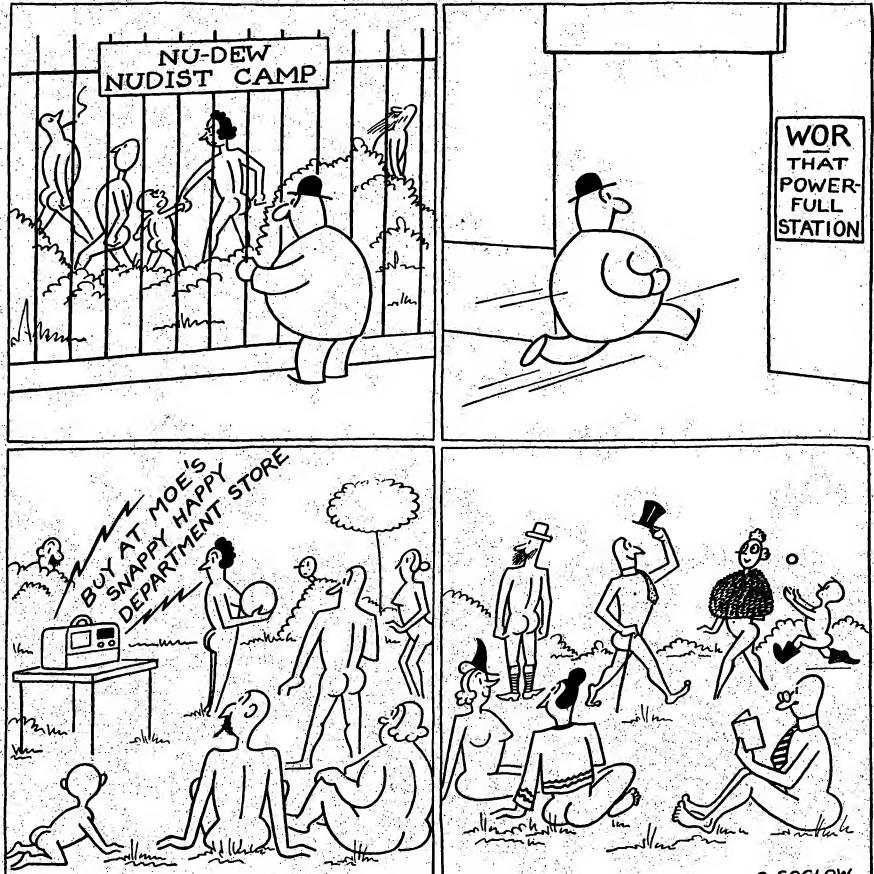
Seattle, Jan. 14.

Network units made a good comeback here this time after being in the red for several weeks. National spot and local bias continued, slowing the total figure to 2.3%.

Jan. 11 Compared to Jan. 4

Network	Local	National	Total
Units	Units	Spots	Units
6,680	10,502	893	17,255
5,725	10,422	714	16,861
+5.8%	+0.8%	-2.0%	+2.3%
(Included: KIRO, KOL, KNSC)			

Spokane, S. C.—Thad E. Horan named publicity director, WSPN and WORD.



O. SOGLOW

(Advertisement)

....WE BOW TO ASCAP FOR

The Big 3 Honor Roll

of
American Authors and Composers

under contract to

ROBBINS MUSIC CORPORATION • LEO FEIST, Inc. • MILLER MUSIC, Inc. and affiliates

C O M P O S E R S

Louis Alter
 David Brookman
 Nacio Herb Brown (M-G-M)
 Peter De Rose
 Vernon Duke
 Roger Edens (M-G-M)
 Duke Ellington
 Ferde Grofe
 Bronislaw Kaper (M-G-M)
 Ralph Rainger (20th Century-Fox)
 Carson J. Robison
 Alec Templeton
 Harry Warren (20th Century-Fox)

L Y R I C I S T S

Harold Adamson
 Arthur Freed (M-G-M)
 Ralph Freed (M-G-M)
 Mack Gordon (20th Century-Fox)
 Nick Kenny
 Charles Kenny
 John Latouche
 Mitchell Parish
 Leo Robin (20th Century-Fox)

L A T I N - A M E R I C A N C O M P O S E R S

Pedro Berrios
 Julio Brito
 Eduardo Chavez
 Fausto Curbelo
 Aaron Gonzalez
 Eddie Le Baron
 Nero Morales

HAWAIIAN C O M P O S E R S

Eddie Bush
 Ray Kinney
 Johnny Noble

M U S I C I A N C O M P O S E R S

Bunny Berigan
 Joe Bishop
 Will Bradley
 Joe Bushkin
 Billy Butterfield
 Bob Chester
 Henry "Hank" D'Amico
 Ziggy Elman
 Irving Fazola
 Coleman Hawkins
 Lennie Hayton
 Fletcher Henderson
 Woody Herman
 John Kirby
 Tommy Linehan
 Johnny Long
 Maynard Mansfield
 Ray McKinley
 Glenn Miller
 Toots Mondello
 Red Norvo
 Tony Pastor
 Charles E. "Pee Wee" Russell
 Jan Savitt
 Charles Shavers
 Freddie Slack
 Francis "Muggsy" Spanier
 Jess Stacy
 Art Tatum
 Jack Teagarden



ROBBINS MUSIC CORPORATION • LEO FEIST, Inc. • MILLER MUSIC, Inc.
 ROBBINS, Chairman of the Board

MAKING ALL THIS POSSIBLE!

Look to **Robbins** for your future hits.

Current Successes

from ROBBINS MUSIC CORPORATION

FERRY-BOAT SERENADE
by the writers of "The Woodpecker Song".

MAYBE
by Allan Flynn and Frank Madden

THE YANKEE DOODLE POLKA
Lyric by John Latouche Music by Vernon Duke

THE MOON FELL IN THE RIVER
Lyric by Mitchell Parish Music by Peter De Rose
from "It Happens On Ice"

SOMEWHERE
Lyric by John Latouche Music by Peter De Rose
from "Ice-Capades of 1941"

from LEO FEIST, INC.

DREAM VALLEY
by Nick Kenny, Charles Kenny and Joe Burke

YOU SAY THE SWEETEST THINGS
(Baby)
Lyric by Mack Gordon Music by Harry Warren
from the 20th Century-Fox film, "Tin Pan Alley"

A HANDFUL OF STARS
by Jack Lawrence and Ted Shapiro
from the M-G-M film, "Hullabaloo"

YES, MY DARLING DAUGHTER
by Jack Lawrence

ROSE OF THE ROCKIES
by Nick Kenny, Charles Kenny, Allie Wrubel

from MILLER MUSIC, Inc.

DOWN ARGENTINA WAY

TWO DREAMS MET
both songs by Mack Gordon and Harry Warren
from 20th Century-Fox film, "Down Argentine Way"

CABIN IN THE SKY

Lyric by John Latouche Music by Vernon Duke

TAKING A CHANCE ON LOVE

Lyric by John Latouche and Ted Feltz
Music by Vernon Duke
both songs from the Broadway success
"Cabin In The Sky"

Things To Come

YOU STEPPED OUT OF A DREAM
lyric by Gus Kahn Music by Nacio Herb Brown

TOO BEAUTIFUL TO LAST
lyric by Marty Symes Music by Ruth Lowe
both songs from the M-G-M picture,
"Ziegfeld Girl"

WISHFUL THINKING
HELLO MA! I DONE IT AGAIN

both songs by Leo Robin and Ralph Rainger
from the 20th Century-Fox picture,
"Tall, Dark And Handsome"

THEY MET IN RIO

I, YI, YI, YI, YI
(I Like You Very Much)
A brilliant musical score by Mack Gordon and
Harry Warren, from the 20th Century-Fox film,
"The Road To Rio"

STAND UP AND CHEER

A new 20th Century-Fox picture, with musical
score by Leo Robin and Ralph Rainger

THE GREAT AMERICAN BROADCAST

A new 20th Century-Fox picture with musical
score by Mack Gordon and Harry Warren

SHIRLEY TEMPLE

Starring in two new M-G-M musical productions

MICKEY ROONEY—JUDY GARLAND

Starring in a new M-G-M musical production

BROADWAY MELODY OF 1941

A new M-G-M picture, produced by Arthur Freed

RISE AND SHINE

A new 20th Century-Fox musical film

DEANNA DURBIN

starring in two musical films, to be produced by
Universal Pictures

Vernon DUKE and John LATOUCHE

now writing a musical score for the forthcoming
George Abbott production



ROBBINS MUSIC CORPORATION

LEO FEIST, INC. • **MILLER MUSIC, INC.**

ROBBINS Chairman of the Board

AN ACTOR ANALYZES RADIO ACTING

Sees Broadcast Drama As A Director's Medium

By JOSEPH JULIAN

(The writer of this special piece for *Variety* describes himself as 'a great and pretty busy radio actor' yet he is well aware that the actor can derive few professional satisfactions under the business conditions of sponsored radio. The quick readings can never be characterizations but only suggestions. The abrupt scene shifts of a radio story allow no emotional readjustment period. It is the director, if it is anybody, who can achieve self-expression as distinct from mere job-filling.

Julian is a legit actor who has been in radio about six years. Some recent programs on which he has appeared include 'Kate Hopkins,' 'Just Plain Bill,' 'The World Is Yours,' 'Mr. District Attorney' and 'The Listener's Playhouse.'

Radio dramas, which are poured out into the ether in unending profusion, have soaked up a large part of the unemployment slack among the Actors Equity Association members. They've created work which has enabled many actors to carry on in the face of a more or less permanent Broadway job famine, and provided many of them (especially bit and supporting players) with steady incomes and a security the theatre has never offered. But aside from the financial benefits, and aside from the psychological values of a more constant employment, what has been the effect of radio on the actor as a creative artist?

Much has been written and said of the growth of radio, of its development, of the ever-increasing number of adult programs. It has made great strides. It is persistently enticing the best talents from the other entertainment fields—actors, directors and authors. But, while to directors and authors, it is a fascinating new medium to explore, experiment with and study, to actors it presents a direct challenge to their artistic integrity.

NOT ACTOR'S MEDIUM

If a survey could be made of all actors working in radio who came from the theatre or film lots, and if some kind of test were possible to gauge their 'theatrical' now abilities, they would undoubtedly show most of them to have been better actors than they now are.

There are many reasons for this, but they all boil down to the fact that radio is essentially a director's, not an actor's, medium. An actor grows and develops best working where he is afforded the best opportunity for a full performance—in other words, on the stage, with motion pictures second and radio dragging up the rear.

The stage, with its physical production limitations, necessarily relies most on performers. Films call for little hunks of acting at a time, with the cutting room polishing off the performance. And the motion picture camera with its broader scope largely usurps the function of the actor by subjective treatment of a story. For example, it can give a value and significance to a lady's dropped handkerchief by isolating it (the handkerchief) with a closeup shot. Or, when the furious waters of the river drag our hero's canoe closer and closer to the onrushing falls, it adds suspense by cutting away with a shot of the jagged rocks below—all of which amounts to the director talking to the audience instead of the actor...

THE BRUTAL MIKE

The radio microphone, from the creative actor's point of view, is even more brutal. It must achieve its effects entirely with sound. Sound is one-dimensional—but an honest performance is not. An actor on a radio dramatization cannot possibly translate into sound all the active, silent nuances, bits of business, gestures, pauses, etc., that flow unconsciously and instinctively from a truthful approach to his role, without becoming aware of what he is doing, thereby working consciously for an effect or a reaction which always spoils bad acting.

Most of the better actors are conscious. I think of a lack of inner satisfaction after doing a radio job. They miss that sense of fulfillment so vital and nourishing to any artist, and it usually shakes their confidence in themselves, undermining what talent they have. Others hold the general low level of writing, production and insufficient rehearsal responsible. While these are contributing factors, there are causes more basic. It's true that an actor can do more with a well-written script than a badly-written one. And it's true that in spite of the remarkable progress radio writing was made, in spite of the 'Corwins' and the 'Obobers,' corn still runs rampant on the air waves. But we can look forward to better and better scripts. We can look forward to adequately rehearsed programs. Actors may even memorize their lines instead of reading them.

Freed from the necessity of keeping eyes glued to a script, they'll better adjust to their fellow actors. Perhaps they'll broach their own sound effects to give them a better feel of situation and circumstance (open and shut your eyes when you're entering a room, etc.). We can even look forward to technical improvements—mobile microphones that will follow the actor (as in film making) allowing him freedom to move and behave more naturally than the present stationary mikes which confine his movements to a narrow 'live' beam, and inhibit all his naturally felt gestures. In a love scene, for instance, if he could cross to his fair one, take her hand gently in his own, look longingly and deeply into her eyes before saying, 'Darling I'd go to hell and back for you,' it would certainly come over the air with a greater ring of sincerity, than it would say it as he now must, to a cold unresponsive microphone, with script in hand, one eye running down the page to find the next line, the other glancing at the director for cues, and to see if he should speak faster or slower (so the program shouldn't run a second under or over time), and generating all of his inspiration from his own mental image of the girl and the situation. Even then, he's still in a blurted manner. Because the high degree of concentration necessary for an actor to keep a clear strong image in his mind is not possible under such conditions.

ARTISTIC STAGNATION

However, even though all these improvements come about, radio acting will still induce artistic stagnation and disintegration in the creative performer because of limitations inherent in the medium itself. Take the 'fade out' and the 'fade in,' for example. These are the stagehands of motion picture technique. In a radio drama the 'fade out' or 'fading scene changes' the actor has several minutes at least to inwardly prepare himself for the next scene. In making a motion picture, he has hours—sometimes days. But in a radio drama he may be expected to 'fade out' from one set of circumstances and 'fade in' to another with different emotional adjustments to different people in an entirely different environment, all within two or three seconds. It's a physical impossibility. Even the most brilliant actor can't recondition his emotions in such a short space of time.

So what happens? He does the next best thing. Even though he doesn't feel the reality of the lines he speaks, he continues. He indicates the truth of a scene instead of experiencing and playing it. He can't wait until it comes to him. Dead air is anathema—there must always be sound! Constant repetition of this 'indicating' or 'tricking it' is habit forming, and becomes increasingly difficult for the actor to approach roles and other ways. Also if he works on many different programs, or does lots of doubling of parts where he has to use different voice registers to get the proper balance with other performers, he develops a bag of voice tricks, which he dishes out to suit script requirements like Western Union with its ready-made telegrams for Mothers' Day.

This requires an efficiency, it's true. Successful radio actors have highly developed techniques. But their performances as a rule are only fractionally honest interpretations, by which is meant they have little reality to the performer himself. It's not his fault. Radio constantly demands of him a sacrifice of truth for effect. The listening audience's imagination meets him more than half way. It fills in all the detail of a sketchy surface characterization. It requires from him only a partial truth. And any medium that doesn't stimulate him to greater truth, that doesn't encourage a greater creativity in his work, must necessarily turn a creative actor toward gravity to retrogression.

Maybe the answer is television? But then, that's not radio, it's—television.

Quent Reynolds

Continued from page 2

lights out. Another bomb could be heard whistling its way down and Reynolds ducked from the window. A chair proved worse than the bomb, however, and sent him sprawling on the floor, cracking his ribs.

His apartment was safer than a bomb, he declares, after he received an autographed photo of President Roosevelt, still hanging it on his wall. Adolf's apples never came near it and all the American correspondents in London would pile into his rooms as though it were an oasis in a desert.

American newspapermen in England, incidentally, Reynolds asserts, 'have been amazingly lucky in missing death and injury. There are more than 60 of them in London and although they prowl around all night none of them has been hurt.'

Ralph Barnes, New York Herald Tribune representative, was killed in an air crash in the Balkans, and Webb Miller, killed in a black-out accident, have been the U. S. newspapermen casualties of the present war. Several British newsmen have been injured and at least

Victor Burnett of the Express, has been killed. Many others have been wounded or killed, but in the armed forces not newspaper work.

U. S. Should Decline War

Reynolds is of the opinion that the U.S. should declare war at once in self defense. His plaint is that there's too much talk of 'defense' here, just as he heard in France and other countries now under the Hitler heel, and not enough positive action.

Collier's writer refuses to guess about England's chances, but is obviously not optimistic unless U. S. gives 100 percent aid. He also venture that Goering might defect. But now we're willing to send over floods of planes and take the 3-to-1 losses suffered last September.

Strain of war has robbed the hefty scrivener of almost 50 of the 260 pounds he once weighed. Loss of 'avordupois' didn't come quite soon enough, however, for he was

forced to sum Paris in an Austin. His butler took the machine of the car he had to pay everything he owned on the doorhandles, the radiator cap, the roof and anywhere else he could fasten things.

Coming from France to England he arrived in Falmouth harbor and discovered that he might have to remain on the boat for a week before he could be cleared for entry.

He radioed Ambassador Kennedy, who arranged by telephone to get him ashore. The doctor who insisted that Reynolds have a writinglass. Faced with a week in the harbor, the writer walked up to the officer and began giving him his best American double-talk. Others around caught on and began nodding affirmatively. Officer, after having Reynolds repeat the story several times and seeing everyone else apparently understanding it, began to think maybe he was nuts. Finally, he pointed a finger at Reynolds and declared:

"All right, You can go this time. But never again."

Short hooked with Reynolds at the Strand will be distributed by Warner Bros. similarly to the first one, England Can Take It. Both were filmed by Harry Watt, young Scotchman who made a number of documentaries before the war. In Christmas Under Fire, Reynolds played the commentary first, after which Watt went out, got the shots he wanted, and edited them to fit.

'London Can Take It' incidentally, played 15,000 theaters, according to Warner Bros., which is saturation point with 17,000 houses in the country.

Feature at the Strand with Reynolds is 'High Sierra.' Henry Busse's band is on the stage.

FCC to N.Y.

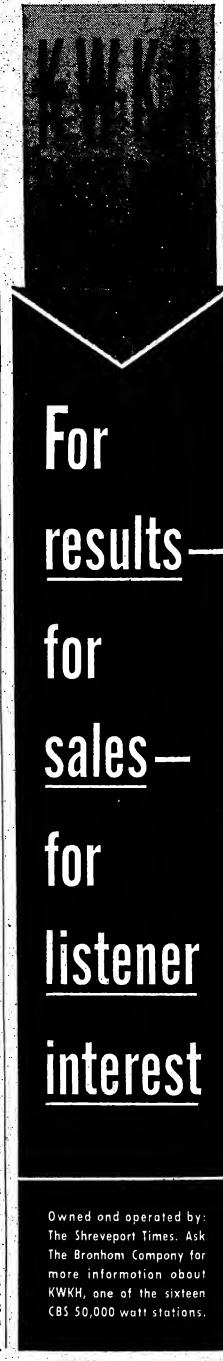
Members of the Federal Communications Commission are due in New York shortly for RCA-NBC, CBS color and Bell lab coaxial television demonstrations.

Commission will dine with Columbia.

BRAZIL SHOW BACK IN NEW TIME

The Brazilian government will bring Bob Allen and Drew Pearson back to the NBC-blue this Sunday (19), but it will be in the 7:30-7:45 spot instead of against the Jack Benny program. Hookup will consist of 45 stations.

Series went off three weeks ago, when the final okay for the extended hookup failed to come through in time.



Advertising Agencies! Station Managers!

HERE IS A "LUCKY BREAK" IN THE FORM OF A TESTED AND PROVEN SHOW THAT ARROUSES THE INTEREST AND ADMIRATION OF EVERY RADIO LISTENER.

JOSEF CHERNIAVSKY'S

'My Lucky Break'

with a fascinating surprise "break" for somebody in the audience

NOW AVAILABLE for 1941

VARIETY
A distinctive musical show with good ideas, but rich in human interest. "My Lucky Break" to

WALTER WINCHELL, "New Orchid to

RADIO DAILY
Ted Lloyd, "Ol' School Days," says: "After 26 weeks on WLW, James D. 'My Lucky Break'—one of the best shows we have done in recent years."

WLW, CINCINNATI
After 26 weeks on WLW, James D. "My Lucky Break"—one of the best shows we have done in recent years."

JOSEF CHERNIAVSKY, HOTEL ALEXANDRIA, N. Y. C.
Academy 4-1900 BUSINESS PHONE: BR. 9-6740

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The Shreveport Times. Ask
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KWKH, one of the sixteen
CBS 50,000 watt stations.

Advertisers invested
more money for CBS
facilities in 1940 than
for *any* other network

... more than was

ever before invested

in any network!

And in 1940, more of the 100
largest U. S. advertisers chose
CBS than any other network
... for the 7th consecutive year!



a turn of the page tells you why ➤

Government Radio Deprives Canada Of 'One Man's Family' and Bergen

Montreal, Jan. 14.

Cancellation of 'One Man's Family' (Tenderleaf Tea), one of the most popular programs heard in this country, by the Canadian Broadcasting Corp., has caused considerable outspoken criticism by listeners here. 'One Man's Family,' together with Edgar Bergen's 'Charlie McCarthy,' though red network programs, were formerly carried in Montreal by Canadian Marconi stations CFCL and CFCN.

After the first of the year the CBC outlet here decided to take over the Chase & Sanborn and Tenderleaf Tea Sunday accounts. Though the J. Walter Thompson agency expressed wish to remain on CFCF, they were given no choice in the matter. After arranging to carry Charlie McCarthy and 'One Man's Family' on the CBC, they thought it was necessary to clear an hour on Sunday nights to carry a program of national appeal entitled 'The Theatre of Freedom.' J. Walter Thompson agency was invited to keep 'One Man's Family' going until Feb. 2, when time had to be cleared, but

agency preferred to discontinue show without further notice.

Following cancellation of 'One Man's Family' on CBC net, test spot campaign for Tenderleaf Tea is planned by the J. Walter Thompson agency in Ontario. If successful, spots will then be tried out in Montreal and elsewhere.

It is understood, as now scheduled, it is to use stations CFOL, London; CKOC, Hamilton; CFRB, Toronto; CKLW, Windsor; and four stations in Northern Ontario. Thompson agency will use four spots daily, five days a week for two months, to test possibilities.

ATTY GENERAL AIR-COMMENTS FOR WSM

Nashville, Tenn., Jan. 14.

State Attorney General William Eagle is not the double agent radio newscaster. Daily 15-minute radio newscast of "Your Capital Reporter" over WSM during the session of the Tennessee Legislature, informing listeners what the solons have been doing during the day. Eagle intends bringing various legislators to the mike from time to time to explain their bills or their stand on legislative matters. Series is also being rebroadcast by various other stations in Tennessee.

Idea of the show is that the public has a right to know everything going on in the Legislature. WSM chose Eagle for the broadcaster assignment to avoid accusations of partisanship. Eagle's salary is controlled by the State Supreme Court, so he is theoretically free of political control. Also, one of his duties as Attorney General is to draw up bills which the members of the two houses will introduce. Therefore, it's figured he's in position to be in touch with what's happening at the capital.

Tony Grise From Dance Orchestra, Solo on KSTP

Minneapolis, Jan. 14.

Tony Grise, vocalist with Dick Long's orchestra, playing a record-breaking engagement at the Curtis Hotel here, has been signed by KSTP exclusively and peddled pronto to the G. Thomas Stores, Minnesota chain grocers.

He replaces Inga Nelson on the Thomas program.

DEPT. STORE MAN IS WNEW PROMOTIONIST

Irving Price has joined WNEW, N. Y., as promotion manager. He has been advertising and merchandising counsel for various national concerns and has done sales, publicity and advertising directing for department stores and mailorder houses.

Among them has been Hearn and Mac's, N. Y.; L. Bamberger, Newark; and Sears, Roebuck & Co., Chicago.

FILL IN PAID LINE TIME With Sustainers From WFIL In Philadelphia

Philadelphia, Jan. 14.

Recently WFIL began pumping two commercial programs over its long dormant "Quaker Network"—a regional hookup that WFIL's general manager had organized as a means of airing political speeches during election campaigns in this area. In order to send these commercials to the members of the network WFIL had to pay line charges for five hours of air time each day. But the two programs were only 15 minute shots—one of them five times weekly; the other three, so WFIL found itself with lots of paid-for but unused line charges on its hands.

This week the outlet will begin pumping sustaining shows over the new network, the first time since it started. The 15 member stations will present a series of "Ghosts of Thunder Island," written by Lee Plante, WFIL spiker; a dramatic presentation of the news in the "March of Time" style called "Headline in Action" and a sports program which events and interviews will be waxed on the spot of sporting events and played back the next day.

There are 15 stations in the network, covering the areas from Atlantic City to Norfolk, Va. At present the member stations get a five-day 15-minute variety show bankrolled by the Bond Baking Co., and a three-time weekly musical show for Fels and Company, soap manufacturers.

Len Riley at WCKY

Cincinnati, Jan. 14.

Len Riley, sports announcer on WFBM, Indianapolis, for eight years, has joined WCKY as WCKY's first full-time sportscaster. He has a six-a-week nighttime series.

The L. B. Wilson station, a CBS affiliate, has tagged two new broadcast periods. One is by Rex Davis, staffer for Studebaker Sales Corp., six nights a week from 6:00 to 6:15 p.m. Account placed by Roche, Williams and Associates. Another, by Bill Robbins, also a staffer, is for the Policy Refunding Bureau, Cinc. It is on six nights a week from 11 to 11:10 p.m.

Four Australian Stations Off Air Due to Suspicious War Activity

By ERIC GOREICK

Sydney, Jan. 14.

Licenses of four independently operated stations in Australia were revoked last week by Postmaster General George McLean on the ground that their operation was identical to the interests of the Commonwealth. All four stations, which included a radio station that handled the business of Jehovah's Witnesses, a religious sect.

McLean stated that the cancellations followed an investigation into the suspicious activities of these stations as far as war operations were concerned.

Several Jehovahs have been sentenced to prison terms in jail for refusing to take the oath under the compulsory home military service law. One of these was an announced witness in one of the suppressed stations. Latter were located in Adelaide, Port Augusta, Newcastle and Atherton.

Action is also reputed to have been instigated by the naval authorities who believed that some of the banned stations were broadcasting shipping information to the enemy.

William N. Robson East With Lennen & Mitchell

Hollywood, Jan. 14.

After a year here as Coast director of radio for Lennen & Mitchell, William N. Robson returns to New York to take vice-presidency with the agency and handle some of its eastern programs.

Sam Pierce will look after L & M's Tony Martin Woodbury musical and two other quarter hour turns, cigarette-sponsored quizzes.

Czechs In Milwaukee Protest WEMP's Trading Their Hour for German Opera

University, Clubwomen Collaborate on KSTP Program for Kiddies

Minneapolis, Jan. 14.

Dissatisfied with radio juvenile entertainment generally, the Minnesota Federation of Women's clubs, in association with the University of Minnesota's Romance League, department of recreation, and their own show for the youngsters over KSTP—without benefit of box-tops yet, with all the accoutrements of those childhood spine-benders, minus aspects regarded as objectionable.

Membership badges, maps, special club parties and everything that goes with the boxtop gags, plus free tuition for three, will be incorporated into the shows, the sponsors assert. Idea is the brainchild of Mrs. George B. Palmer, state radio chairman.

Show's title will be "World Adventure Club." In order to obtain the membership badges, etc., kids only will have to write in for them. Moreover, members will be paraded on Saturdays when the show goes on and also will be given the chance to watch proceedings. Deal is pending to have an airplane company draw up give-away material.

Tuition at University goes to a script-writer, dramatist and composer, now attending the institution, for their work on the program. It will be aired weekly on Saturday afternoons.

WCCO is starting a series of radio programs in which University of Minnesota faculty members will discuss the world events and questions of the day. Max Karl, WCCO educational director, will be chairman for the series.

WLW N.Y. and Chi Reps See New Biz Layout

Cincinnati, Jan. 14.

Occupancy of the new business quarters of WLW, WSAI and WLWO in the Crosley building was taken last week in time for the annual three-day conference of WLW sales representatives from the New York office, with ones with executives and department heads of the stations located here.

Robert E. Dunville, general sales manager, conducted the sessions. Attendees from New York were Harry Mason Smith, George C. Comtois, Frank Fenton and Warren Jennings. Those from Chicago: Walter Callahan, Richard Garner and George Clark.

Improved layout, occupying the sixth floor, is the largest and most modern in local broadcasting. Former space on the eighth floor is being given over entirely to enlarged studios and offices for script writers, music arrangers, staff musicians and artists, and producers.

WXYZ's Civic Series

Detroit, Jan. 14.

Continuing its series of last year, Know Your State Government, Station WXYZ here has launched a new series of broadcasts, Know Your City Government, produced by the local board of education. The weekly series is broadcast directly into the schools of the city, both public and parochial, which are devoting more time each year to other education.

Some 17 broadcasts have been scheduled on the series, each of which brings before the mike an important city official for an interview by an educational authority and a student selected from one of the schools.

Milwaukee, Jan. 14. C. J. Lanphier, manager of WEMP, is proud of station's new hookup with the NBC radio network. Following the first presentation, open broadcast, of "Tannhäuser" with Kirsten Flagstad, he was not surprised to see his desk loaded with mail. Instead of the expected praise, however, the mail represented a terrific protest from Milwaukee's Czechoslovak population over WEMP's cancellation of its customary Saturday afternoon Czechoslovak hour in order to put on the Texaco-spon-

sored German opera.

Czechs took the attitude that their nation had been sufficiently punished and humiliated by being double-crossed by the Nazis. Hour of native song, music and folklore has bolstered their spirit for months. Suddenly cancellation and substitution of a German opera pained them.

WWL, New Orleans, Ends Operating Contract Aspect To Which FCC Objected

Washington, Jan. 14.

Change in the corporate set-up of WWL, New Orleans, La., last week resulted in an okay by the Federal Communications Commission on a petition for reconsideration and grant of license renewal of a Jessel license, now nullified. Listed among those stations whose type of contracts raise serious questions because of an arrangement with the WWL Development Co. through which the company handled all financial matters while Loyola University, licensee, paid attention to the educational programs. WWL was dog-housed in the FCC's chain monopoly report, last July.

Everything lost, now, however, since the college has acquired all stock in the Development Co. and officers and directors of the latter no longer have any interest in, or receive compensation from, the transmitter.

WCLE Seeks Full Time

Cleveland, Jan. 14.

Station WCLE is awaiting reply from FCC and renewing its license to operate full time with power increased from 500 to 1,000 watts.

Station has also asked for right to broadcast on 600 kilocycles instead of 610.

THE

MARTINS

RUTH-PHYLLIS-JO JEAN-RALPH

Featured on

FRED ALLEN'S TEXACO STAR THEATRE

Wednesdays — CBS

9-10 P.M. EST

Vocal Arrangements and Direction

By HUGH MARTIN

AT 890

APPEARING 2ND WEEK AT ROXY THEATRE

New York

Personal Management

FRED STEELE

9 Rockefeller Plaza, New York

Suite 604, Columbus 6-2142

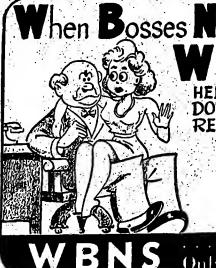
Now! 5000 WATTS DAY AND NIGHT

YOUR BEST NATIONAL SPOT BUY
A NEW APPROACH TO THE NEW YORK MARKET

This is P. Oscar Skoop, heading the WBIG news bureau. Look him over. He's very busy—it's just before pay-day. Mr. Skoop has only one weakness—blondes!



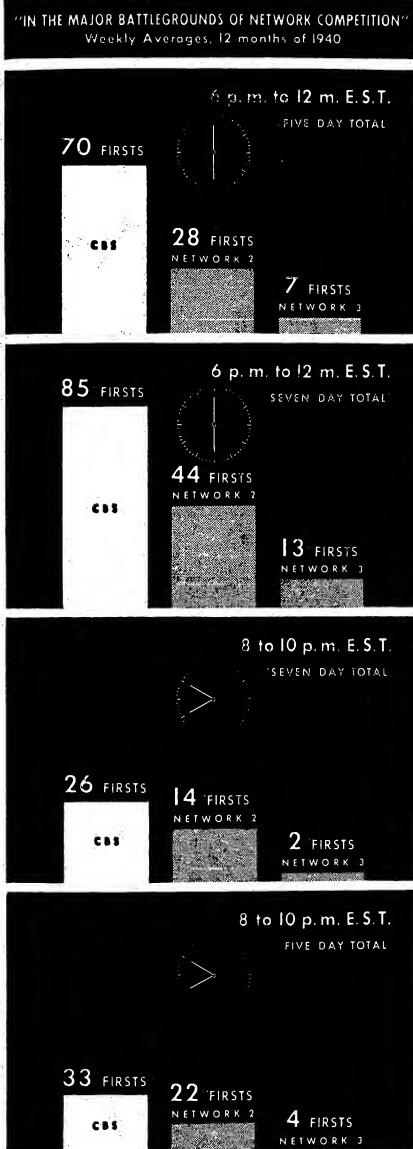
WBIG
GREENSBORO, N.C.
GEOPHOLINGBERY CO. N.Y.



Central Ohio's
Only CBS Outlet

WBNS
WBNS

CBS consistently has the strongest schedule in Radio



These charts are based on CAB rated sponsored programs in 1940, and show the average number of quarter hours, each week in 1940, in which each network delivered the largest audience to its clients against all other network competition.

Regular CAB program ratings show CBS with a consistently stronger schedule than any other network in all of 1940. The Columbia Network, against all competition, delivered the largest audiences to its clients, for more program-periods in the entire broadcasting day than any other network. Counting every regularly rated sponsored quarter-hour on all networks, in all of 1940, CBS averaged 161 "firsts" each week against all competition; the next best network had 154; the third network, only 18 "firsts".

CBS leadership is most striking in the major battleground of network competition; in the tensely competitive *evening* hours. Whether you take the entire evening (6:00 p.m. to 12:00 m.) or just the heart of the evening (8:00 to 10:00 p.m.), CBS wins more "firsts" than the second and third networks combined. The exact evening score is shown in the charts, for all of 1940.

Columbia Broadcasting System
PACE SETTER OF THE NETWORKS



Live Pickup' Seen on CBS Color Tele

Another semi-public demonstration of Columbia's color television occurred last Thursday (9) in the CBS studios on East 52nd Street, New York. This was a brief demonstration of live pickups from a small studio in the home office across the street brought by wire cable (not broadcast) for the particular benefit of a group of Radio Engineers.

Various color objects including a revolving globe, dyes poured into glasses, fancy women's gloves, fabrics thrown over a chair were directly photographed. This contrasted with earlier CBS color television demonstrations in which only motion picture film was utilized. The climax of the 'live pickup' demonstration was the appearance of a pretty girl before the iconoscope and, hint of color camera tricks to come, Dr. Peter Goldmark's manipulation of his controls to create the illusion of the girl being seen 'by moonlight.'

A specially-built (by CBS) television receiver used on this occasion had a synchronization apparatus operated by a timing impulse that's 'broadcast' and which thereby is expected to obviate for the future the mechanical difficulty of transmitter and receiver being powered from different styled electric systems.

Adrian Murphy acted as the lecturer.

Laud.

'HOME OF THE BRAVE'

With Tom Tully, Jeannette Nolan, Joan Banks, Dick Widmark, Charles Paul.

Sat., Jan. 13, 8 p.m.

15 mins.

CALUMET-SWANSDOWN

Daily, 2:45 p.m.

WABC-CBS, New York

(Young & Rubicam)

This pretentiously-named program has a patriotic introduction about the joy of living in the U. S.—and amen to that—where one can be free—hurray again—in the guarantee of liberty and the pursuit of happiness. Having made its bow to the editorial of today, having dragged in the stars and stripes forever, the program got down immediately to being a rather dull typical daytime serial. On the installment caught, the main male figure, played by Tom Tully, was running a series of drowsy person to get closer on the whereabouts of the missing doctor. Locale was way off in the mountains of Colorado where doctors are scarce and, this case, old, swollen with alcohol, and reluctant to practice.

Serials are habits, not stories. Any critical report on a single instalment simply is a report on that particular moment in the hoped-for development of a habit. That's the reason the rest of the Friday serials, being the fifth day of the new habit, maybe of Calumet and Swansdown. The script was fair^s simple; if simplicity is a daytime virtue and presumably routing, but easy to understand. Finding a doctor in an emergency is an experience common to the direct or second-hand knowledge of nearly everybody.

The catalog of negative virtues cannot, even in a review of a daytime serial, be advanced as calculated to impress. There are grades even, in corn, and this hearing suggested that this sample was best the 2nd-grade stamp. It is difficult to foresee the habit forming attraction, if any.

Laud.

William A. Schutt, Jr., general manager of Columbia Recording's transcription department, is on a business tour of the midwest, visiting Chicago, Detroit and Cincinnati.

DANIEL S. GILLMOR

15 Mina-Loca

FRIDAY MAGAZINE

8 p.m.

WHN, New York

Daniel S. Gillmor, the 24-year-old editor-publisher of Friday mag, has been getting increasingly into the public eye (and some people's hair) with his column, 'The Man in the Press' and the purported fact that his father, a retired admiral in the U. S. navy, is a rich man, young Gillmor seems likely to ignite quite a little trouble.

The series started last Thursday.

As a radio commentator, Gillmor is either starting slowly or he personally lacks the same sense of the spectacular that has made Friday a success. When called Monday night (13), nothing he said sounded as sensational as the daily hair-raising of, for instance, Wythe Mansell.

True, some of his opinions, such as his opposition to the President's Land-Lesse Bill, are as sensational as the daily hair-raising of, for instance, Wythe Mansell.

He is, however, a good writer.

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Raises Issue of Draft Law Evasion

Announcer Avers His Discharge Was to Avoid Re-hiring Obligation—Station Denies

Detroit, Jan. 14.

Warnings were sent to all radio stations here by Kenneth D. Wilkins, United States Assistant District Attorney, that the Government would stand for no dismissals of employees on the eve of their departure under the conscription act even if that particular phase was not covered by the draft law. Wilkins said his action was based on the complaint of Henry Schneidewind, an announcer under the name of Charles, who charged that he was fired New Year's Eve by Station WUBK just after he had taken a physical examination under the draft. Charles' complaint was that his work was satisfactory and that he was let out without notice to evade the provisions of the draft law.

ATLANTA A Fort Industry Market

(QUOTE)

"... we are very happy to inform you that for the month of October, Radio Station WAGA pulled inquiries at a cost of 7.3 cents per inquiry, thus leading all stations in our list which consists of 15..."

"
(UNQUOTE)

That's quoted from a letter signed by C. H. Cary of the Coolidge Advertising Co., Des Moines, Ia.

WAGA, "the Blue Ribbon Station in the Blue Ribbon Market of the South," is the BIG CITY radio station that DOES PULL MAIL! There are 99,780 radio homes in the primary area.

ASK A JOHN BLAIR MAN



WAGA

which requires that employees be restored to their jobs.

At the station it was said that the draft had nothing to do with the matter; that the dismissal came along in the regular course of events.

Wilkins added that he was not sure what action the Government would take since there was nothing in the law to prevent the dismissal of employees before they were called into service. Most of the Detroit stations have issued statements that employees called in the draft would find their jobs waiting on their return.

The KENT-KSO Policy

Des Moines, Jan. 14.

KRNT-KSO has announced the following policy covering employees called into military or naval service by the federal government:

1. Full-time employee ordered or drafted will be granted a leave of absence for a period not to exceed one year and 40 days.

2. Employees who have completed the regular training in military or naval service (not to exceed one year) and who have received a certificate for satisfactory military or naval service or training shall be re-employed and restored to their former position or position of like seniority.

3. Each full-time employee who has been in the employ of the company less than a year at the time he enters training shall receive as a bonus his weekly pay during each of the first four weeks of initial 12-month period of military or naval service.

4. Each full-time employee who has been employed by the company for more than one year at the time he enters service shall receive as a bonus his weekly pay during each of the first 12 weeks of his initial 12-month period of military or naval service.

5. In addition the company, at its own expense, maintains participation in the Equitable Life Assurance Society group life insurance on the leave of absence for such employees.

KIRBY TO WAR DEPARTMENT

Washington, Jan. 14.

Ed Kirby, director of public relations for the National Association of Broadcasters and secretary of the N.A.B. code compliance committee, last week joined the ranks of the 1941 Minutemen who are rallying to the flag for a dollar a year. Kirby went on leave of absence from N.A.B. to become "Expert in the Field of Radio Broadcasting" in the War Department, it was announced. He will serve in the Public Relations Branch, Office of the Deputy Chief of Staff.

Kirby graduated in 1926 from Virginia Military Institute.

Kobak, Obermeyer Head New York Funds Drive

Edgar Kobak, v.p. in charge of sales for the NBC-blue, has been named vice-chairman of the Greater N. Y. Fund for 1941 in charge of public relations.

Henry Obermeyer, who has charge of radio for Consolidated Edison, will serve as vice-chairman of Kobak's committee.

FRANKLY CAPTIONED

'The Miller Money Program' Starts in San Antonio

San Antonio, Jan. 14.

Audience giveaway program is set to start Jan. 22 locally over KABC sponsored by the Miller Cereal Co. of Omaha. Program will be aired twice weekly and will give away, via phone calls to homes throughout the city, a \$1 bill to all housewives for each box of the sponsor's product found on their shopping lists.

Program will be handled by Jerry Lee Petch and will be titled the Millers Money Program. Deal was set through Allen-Reynolds Co.

Special Precautions At Crosley's Towers Against Sabotage

Cincinnati, Jan. 14. Increased precautions against sabotage at the transmitting plants of Crosley's 500,000-watt WLW and the new 100,000-watt station, WLWO, at Mason, O., 20 miles north of Cincinnati, include the erection of high steel fence around the property, also the building of a watch tower, 75 feet high. Since a few weeks ago, when WLW's tuning house was damaged by fire of undetermined origin, the transmitter grounds have been patrolled day and night by a staff of 12 guards. All shrubbery has been removed so as not to obstruct the view of guards.

WLW's power can be stepped up to 500,000 watts for experimental purposes, under call letters, W8XO. Station WLWO, beamed on Latin America, operates with 100,000 watts input power, which is the strongest in this country.

Defense Group Sets Up Radio Staff of Three

Washington, Jan. 14.

The National Defense Advisory Commission, taking on a semi-permanent character, is to be set up on the air regularly on a gratis basis. Budget for the fiscal year starting July 1, sent to Congress last week, includes request for \$22,000 to pay salaries of persons attached to a prospective radio division.

Allowance is made for a radio director at \$8,500; assistant at \$6,000; and radio program specialist at \$6,500.

Radio Slander Law

Boston, Jan. 14.

Legislation to make the libel laws apply to radio broadcasts was urged in the annual report of the Massachusetts Judicial Council filed today with Governor Leverett Saltonstall. Also persons or their agents making the broadcasts would be criminally liable responsible for their words.

Such a law would eliminate abuse and slander from radio political campaigns.

Defense Meeting on Radio Is Veiled in Great Secrecy But Some Assurances Given

Washington, Jan. 14.

Soothing syrup was poured for broadcasters and other elements of the communication industry last week when advisory committees

identification cards—each having a number as well as a warning to report immediately in case one is lost—which must be displayed in order to gain admission to future huddles. Reports that a password had been decided upon as double safeguard

Tone Down Army Camp Selling

The U. S. Army and Navy departments apparently have instructed agencies on commercial shows originating in army camps and naval bases to make stronger "no-endorsement" announcements. On recent Vox Pop shot from Quantico, Va., Marines' site (under Navy jurisdiction) and from Mitchel Field, L. I. (under Army command), flat statements have been made that the department does not endorse any product and that the members therefore do not consider any endorsement a good idea. Parks Johnson, in last week's salvo, prefaced this declaration with "As you know." Earlier in the winter, the phonology used on service-site Vox Pops which plug tobacco and cigarettes but present a can of former given to each quizze, was "This broadcast does not constitute an official endorsement of our products." The department does not endorse any product language was then missing. Officers and men have voluntarily said, on the air, a good word for Kentucky Club. However, recently there seems to be less of this and, when voiced, with less emphasis.

against snooping proved unfounded.)

Batch of subcommittees was created to go into all kinds of problems and whip up factual data required by the Federal officials in working out their schemes for wartime operation.

Raymond Paige on Fitch;

To Coast for a Visit;

Raymond Paige and his 61-piece orchestra will guest Sunday night (10) on the "Fitch Bandwagon." The first time such a sized outfit has appeared on the show. Deal involved considerable dickering for that reason.

Gene Krupa, originally scheduled to play the date, will appear later. Paige, whose "Modern American" series expires with tomorrow's (Thursday) stanza, intends leaving in the next couple of weeks for a vacation in Europe. He will stay with his wife's home. However, if any one of several tentative deals go through, he'll remain east, possibly taking a Florida vacation.

"BEAT THE BAND"

★ ★ ★ ★ ★ ★ ★

WITH

TED WEEMS AND HIS ORCHESTRA

Every Sunday, 6:30-7:00, E.S.T.

• NBC RED NETWORK

NOW IN OUR 12TH MONTH

* Management: MUSIC CORPORATION OF AMERICA

Wisconsin Regional Web's Continuance Hinges Upon Music License Status

Milwaukee, Jan. 14. With Milwaukee's solid BMI front broken by WEMP's signing up Dec. 31 with the American Society of Composers, Authors and Publishers, a smoldering bitterness in the local radio field has flamed into accusations that the indie station execs are rebels, renegades and traitors, while rumors are afoot that the Wisconsin Broadcasting System's state loop, of which WEMP is the key station, is about to fold. These state stations had lined up with BMI and unless they switch their allegiance to ASCAP, it is reported some of them will do so, the loop will be disbanded. However, that too, like the Fox and Metro firms (Robbins, Feist and Miller), fall through.

E. B. Marks remains the lone ASCAP disfector from the ranks, for five years, being guaranteed \$250,000 per annum.

When word got out that WEMP had signed with ASCAP, Gaston Grignon, manager of WISN, telephoned C. J. Lanphier, manager of the indie station, to tell him what he thought about him and his associates, but WTMJ had retained from an open expression of his feelings at the time, it is said. The Milwaukee Journal's refusal to accept WEMP advertising to plug its new NBC Blue network affiliation, effective Jan. 1, was a leading contributory factor in WEMP's 11th hour defection from the BMI ranks... WTMJ is operated by the Journal.

Journal's Stand

The Journal contends there was nothing in the deal to allow space to WEMP, a competitor; that it was simply the application for the first time in radio of a standing rule that is part of its permanent fixed policy. To illustrate: If Gimbel Bros. should want to put a line in their copy advising the reader to scan a certain ad of theirs in another newspaper, The Journal would decline to accept it.

Regarding the reports in circulation to the effect that the WBS loop will cease operations as a chain, Lanphier asserts that such statements are to say the least preposterous, and that the lines will stay in throughout the month of January for a possible complete resumption of full operations in the event that member stations enter BMI affiliation and go over to NBC. The transmitter, however, is now loop operation. Rumors that the system is in financial difficulties are vigorously denied, officials asserting they are definitely in the black, all bills being paid and the treasury boasting a \$4,000 surplus, even though they had been operating only 11 months.

In the meantime, WEMP is an NBC outlet, broadcast BMI music but in programs originating in the station projects only ASCAP product over the air, hence must pay license fees to both organizations, and considers it good business to do so.

CWKW's Particular Status

Bethel, Conn., Jan. 14. Detroit's six stations have split right down the middle on the current music struggle—three of the stations being lined up with BMI, while the other three have ASCAP contracts. Town's three biggest stations—WJR, WMJ and WXYZ—are BMI. Two smaller stations here, WDKW and WMBC, have contracts with BMI, and WXYZ is ASCAP, airing plenty of records along with their foreign language broadcasts.

Most unique is CKLW, in Windsor, Ont., which also covers the area. As a Mutual outlet no ASCAP music comes in but since contract between ASCAP and the Canadian Broadcasting Corp. has not expired, the station is free to use the music on its own time.

These three stations keep the air here full of tunes tailor for the rival stations. The latter all report that thus far they have been surprised that no complaints have come over the cut off of familiar tunes.

"If they only complained," one executive said, "it would at least show they were listening."

Alass 50% ASCAP

Chicago, Jan. 14. Ralph Alass has safeguarded his radio properties here as far as the current music battle is concerned. Has signed WJJD to an exclusive BMI contract, but has taken an ASCAP license as well as the BMI deal for the WIND outlet.

Primarily the ASCAP deal for WIND is for the protection of several foreign language programs on this station.

BMI Sought Villa Moret

Along with Sam Fox, who became the last public-relations spokesman bitterest in the local radio field, has flamed into accusations that the indie station execs are rebels, renegades and traitors, while rumors are afoot that the Wisconsin Broadcasting System's state loop, of which WEMP is the key station, is about to fold. These state stations had lined up with BMI and unless they switch their allegiance to ASCAP, it is reported some of them will do so, the loop will be disbanded. However, that too, like the Fox and Metro firms (Robbins, Feist and Miller), fall through.

E. B. Marks remains the lone ASCAP disfector from the ranks, for five years, being guaranteed \$250,000 per annum.

Faked Football Atmosphere KFRC's Ingenious Solution Of ASCAP Music Fears

San Francisco, Jan. 14. This year's best ASCAP-BMI headache is due to coming KFRC and the baddest of the East-West football game. Despite warnings from Mutual not to pick up any bands, station was beset by frantic wires from Gillette Safety Razor, sponsor of music. So Cy Trebbe, musical director, got the boys together in Studio A, hung a mike in the far corner, arranged the gang artists and faked a studio picture using the band at the last moment by wire and long distance telephone.

Through intricate system of signals, engineers mixed the music with the play-by-play, boosting the gain for touchdowns and the like. Station is proudest of fact that although the web had been informed of the fakery, Mutual in New York wired during show for absolute assurance that the outlet wasn't kidding. Sounded too real.

THE COMPOSER'S CORNER

CBS Inaugurates Program with Lynn Murray, Freddie Gibson

In an effort to plug non-ASCAP music available for radio, CBS has not been sending CBS music sheets to non-ASCAP stations at 235-300 copies. Sundays. Talent will include Lynn Murray and a 20-piece orchestra. Freddie Gibson, Jack Leonard, Bobby Tucker and a group of seven singers. Series will be called "Composer's Corner."

Incidental idea of the show will be to showcase conductor Murray, currently composer-batoneer of the Friday night CBS orchestra.

Previously did a somewhat similar program, "Music for Moderns," but the CBS artist bureau now figures he's ready to be given added spotlightting. Music on the first "Composer's Corner" stanza will bring cues from the new Broadway musical, "Crazy with the Heat."

Nobie Nixes Radio

Leighton Nobie, who opened at the Waldorf-Astoria, N. Y., Saturday (11) has lined up the network wire to play this spot.

Nobie quit his sustaining outlet while playing his previous spot, the William Penn hotel, Pittsburgh.

BMI's New Subscribers

BMI list of commercial stations has 664 stations, of which, as of last week, there are 601 subscriber members and 63 pledges. The Texas network stations, operated by Elliott Roosevelt, signed with BMI. This group of nine stations signed with ASCAP last summer. BMI additions are:

KCMG, Texarkana.
KABC, San Antonio.
KNOW, Austin.
WACO, Waco.
KPGL, Paris.
KTEM, Temple, Texas.
KBST, Big Spring.
KGKT, San Angelo.
KRBC, Abilene.
KRRV, Sherman, Tex.
KJFJ, Fort Worth.
KMDM, Shreveport, La.
KOL, Seattle, Wash.
KPLC, Lake Charles, La.

Chorus Unprepared

Milwaukee, Jan. 14. Appearance of the Oconomowoc Male chorus Sunday (12) on WTMJ's half-hour weekly choral program sponsored by the Pate Oil had to be cancelled at the last minute because the suburban warblers' repertoire wasn't sufficiently extensive to fill all their allotted time on the air without ASCAP.

WTMJ brought in its sustaining Blue Room ensemble to fill the gap.

FCC AGAIN DECLINES ANY PART OF ASCAP

Washington, Jan. 14.

Federal Communications Commission is sticking to its decision of "no ASCAP entanglements." In a letter to Douglas Moore, New York educator, Chairman James L. Fly politely acknowledged two letters from Moore, with enclosures, accompanying some 7,000 petitions to this Commission relating to the present controversy between the American Society of Composers, Authors and Publishers and the radio broadcast industry.

Sam Alibi was used in Fly's letter to Moore as appeared month ago in a communication addressed to Frank Hummert, of Blackett-Sampson-Hummett. Comisioner has not been appealed to by any of the interested parties, and therefore it would be "unwise" for it to express any opinion as to the "relative merits of the case." The letter was passed to the Office of Justice by reminding Moore that criminal proceedings have been launched against ASCAP, BMI and the networks by the D. J. and that "there is reason to believe that these proceedings may remove any unreasonable restraints, which now exist within the musical copyright field and the radio broadcast industry."

ASCAP War Ends Dies

Buffalo, Jan. 14. ASCAP war pushed training camp off of WBEN, which carried daily news from Ft. Dix, N. J., and Ft. McClellan, Ala., where boys are being trained.

Most platters quizzing trainees contained songs by them, and supply of those that did not were quickly exhausted. Waxing equipment at both camps now idle while soldiers bore up on BMI.

With four of city's six outlets in BMI camp, ASCAP music is heard only over WENY, an army and city-owned station, which shows great interest. Latter, operated by students of Seneca Vocational High School, got one of society's free licenses.

WBEN announced (2) its signature and, coincidentally, that a bill of complaint brought by ASCAP charging the station with copyright violations would be dropped. WSYA, Rochester, named in another ASCAP complaint, indicated it would sign with the society also.

Navy Without 'Anchors'

Vox Pop show (Parke Johnson-Wally Butterworth) broadcast from the U. S. Naval Academy, Annapolis, Jan. 22.

Academy's 50-piece band, will be heard on the broadcast, but won't be able to play "Anchors Aweigh," traditional navy song, because it is an ASCAP composition.

A TWIST

ASCAP Station Plays BMI Tunes By Accident

Minneapolis, Jan. 14.

WMIN, the only one of the three stations in the Twin Cities to sign an ASCAP contract, ran into trouble early in the new year, when, during remote control broadcasts of dance music, the band leaders twice substituted BMI tunes for ASCAP music without notifying the station. The broadcasts were immediately cut off.

In the public interest, WLB, local University of Minnesota non-commercial station, has been granted an ASCAP license without cost, along with WCAU, another non-commercial station operated by St. Olaf College at Northfield, Minn., near here, and Macalester College and Simpson Memorial church in St. Paul.

BMI has announced that eight Minnesota stations have signed for its music. They are WCCO, WTCN and WDGY in the Twin Cities; KFAM, St. Cloud; KWLM, Willmar; KROC, Rochester, and KWNO, Winona, Minn.

Victor Herbert Music on NBC

TURNS OUT TO BE PRE-ASCAP TUNE UNDER SESAC LICENSE IN SCHUBERTH CATALOG

Yoo-Hoo, George

Songplunger employees of ASCAP publishers are in a nice courtship with each other since the separation of radio and ASCAP. Old Gold practically the only major cigarette maker that is not on the air with program at the moment, since the greeting runs: "Smoke Old Gold and BMI will fold."

SMOKE OLD GOLD AND BMI WILL FOLD

NBC and other broadcast sources are playing Victor Herbert compositions through their licenses with the Society of European Stage Authors and Composers. ASCAP has raised the question whether its membership contract with the Herbert estate includes the co-licensing of Herbert's works in the SESAC catalog, but the two organizations that ASCAP will do anything of a legal nature about the situation.

The Herbert works licensed by SESAC are published by one of its members, the Schubert Publishing Co. These works, according to SESAC, were assigned to Schubert before Herbert became a member of ASCAP, of which Herbert was also the founder, and that the assignment included the performing rights. SESAC claims that it has over 100 Herbert compositions in its catalog. One such number, "Badings," was included in a program broadcast by the NBC-blue link last Saturday afternoon (11).

'DIMES' CAMPAIGN MAY USE ASCAP MUSIC FREE

ASCAP music will probably be heard Jan. 20 over NBC, CBS and Mutual for the first time since their break with ASCAP Jan. 1. After much publicity had been issued by the radio and ASCAP camps on the subjects, Neville Miller, National Association of Broadcasters president, (Tampa) announced yesterday that ASCAP had occupied the use of its works during the inaugural parade and ceremonies, he supposed that many stations will use all 16 selections on the day's program. The ASCAP numbers being used in the parade are "Anchors Aweigh" and "The Stars and Stripes Forever."

From ASCAP during the past week also came blast against the Mutual-NBC-CBS alliance, and the Army ceremonies from Fort Hayes, Ohio, because of the including of ASCAP compositions and what ASCAP termed the networks' extension of their boycott to British music. ASCAP's assault term this an "outrageous" affront. Great Britain and the British Empire and mentioned the song, "There Will Always Be An England," "Keep The Home Fires Burning," "The Nightingale Sang in Berkeley Square" and such composers as Elgar, Coates, Coward and Lauder. Radio jet this pass by without an answer.

ASCAP's other comment had to do with an advertisement carried in the Philadelphia papers last week and paid for by NBC and WFLW. ASCAP pointed out that the copy in the ad was "entirely fictitious" and cents, what the use of ASCAP music would cost radio, and that nothing was said about the public's interest, preferences or familiarity.

ASCAP also expressed an ironic curiosity about that last line in the add, namely, "You have our pledge that now and in the future we'll see to it that good music fills the air."

WNW-BMI APART

Station Declines to Become Subscriber But Still Dickens For Service

WNEW, New York, pulled all recordings of Broadcast Music and public domain songs from its various recorded and live shows last week after refusing BMI's demand to take out a license. Station license with ASCAP was signed just before Jan. 1 and it had been using music of both camps. BMI set a deadline of Thursday (9) midnight after which it also or cease airing its delights.

BMI reportedly wanted the station to sign a BMI agreement under a blanket contract calling for 21% of the outlet's annual net receipts regardless of how much music was used on various programs. In addition, BMI insisted that WNEW purchase a certain amount of BMI stock and become a subscriber to its radio of operating BMI as other stations have done. The BMI tunes have been discarded, WNEW management claims that negotiations for a BMI license have not been broken off once and for all. It's still possible the two may get together.

WCN SIGN WITH ALL

WCN, Brooklyn, lays claim to more, more performing rights. It is the only other station in New York City to have signed with ASCAP. BMI, SESAC and the Society of Jewish Composers, Publishers and Songwriters. Only one available that WCN has passed up is Associated Music Publishers, Inc.

Station's management explains that WCN is primarily a foreign language station and it needs all these catalogs.

Nashville, Tenn.—Russ Hudleston, Eso Reporter, of WLAC left for Lansing, Mich. He will be connected with WJJD and serve as newscaster for the Michigan State network. Charles Chumbley will take over Hudleston's duties in Nashville's Eso Reporter.

HOLLYWOOD JAN. 14

Harrison Holloman, director of National Ass'n of Broadcasters, has called a meeting of the 16th district Jan. 17 at Ambassador hotel. Around 50 station owners from southern California, Arizona and New Mexico will attend. Carl Haverlin, Broadcast Music's manager of station relations, is coming from the east for the test.

Most of the discussion will be devoted to the music controversy.

Public Split Toward Music Tiff

Indie Stations Say 'Cheaper to Sign With Than Check ASCAP'—Clyde Lucas' Statement

Philadelphia, Jan. 14. Philly dailies giving the ASCAP imbroglio plenty of front-page space, but the average dial-twister in this city is acting unconcerned about the whole thing. Most of them don't know what it's all about. The only ones who are perturbed are the young 'heepcats,' who are a little upset that much of the favorite jive will be off the air.

These conclusions are drawn from a random telephone poll made available by VARIETY. Poll of 25 persons whose names were taken from the Philadelphia phone book showed:

Fourteen didn't notice any change in their musical programs.

"Three said they had been too busy during the holidays to pay any attention to the radio."

Eight said they knew about the ASCAP-radio fight and HAD noticed a lack of tunes.

Of the eight aware of the squabble, two were sure about it—one now listening only to news, the other buying a phonograph; two said they didn't care; one said she was glad, because there was "too much jazz"; three said "it didn't matter so much—there was plenty of other music."

A survey taken in South Jersey by the Camden Courier-Post showed a similar reaction, with most listeners unconcerned.

First indication most Philadelphians had that something was amiss in the ether was the failure of any local station to air the Mummers Parade on New Year's Day because, of fear that some ASCAP tune from one of the bands would slip by their mike.

Most of the editors in the dailies are anti-ASCAP, as are most of the news stories. Four of the smaller local outlets have signed with ASCAP—WDAS, WIBG, WTEL and WCAM, Camden—but most of them claim they signed because it was cheaper than hiring extra help to keep tabs on ASCAP copyrights. All four are plugging BMI tunes in addition to ASCAP music.

Clyde Lucas' Views

Clyde Lucas, playing with his band at the Ben Franklin hotel here, joined Glenn Miller and others in going off-air last Saturday night to protest the radio stations that sign the indemnity guarantee demanded by NBC, CBS and MBS. The band was on CBS via WCAU twice weekly.

"I can't see why I should stick my neck out in the broadcasters' fight," said Lucas. "Naturally, even our local broadcasts are strictly BMI, and under the network plan we would furnish the chains with our program in advance."

"But if you ever sat in on a plagiarism suit you'd know that experts like Sigmund Spaeth, for instance, can find a steal in any four bars of music you can put together. The broadcasters can fight their own battles as far as I'm concerned. Meantime I'm staying on the networks."

Lucas said he also objected to the networks demanding the rights to any original songs played by a band on sustaining time.

"If we work up a special number," he said, "and play it on network time, they want us to hand it over gratis to BMI. I don't see how any band leader with an ounce of foresight can meet these conditions."

Radio Tells the Public

Philadelphia, Jan. 14.

Changeover from ASCAP music to BMI and pd. sources on local stations was made on schedule, with considerable publicity being given to the new setup in the Courier-Journal and Times. Several stories on the ASCAP-BMI squabble were carried in the newspapers, as well as the text of a talk by Credo Harris which outlined the ASCAP-BMI affair in detail and gave the other side of the music battle. The Harris talk was aired New Year's eve over WHAS, of which station Harris is radio director.

WGRC throughout the day's schedule, Wednesday (1), interspersed musical numbers with commentaries on the large source of music now available to radio stations, through BMI, and stressed that a wealth of the world's best music would now be heard more frequently, as well as the fact that new composers would be given more opportunities to have their compositions heard over the radio.

Arnold Growls

(Continued from page 2)

BMI to make its catalog available to all comers on a per-use basis unless ASCAP is compelled to use this system, they countered. Arnold reportedly does not want to hitch any agreement to a consent decree, although in a consent decree recently issued by Postal Telegraph, a condition of this sort was embodied so the competing carrier would not have an unfair advantage.

Procedure which the broadcasters still hope will prove feasible is to arrange the terms of an understanding and then have the Justice Department go into court with an equity action. Requests for a restraining order would pave the way for both sides to present their arranged consent decree, while the trust-busters would shelve the intention of moving against radio via the criminal route.

The BMI board Tuesday (7) authorized Sidney Kaye, its counsel, to sound out Arnold and his aides after the majority of strategists—including the National Association of Broadcasters' directorate, high executives of the radio network, and executives of the independent radio networks—decided the wisest course is to avoid a test of strength no matter how convinced the industry may be that it has committed no offense. Arguments that there would be no profit in trying to trade with the Justice Department were knocked over with rejoinders that radio would stand to win public support if it did not take such caution to see that everything it does in the music row is legal and above-board. Pot can't call the kettle black," it was emphasized, and broadcasting has a chance to gain a marked edge over ASCAP if it comes to terms with Arnold.

The manner displayed by Arnold—particularly in connection with clearance at the source—amazed most of the industry people who had expected him to be real grudge toward BMI. Some of them were in favor of giving up the whole thought of a settlement, but majority ruled out the idea of picking up their toys and going home.

Extension until Saturday (11) was obtained so the radio negotiators could consult with head men of the networks and leaders of the affiliated stations. It was agreed that if clearances at the source is to be maintained, no agreement was reached at the second huddle and Justice Department sources indicated there would be no further armistice. Radio people, nevertheless, still were doubting this week if the threatened crack-down will result, feeling sure Arnold will grant more time and perhaps softer up enough to make the next possible date.

The Justice Department attitude, though, is that radio wants to eat and have its cake and the overture berries are not sincere.

Radio people view the situation, any clearance at the source arrangement will necessitate overhauling of every existing network affiliation agreement. The broadcast stations believe this situation would justify postponement of any attempt to provide for the desired clearance. Suggestion that the reform wait until contracts expire—being put into operation gradually—was nixed by the trust-busters, who felt there is no reason why the industry, if it really wants to do it, cannot do it. Government's standard of fair competition, cannot make the necessary revisions within a very brief time. The Justice Department crew showed suspicion that the radio contingent was merely stalling or sparing until something has been done to ASCAP.

No comment was forthcoming from the Justice Department as to the trust-busters' intentions. Indicated that the scheduled Milwaukee attack will take place before the end of the week unless radio suddenly surrenders, which industry people declare is out of the question.

MONTREAL—Switch in radio department, Wednesday (1). Interspersed musical numbers with commentaries on the large source of music now available to radio stations, through BMI, and stressed that a wealth of the world's best music would now be heard more frequently, as well as the fact that new composers would be given more opportunities to have their compositions heard over the radio.

MONTREAL—Switch in radio department at Vickery & Benson Agency here brings R. C. Gaisford into the program production service department.

R. Gonthier, formerly radio chief, has resigned.

COMEDY SIDE OF THE MUSIC WAR

Bob Hope slipped in a fast one on the screen last night in the special "Aid to Britain" broadcast from Hollywood over the Mutual network recently. When a gas of his failed to get a laugh Hope quickly adlibbed: "That must have sounded like a BMI lyric put to an ASCAP melody."

Henry Morgan, monologist on WOR, Newark, also got one in on the same subject during a recent appearance. "I've got a BMI cracker," cracked Morgan, "has its music war: 'I've got my own solution: listen to it.' What followed was a Chinese singer giving from a phonograph record.

Last Thursday night (2) script of "Aldrich Family" called for Ezra Stone (Henry Aldrich) to have a plot significance in the drama. The tune was taboo because of the ASCAP situation, however, so Stone hummed a few notes of "Oh, Susanna" and substituted the name Sylvia at the end of the line. It drew a laugh from the studio audience.

Jeanne's Gets Laughs

Some aspects of the ASCAP-BMI battle, at least, seem to have woven themselves into the knowledge of the general public. Out on the Coast at a screening of "Arizona," William Holden's serendipity of Jean Arthur with "Jeanne" draws light Brown Hair" game of "Light Brown Hair" draws laughs at the box office.

At previews in the Columbia projection room in New York, with a trade audience, first notes of the tune bring guffaws and shouts of "BMI!"

Hire a Hall!

MILWAUKEE, Jan. 14. Each Monday night, as part of the weekly amateur show at the Riverside theater, Al Bryan invites people to the audience to come upon the stage and make free phonograph recordings. When an unidentified young woman came up the other night and said she had a vital message to record, she was told to go right ahead.

She proceeded to read a rapid harangue to the audience, warning of the dangers of the networks and Broadcast Music, Inc., and praising ASCAP. Efforts by the m.c. to halt the speech by calling time were unavailing. The orchestra was flashed a cue to cut in with a march as girl was escorted from the stage.

Western Union Involved

MINNEAPOLIS, Jan. 14. Even the singing Western Union messenger boys here are running into the BMI-ASCAP battle. When they compete on "Quiz of the Twin Cities" program over WCCO Feb. 10, the lads planned to sing a sample or two. As soon as Hayle Connor, WCCO production manager, discovered that ASCAP's "Happy Birthday" was among these numbers, she blew the whistle.

Messengers substituted Valentine greetings to the tune of "My Bonnie Lies Over the Ocean" and "Pop Goes the Weasel."

Can't See South Pole

SCHENECTADY, Jan. 14. The ASCAP-BMI music war reached out recently to the Byrd at the South Pole. In preparing to pick up by shortwave some singing from the Antarctic group, General Electric's radio division had to warn the North Pole against infringing against ASCAP.

Clyde D. Wagner of G. E. confined them to a public domain version of "Auld Lang Syne."

The Choice

Detroit, Jan. 14. In view of the tensile studio situation on the ASCAP-BMI row, an announcer here slipped in a quick one the morning after New Year's. On morning platter session he mated:

"Well, folks, which of our two records would you like to hear now?"

Tired of War

White on sea cruise last week Herb Petey of N.Y., N.Y., asked the ship's radio man what do you get on the ASCAP-BMI fight?

"Aw, I never listen to the war. I like sports better," was the reply.

Catholic Press Sarcastic on Hymns In One BMI Book With All Others

ASCAP Marks Time

(Continued from page 21)

mit a counter proposal from radio to ASCAP.

The strong reluctance of the quarters toward becoming involved further with the Government was revealed during last week's N. A. B. and BMI board meetings. The BMI board was evenly split on the issue of anti-trust into a consent decree with the U.S. Department of Justice, even though yielding to this pressure from the Governmental department meant that NBC and Columbia would escape indictments. Regardless of this split the indications are that BMI will accept a consent decree, that the only thing now left is to get as lenient a deal from the Department of Justice as possible.

Editorial started: "The lengths to which these广播 companies are going and the sort of acts that the public expect if they succeed in replacing ASCAP with BMI may be judged from an announcement that BMI is issuing its own hymnal, containing, if you please, the hymns that will be allowed on the air after Jan. 1—Catholic, Protestant and Jewish hymns, all in one volume of 450 numbers."

And where will they get their Catholic hymns? Believe it or not they have permission to borrow from the unfortunate 'St. Basil's Hymnal' that pathetic concoction of sentiment and bad taste that has been the bane of church musicians wherever it has instilled itself; its use has been officially forbidden in the churches and schools of the Pittsburgh area, and the author of that work and other dioceses where regulations for correcting abuses in church music have been put into effect. If BMI is successful in reviving this sort of 'Catholic' hymns and getting them on the air, it will be a new horror charged to radio."

Pittsburgh, Jan. 14.

First local station to switch from ASCAP to BMI, which deserted the solid BMI front here over the weekend, ASCAP music being resumed on indie outfit's program at midnight Friday (10). One of main factors in capitulation was believed to have been hardships worked by music feed of WWSW's 1500 Club, which of recorded band music (all-request) programs from mid-night to 6 a.m.

That's one of station's biggest commercial accounts and first 10 days of ASCAP-BMI impasse found request telegrams to 1500 Club dropping off to almost nothing when listeners got about only one out of 50 numbers that wanted.

Another factor was believed to be the ASCAP sympathies of Paul Block, publisher of the morning Post-Gazette, which owns and operates WWSW.

Musicalless Music Pageant

El Paso, Tex., Jan. 14.

The theme for the sixth annual Southwest Festival, Saturday, was "A Pageant of Music," but radio listeners who tuned in to hear a description of the parade heard none of its music. You know why.

Asks on Wisconsin Use

Madison, Jan. 14.

Prof. Raymond F. Dvorak, bandmaster at the University of Wisconsin, has appealed to ASCAP for relaxation of the ban on the use of "On Wisconsin" so number may be used on non-ASCAP stations for football and basketball games as well as on other college occasions. Copyright is held by Thornton W. Allen, New York publisher of college songs and music of ASCAP. The music was written by the late William T. Purdy, and the royalties go to his widow and two children.

Every Little Note Is Noted

St. Louis, Jan. 14.

Karl P. Spencer, local representative of ASCAP has established a "listing post" for each of seven of the eight radio stations in St. Louis and surrounding areas.

Local county who have discontinued the use of ASCAP music and daily reports of what their listeners hear are forwarded to the New York headquarters of the organization. Spencer said that while he doubts whether any of the local stations involved in the ASCAP-BMI fight will infringe, he is taking no chances, and the listeners are informed long as the stations are on the air.

During 1940 Spencer said the St. Louis territory, in which approximately 300 taverns, groceries and hotels, including the five largest hotels in St. Louis, yielded between \$35,000 and \$40,000 for ASCAP. During the same period it was necessary to file nine infringement suits against tavern owners and ASCAP won every suit. Fees paid by the radio stations last year were remitted directly to ASCAP's New York offices and are not included in the above figures.

Pittsburgh, Jan. 14.

The BMI-ASCAP controversy has drawn editorial comment in Catholic papers. One of them, The Pittsburgh Catholic, fired a recent blast titled, "ASCAP vs. NBC, CBS, MBC," which has been reprinted in other diocesan weeklies. Paper discussed the situation as it will affect Catholic music on the air, claiming the result will be harmful. One paragraph of the editorial reads:

"...when religious music is concerned, it is significant that the outstanding publisher of Catholic music in the country, J. Fischer & Bro. of New York, is a member of ASCAP and hence its music has been banished from the networks. Practically all the Catholic choirs in the country use Fischer editions."

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ASCAP Backs Down On Eugene Ormandy Using Own 'Water Music'

Philadelphia, Jan. 14.

ASCAP last week tangible Eugene Ormandy on the matter of the playing of the Philly Orchestra conductor's arrangement of Handel's "Water Music" on the orchestra's broadcast on the Mutual circuit next Friday (17), and when the battle was over ASCAP had backed down. The conductor, his harpist and violinist, are against playing "Water Music" on the air, on the grounds that the rights for the piece belonged to ASCAP by virtue of Ormandy's membership in the society.

Ormandy retorted that the music was his own property, that he was NOT an ASCAP member despite the fact that he had been nominated to membership. Ormandy said he had never signed a power of attorney agreeing to assign the rights to his works to ASCAP, nor had he ever paid any dues.

At first it looked like Mutual wouldn't take any chances as long as there was some doubt as to the status of "Water Music," but on Wednesday (8) ASCAP's business manager, John G. Poine, sent a wire to Carl McDonald, Philly orchestra manager stating:

"Rather than raise an issue," said Poine's wire, "please feel free to go ahead."

Officials of Mutual later obtained confirmation from ASCAP clearing the "Water Music" broadcast, which it is intended to be broadcast. Originally it was planned to play only half of the concert from the Academy of Music that did not contain the disputed piece.

Portland Tunes In Canada

Portland, Mc., Jan. 14.

With Maine radio sewed up 100% by BMI, local listeners have been re-discovering the unaffected Canadian senders. North-of-border outlets have always sounded in here with good quality, the lack of schedule-covering ads, and the news has in part induced listeners to pass them by.

CBA, Canadian Broadcasting Corp.'s Maritime sender at Marquette, N.B., appears to be station getting most attention from serious dealers in the area just now.

Whiteman Proteges' Voices (Waxed) Play Part In His New Novelty Set-Up

By ABEL GREEN

Hollywood, Fla., Jan. 14.
Paul Whiteman, who opens for Ben Marden at his new Hallendale (Fla.) Colonial Inn, nearby roadhouse, has developed a band setup intermingling Latin dancapation with the ultra-modern. Coming out of semi-retirement, the new Whiteman band of 17 has Buddy Weid as No. 1 arranger.

Whiteman is committed to the idea that the congarumba vogue is the only new thing in dance music in years and that it's further on the upbeat, hence he's giving it special attention, and on one of his native Cuban instruments to start.

Still another new idea that Whiteman will introduce is the dub-in of Bing Crosby, Connie Boswell, Mildred Bailey and Morton Downey's voices as part of a dance set. In other words, Whiteman will play a dance session, and then announce that any of these four former proteges of his organization couldn't be present in person but, however, they sent their voices down, whereupon a recorded version of any of these will be spliced into the Whiteman arrangements.

It's a switch on the 'Sylvia' poem reading to which Mary, Raye and Nedda do their dance, while David Ross and Eddie Cole Speak balledad is synchronized via wire.

Whiteman is experimenting with this innovation and it will be premiered during the Marden revue at Hallendale which again stars Sophie Tucker, Harry Richman and Joe E. Lewis, the same triumvirate who did so well for him at the Riviera in Englewood, N. J.

Young People Want It The Way They Like It So Jukeboxes Benefit

Milwaukee, Jan. 14.

Young people who do their hoofing in the recreation rooms of the public parks and social centers have found a solution for their dissatisfaction with the class of dance music available to them over the air since the networks' break with ASCAP. They're turning to jukeboxes located in these spots in a big way.

A collection of coins, sometimes amounting to over \$5, is taken up among the dancers. This is turned over to a youth who spends the rest of the evening feeding the coin-machine and announcing the numbers.

Business for the record distributors for these machines has become so good that he's not using a couple assistants, whereas he used to make the rounds of the public recreation centers himself.

He'd Know It Anywhere

Los Angeles, Jan. 14.

Ellen Koltz, song writer, has filed a plagiarism suit in U. S. District Court against RKO, Johnny Mercer, Jack Benny, Dennis Day, Kay Kyser, Bremigan, Voco & Conn, Inc., ASCAP and John Doe.

Complaint charges that eight infringement on the title and lyrics of 'Id Know You Anywhere,' featured in the Kyser film 'You'll Find Out,' RKO. Plaintiff asked the court to determine the amount of damages.

Pirates, He Sez

Los Angeles, Jan. 14.

Copyright infringement suit for \$25,000 was filed by David Moldarsky in U. S. District Court against the Miller Music Co., Orrin Tucker and Billy Bryant.

Action also asks accounting and an injunction to stop further sale of 'Would Ja Mind,' a song of which Moldarsky charged was lifted from 'Tell Them,' his own number.

Lydia Mendoza's Discs

San Antonio, Jan. 14.

Lydia Mendoza, a figure in Mexican music as 'La Golondrina del Valle' (The Swallow of the Valley), is here for the winter. Now current at the Zaragoza theatre.

Has just signed a contract to make

The Quentin Stomp

San Quentin, Cal., Jan. 14.

Ted Stanich, former band leader and now a prison guard, was appointed director of musical training for inmates of the band house.

Plan is to augment the band to 50 members and the string orchestra to 15.

DICK ROGERS HEADING WILL OSBORNE CREW

Dick Rogers, vocalist, with the Will Osborne band, has taken over leadership of the Osborn crew since Osborne bowed out to go to California to produce pictures. Osborne stepped out of the band following its closing last Thursday (9) at the Ambassador theatre, St. Louis, and handed the crew, its library and everything necessary to operation to Rogers without cost. Band's first date under Rogers, who wrote songs in collaboration with Osborne, is at the Tunerstown Ballroom, St. Louis, where it started last night (Tuesday).

Rogers also has taken the band back to Harry Romm for personal management. It is now under contract to Romm for five years and the latter has signed it to a booking contract for the same length of time with General Amusement Corp. Romm managed Osborne for years until the two split last fall.

Making Life Difficult

Boston, Jan. 14.

Charles Goldberg, Boston rep for Chappell, refused to attend a meeting of the Boston group of the Music Publishers' Contact Employers Union because out of town rep Marvin Paul, his rep for Jewel Music, which firm is not member of A.M.P.E. Paul, however, rep for New England juke box operators to contact since ASCAP firms are having difficulty obtaining plug from network affiliated stations.

The meeting, referred to, was this item was being settled, but as this item was being contacted, it was chasning local contact men to obtain a copy of the list with no willing co-operators.

Sonny Werblin in Action

Sonny Werblin, Music Corp. of America v.p., returned to action last week after being ill for approximately three months. He spent a couple of months in a New York hospital and twice that long recuperating in Connecticut.

Illness was the result of the weakening effects of a previous siege of pneumonia.

Wired Music Service Draws Fire

Cleveland Incident By Union May Presage Nation-Wide 'Displacement of Labor' Campaign

Cleveland, Jan. 14.

Efforts of musicians' union here to limit the use of Muzak wired recording service in local hotels and restaurants is starting a new musical war. So far, dispute has been limited to several conferences between Russell Sanner, vice prez of the distributing Ohio Music Corp. and Lee Repp, prez of the union. Latter wants company to discontinue service to five places, Herman Pirchner's Hobart, Alton's restaurant, the Bolton Square Hotel, Cleveland Athletic Club, and Frolics Cafe, claiming that the wired music had practically displaced a number of musicians.

If it was not stopped by this week, Repp said he would notify four other places that his men would not work in a place receiving Muzak wired recordings, both dance bands and piped in music are Shaker Tavern, Park Lane, Villa Hotel, Southern Tavern and Hotel Carter.

Rather than pull his equipment

RAY NOBLE OFF WGN Declines to Assume Legal Defense On Infringement

Chicago, Jan. 14.

Considerable interest in the stations and bandleaders over a copyright risk release contract being demanded by the stations from the orchestras. Number of the bandleaders have monikered these agreements rather than be cut off the air, but others have refused, stating that since they must first obtain a song clearance from the station itself, it is up to the transmitter to have the proof that the song is free and clear in the first place.

Those who refused to sign

such a release was Ray Noble

whose band is at the Empire Room of the Palmer House. Upon such refusal, the Noble band was dropped from the WGN-Mutual remotes.

Other WGN bands have signed the release.

Ralph Ginsburg string ensemble, which has been with WGN-TV, Milwaukee, for the past 12 years, is also off the air because of the ASCAP-BMI situation.

Rather than signature

which WGN is demanding from its

remote pick-ups, Ginsburg decided

to vacate his mike period.

He has been broadcasting nightly from the Victorian Room of the Palmer House.

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SONGWRITERS MULL UNION

What Radio Plugs Cost

Exploitation is the biggest overhead item of any music publisher. An idea of how much it runs into may be gathered from the Metro-Robbins weekly net of \$20,000 for the Feist, Miller and Robbins Music staffs, chiefly pluggers, arrangers, etc.

Plenty of song hits must perform to match that fixed \$1,000-a-song overhead, and if the most prolific source for song material—exploitation—the radio—is cut off, that forces an immediate readjustment.

However, Jack Robbins, like most of the other major publishers, is committed to retaining full staffs although a couple have issued "provisional and self-protective notices" to certain employees. This is what's causing a mild panic among the professional music men who now have their own union, the Song Contact Employees organization.

In the case of the Robbins setup, the three firms realized some \$360,000 from ASCAP last year, averaging \$90,000 per quarter, so the difference, if only to break away, is a sizeable item. Metro-Robbins firms netted \$200,000 last year.

Music War's Affect on Pluggers

Bob Miller Authorized to Ask Organized Labor to Use Its Influence for Mediation

Bob Miller, president of the Music Publishers Contactmen's Union, declared last week that he has been authorized by the union's executive council to make a direct approach to organized labor and to indicate the need to sit down and negotiate a settlement of their controversy with the American Society of Composers, Authors and Publishers. The union is affiliated with the American Federation of Labor and has a membership of 458 men and women.

Miller also stated that a checkup by himself had failed to disclose any tendency on the part of ASCAP affiliated publishers to let out their professional staffs. He had found, said Miller, that these publishers were keeping their staff intact and that in the case of Chappell & Co., there had been but one letout and this was due to a consolidation of staffs, the other firm being the Crawford Music Corp., which is also owned by Max Dreyfus. Miller added that his survey also disclosed that most of the firms were sending their men on the road in quest of plugs.

The break with that network has caused drastic changes in professional methods. Contactmen now consider themselves as self-sufficient, whereas the average formerly was four spots. An interesting sidelight on this situation is the complaint of the higher priced spots that since the ASCAP-radio schism the take for some of their evenings has fallen off due to the reduced patronage of music men.

Wide Circuit of Travel

Chicago, Jan. 14. Instead of sitting back and waiting ASCAP publishers are speeding up activity on extra plug in the midwest and have instilled a policy of sending their key Chicago man out on the road to tour midwest spots.

Harry Garfield, manager of the Harms office in Chi, hits the road this week for a special tour covering the key towns in three surrounding states. Sidney Goldstein, famous music chief in Chi, has just returned from a similar trip covering stations, retailers and jobbers and plugs within a radius of 400 miles.

THE BOSWELL 'FRENESI' IS SINGER'S OWN

Version of 'Frenesi' that's being done by Connie Boswell on the Kraft Music Hall is not the same as that published by Peer-International Corp., a subsidiary of Southern Music Co. Miss Boswell is using lyrics which she herself wrote for this public domain melody.

Southern Music copyrighted the number in 1939 and in 1940 this copyright was assigned to Peer-International, which in turn took out its own copyright. On the title sheet of the music Southern Music Co. is given as the sole selling agent.

THEY'RE OUR PARTNERS

Juke Box Operators Raise Issue on Girl Request Operators

Bridgeton, Jan. 14. Excerpts from a Connecticut 10-day survey on women employed in entertainment field is claimed for female jukebox exchange operators by Miracle Music Studios and Modern Music Co. of Bridgeport in injunction petition filed in Superior Court.

Naming state labor commissioner, state's attorney and local prosecutors as defendants, request-system companies say that studio operators are not employees but partners sharing profit and therefore not subject to state law.

Now women employed to answer and service calls for platters from restaurants and taverns.

ANTI-ASCAP DECISION BY DUFFY

Milwaukee, Jan. 14.

A wallop for the American Society of Composers, Authors and Publishers was handed out by Judge F. Ryan Duffy in Federal court here recently when he gave a long awaited decision in ASCAP case against Wiley Young, treasurer of the Tavern Music Protective Association, which is said to represent 4,000 Wisconsin nitry owners. The court held constitutional the Wisconsin law which requires music brokers to pay a state franchise tax of 25% on fees collected in the state, and if this decision is sustained by the U. S. Supreme Court, ASCAP would have to pay the \$100,000 it is said to collect in fees annually in the state.

Lawyers believe that on account of Judge Duffy's decision in this case he will most certainly be replaced by another judge in the pending Government anti-trust suit against ASCAP, BMI, NBC, CBS.

Music Contact Men In Chicago Elect Scheffer

Chicago, Jan. 14. Meeting of the Contact Men's Association here last week resulted in a new slate of officers, with Mort Scheffer elected president for the next term. Other officers include Marvin Lee as secretary-treasurer and Harry Reinhold as sergeant-at-arms.

Board members elected are Ned Miller, Billy St. John, Al Bellin, Mickey Garlock and George Pincus.

SEEK LINK TO TALENT GUILDS

Billy Rose Tells New York Meeting A.F. of L. Will Grant Charter, If Asked, 'in 48 Hours'—Reaction to Radio Break With ASCAP

MILLS NODS

Prospect of the Songwriters Protective Association becoming a full-fledged union under the banner of American Federation of Labor appeared likely yesterday (Tuesday). Billy Rose made the proposal, which was enthusiastically received at a meeting of the SPA Monday night in the Park Central hotel, N. Y. Rose revealed that he had already huddled with William Green, AFL prez, and could get him to work for the formation of the union within 48 hours.

Committee was named immediately by Irving Caesar, SPA prez, to delve into the legal aspects of the switch in status. Transcript of the meeting was ordered by Caesar to be sent at once to the SPA's Coast unit so it could sound sentiment and take action along the same line.

Rose envisioned great strength for the "songwriters" in giving them an affiliation with the powerful political and technical unions such as American Federation of Radio Actors, American Guild of Musical Artists, American Federation of Musicians, Screen Writers Guild and the others.

He prophesied the day when union members will sing or perform only union music.

Union definitely won't be a collection agency replacing ASCAP, Rose stressed, as it will be a pool of professionals who will not discriminate. Committee, however, must determine whether the union should absorb SPA or whether it should be separate from it. Latter claims about 750 members, 90% of the writers active in the music field.

Committee consists of Caesar, Rose, Otto Harbach, Edgar Leslie, Sam Lewis and Johnny Weis. It was slated to hold its first meeting today (Wednesday) to get immediate action.

E. C. Mills, chairman of the ASCAP administrative committee, who was present, endorsed the union idea personally, although he said he could give no official ASCAP attitude. Reps of various other unions and guilds also gave their endorsement.

Caesar, in a lengthy speech at the SPA Central meeting, castigated BMI for its refusal to use the standard SPA contract form. Following a discussion of songwriters' rights in connection with new film jukeboxes, membership voted its council the privilege to negotiate licenses in that field for all members for six months.

Gilbert Favorably Inclined

Hollywood, Jan. 14. L. Wolfe Gilbert, v.p. and Coast rep for the Songwriters Protective Association, declared today (Tuesday) that while Billy Rose's pronosal for unionization of the songwriters was not new, it is being favorably received by the SPA members here. Gilbert recalled that E. C. Mills of ASCAP had made the same suggestion several years ago and was told "some day" it may be forced into organizing a union.

Gilbert also recalled that an alliance with the American Federation of Labor had been discussed before with William Green when songwriters had contract miseries with the publishers. Gilbert added that the arbitrary stand by the broadcasters in the current music fight may force SPA to embrace union status and believes such move would win wholehearted support to Coast songwriters.

ASCAP Coast committee last night (Monday) delegated Gilbert and

Strict Code for Taxi Dancers; \$2 Per Night Guarantee and No Leaving Premises With Gents

Society Haircuts

Boston, Jan. 14. Shades of Samson—or something?

One Boston band booking office manager disliked the haircuts of various members of his bands, thought them unsuited for society dates, and therefore issued a request that the boys visit his personal barber.

ASCAP COIN DELIGHTS MEXICO

Mexico City, Jan. 14.

Pleasure is expressed at the Mexican song writers' union for it has just received \$2,000 (U.S.) from ASCAP as the first payment of works of its members used on American radio and television.

The union expects to soon collect some nice coin from the Argentine for similar rights.

Screen Credit Basis Of Parish-Carmichael Suit On 20th-Fox's 'Star Dust'

A suit by Mitchel Parish and Hoagy Carmichael, songwriters, for \$50,000 damages against 20th-Century Fox Film Corp. was revealed Monday (13) in the N. Y. Supreme court when a note of issue was filed by the plaintiffs setting the date of trial for the month of February, 1941. Action was actually started in May, 1940, but not revealed to the present time.

Plaintiffs are the composers of the song "Star Dust," and claim that the film company failed to give them screen credit when it made the film of the same name, and in which their song constituted an integral part of that picture. Complaint alleges that Mack Gordon, songwriter, under contract to 20th-Fox, and writer of two songs which played subordinate roles in the picture, was given the sole screen credit, leaving the plaintiffs to believe that he and not the plaintiffs was the composer of "Star Dust." Foreign royalties were also affected, plaintiffs' claim, because without screen credit none abroad was aware that the song was theirs.

20th for its defense claims that when it purchased the song on Feb. 2, 1940, from Mills Music, Inc., publishers for Parish and Carmichael, nothing about screen credit was mentioned in the contract. Plaintiffs, however, in attempting to refute this, state that the contract was a standard one in which screen credit was accepted as an acknowledged fact.

Jimmy McHugh to call on Governor Culbert Olson at Sacramento to urge his intervention in the music fight with a view to restoring networks in California and state college songs controlled by the society. Failing in encouragement of their mission by Olson they will lobby for legislation.

Local ASCAPers offered to Sam Goldwyn for Greek relief fund a sum similar to one staged at San Francisco Fair, but with reservations it must be broadcast nationwide. Hour program would be made up of 100 writers and 50-piece orchestra playing ASCAP and some BMI music.

Detroit, Jan. 14.

Detroit's dance halls, which fell foul of the law here on charges of immorality and underpaying the taxi dancers, have had a 12-point regulatory program laid down by a new city ordinance. Policewomen had charged that the girls were leaving the halls with customers, that spots were dimly lit and there was drinking on the premises. The new ordinance, first, makes one by Mayor Jeffries, provides:

No drinking or immoral dancing. No employment of taxi dancers under 21.

Recording with the Police department the names of all dancers hired. Employment of a mature woman to chaperone and supervise the dancers.

Setting aside a prescribed place where the taxi dancers will sit between numbers.

Minimum pay of \$2 a night. (Girls must get as a minimum 45% of their fees.)

No dance to last less than two and one-half minutes.

No sidewalk barkers to advertise the dance places and the number of "current prostitutes."

No taxi dancer to leave the hall with a patron.

Blackballing in all dance halls of any girl discharged for misconduct.

Uniform lighting throughout the hall with no more dark patches.

No drinks may be sold on the premises of the dance halls.

In letting the taxi halls go under these rules, Mayor Jeffries warned, "Remember, you are operating a sideline business. Any monkey business and you are through." Policewomen had advised the mayor that there had been plenty of shady business going on in four of the main stem spots.

Girls were newly unionized and it was the union which was instrumental in getting the pay rate set by the code and the stipulation that girls be blackballed for misconduct.

Dance rates in the cheaper halls now will go from a nickel to a dime.

EASTON, PA., LOCAL LOSES APPEAL

Easton, Pa., Jan. 14.

The Easton local of the American Federation of Musicians has lost its fight in the appeal from an award of \$500 against the local by a jury for the Eddystone Amusement Co., of Easton. Company charged that the Easton local prohibited out-of-town orchestras from playing at its dance pavilion, insisting that local orchestras, in turn, must pay for performances, being awarded \$500 by a jury.

The local first appealed in the local courts against the verdict, but the appeal was denied. An appeal was then sought before the State Superior Court, but the State Supreme Court held that the appeal should not be allowed.

ANOTHER BILL IS AIMED AT ASCAP

Denver, Jan. 14.

A bill just introduced in the state legislature is aimed at ASCAP. Would make illegal the pooling of copyright interests in songs.

Also would force the owner of the copyright to file a copy with the secretary of state of all songs in which property rights are claimed.

Band Grosses on One-Nighters

Bunny Bergman (U. of Rochester, Rochester, N. Y., Jan. 10). Bergman's new band pulled 300 couples off the campus at \$2.50 a pair.

Del Casper (Blossom Hall, Oklahoma City, Jan. 4). Result of Court's swing through here wasn't up to expectations. Drew \$500 at 75¢.

Jimmy Dorsey (Adams theatre, Newark, N. J., Jan. 11-12). Mobs trying to get into glam Dorsey's bunch-smashed windows in lobby and dribbled \$7,310 into the box. Total of 15,743 paid; \$368 was refunded to patrons unable to be seated.

Benny Goodman (Lyric theatre, Bridgeport, Conn., Jan. 5). Goodman's new band set new money record here, reaching a gross of \$3,920 with better than 6,000 payees at 75¢ to 85¢.

Teddy Powell (Scranton, Pa., Jan. 8). Powell's rebuilt band did nice \$780 with 1,200 patrons at 65¢.

Jan Savitt (Municipal Auditorium, Worcester, Mass., Dec. 31). Savitt posted highest gross of season with better than \$4,000 at \$1.10. Frank Duffy, promoter, says one of top crowds in Aud history.

On the Upbeat

Henry Blauth opened indefinite engagement Monday (13) at New Penn, Pittsburgh, replacing June Gardner and her Gentlemen of Swing.

Piccolo Pete band into Club Pétite, Pittsburgh, Monday (13), following Freddy Castle outfit after 22 weeks. Piccolo Pete was at spot all last season.

Horace Heidt's band, currently in pictures, opens at the Biltmore in New York Feb. 27.

Russ Morgan's crew, booked into the Paramount theatre, Los Angeles, Jan. 23, is slated for a musical short at Universal.

Babe Egan rehearsing a new all-femme band to tour the Pacific Coast preliminary to an eastern trek.

Dean Hudson opened in the Rainbow Room of the New Kenmore Hotel, Albany, Monday (13). New floor show, which started Friday (10), includes Paul Winchell ventriloquist, and De Nisse and Elliott Wright, ballroomologists.

Franck Murphy now playing in Paul Lender's of The Park Hotel, Albany, band, which filled an engagement there last winter and became the first Albany unit to do so, was until recently at Sturt's, a new downtown restaurant-night club spot.

Sid Olshain's orchestra is now at Sturt's, Albany. Floor show has Farmer and Wayne piano-singing team, Carter and Carmencita, dancers, and Sally-Anne.

Melle Klaif, another of Al Siegel's girls, has joined Louis Prima's band as singer and pianist.

Ozzie Nelson booked at Plymouth theatre, Worcester, for three days, beginning Jan. 20.

Jimmy Dorsey's dance date, scheduled for Mechanics Hall, Worcester (14), was cancelled owing to leader's illness. Forced to call off a week of New England one-nights.

Glenn Miller has signed the Modermaires Quartet to work with his band. They were formerly with Paul Whitman.

Jimmy Dorsey's hand hope a train for Philadelphia immediately following his Twenty Grand broadcast Friday (17) to play a 12:30 to 3:30 a.m. hoy at Town Hall, New York, for Northeast Catholic High School Alumni.

Bobby Sarra leaves Johnny Long's band at Roseland Ballroom, New York, and returns to Pittsburgh. H. L. Shook from George Hall takes his trumpet chair.

Charlie Carroll, drummer with Al Donahue's since the latter's society band days at the Rainbow Room, N. Y., shifts to Larry Clinton's group next week. Clinton has also dropped Terry Allen, vocalist, effective same time.

Benny Goodman and Bob Chester bands are coupled on one-hop at Cornell U., Ithaca, N. Y., Feb. 7. Goodman does Fitch Bandwagon show Feb. 16.

Johnny Messner goes to Roosevelt hotel, Jacksonville, Fla., for four weeks Jan. 31.

Henry Cholenech orch in Century Room of New House, Columbus, Jan. 13 for extended engagement, replaced Manny Landers. He is house conductor for local Palace theatre.

Change in strollers finds Betty Young in Rita Norman and her men.

Gloria Hart has taken femme vocalist spot with Raymond Scott.

Johnny McGee is losing his Tiddly Wink vocal quartet to Jan Savitt.

Fiesta Dancerita, New York, resumed name band policy, changing outfit once weekly. Louis Prima current, Glenn Garr and possibly Bunny Berigan to follow.

Dean Hudson band taken for recording by Okeh label.

Vaughn Monroe band set for three weeks at the Paramount theatre, N. Y., opening May 7.

Three members of Ruby Newman's summer orchestra at Magnolia, Mass., have been graduated to baton wielders; pianist Bernie Bennett heads relief band for Ranny Weeks at Club Mayfair; drummer Lou Carter is at Casa Manana, while vocalist George McFarlane leads at Versailles—all Boston night spots.

Elman conga-kumbha band and review headed into El Chico, Pittsburgh, for eight-week stay beginning Jan. 18. They replace Don Mario outfit.

Harold Alema and his Royal Hawaiians renewed at Hotel Roosevelt, Pittsburgh, for six additional weeks.

Coi Callaway band and revue at the Orpheum theatre, Oklahoma City, great start but finish was weak. Generally attributed to the supporting acts and not the band.

Glen Miller resigned to Bluebird label for an additional three years at an increase over the \$300 a side he was getting. Old two-year contract expires coming March.

Ruby Newman lectured at Boston University, Jan. 13 on the advisability of BU students going into the band business. He'll bare behind the scenes facts.

Lionel Hampton's new band working its way east to take up a location job in New York. May go into the Fiesta Dancerita or Savoy Ballroom.

Butch Stone shifted from Jack Teagarden band to Larry Clinton's, Sav. chair, with Teagarden will be filled by Artie Beck whom Stone originally replaced.

Ott J. Kapi, former prez of the Cleveland musicians union here, was elected vice-prez last week to succeed John Duprey, who became secretary-treasurer a month ago when Elmer W. Johnson died.

Anthony Granite was elected to executive board, replacing Ross Avlon, former assistant city law director.

Hugo Monaco orch in Arabian Supper Club, Columbus, for indefinite run, follows Bud Waples.

Deb Lyons and Cuba just out of the "Cave Under the Hill" basement spot of the Hill Hotel, Omaha, after 22 consecutive months. Replaced by Don Decker in from Cleveland.

Artur and Caballero arrived at the Paxton, Omaha, from Detroit to replace Dusty Rhodes, leaving for Stoneleigh hotel, Dallas.

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Wheeler vs. Pix

Continued from page 2

most recent fireside chat! Also what the reel will do about giving both sides of controversies about pending legislation (presumably the aid-to-Britain bill) involving war peace.

"This question is so important that I believe it is reaching a point at which equal coverage for both sides of this highly controversial question, but that newspapers and the motion pictures should do the same," the angry Democrat told both Paramount and Hays. "The propaganda for war that is being waged by this country is reaching a point at which we must be more lenient in our legislation, and I believe it is time to be enacted requiring the industry to display a more impartial attitude."

Violent Propaganda

Supplementing his written squawk about the alleged "violent propaganda campaign" intending to incite the American people to the point where they will become involved in the war, Wheeler told news correspondents he is convinced the obdurate and uncompromising attitude of the Administration, he said, if actually inspired, by persons in the Administration. He did not make any specific accusations or cite any films.

Crusading touches in numerous recent pictures, as well as features tending to glorify military and naval figures, have aroused numerous legislators. But Wheeler is the first to sound the public alarm, especially generally for the trend toward fighting themes is liable to inflame the people, sharing Wheeler's belief that the film industry is guilty of this. Editorializing is out of place in celluloid entertainment, resentful Congressmen have complained privately.

Par Strictly 'Neutral'

Paramount's newsreels in N. Y. yesterday ("Turner," revealed that Senator Wheeler was covered in newsreel story, finished at noon Monday (13) in Washington, and pointed out it was striving to be entirely impartial in treating the controversy over the Roosevelt Aid-for-Britain bill. Understood that the newsreel staff had just finished editing the Wheeler speech late Monday in N. Y. when the story containing the senator's blast was received over the ticker. Newsreel story made the first-of-week Paramount issue in theaters yesterday.

Senator Wheeler's letter inquires whether Paramount intends carrying his answer to President Roosevelt's fireside chat. Not only does Par newsreel cover it, but in the same issue remain strictly neutral by giving the other side of the question as presented by Senator Joshua B. Lee's views supporting the P.D.R.

In Wheeler's speech for the newsreel he attacks Wendell L. Willkie as a representative of vested interests.

Paramount remained strictly nonpartisan by giving Willkie an opportunity to give his side of the controversy in an interview in N. Y.

Band Bookings

Cats & Fiddle, Jan. 27-29, Granada theatre, Pittsburgh; 31, Apollo theatra, New York.

'Tel Lewis, Jan. 22, Paramount theatre, Atlanta, Ga.

Vincent Lopez, Jan. 28, State theatre, Cortland, N. Y.; 29, Auburn theatre, Auburn, N. Y.; 30-Feb. 1, Century theatre, Buffalo.

Count Basie, Jan. 23, Palais Royale, Toronto Can.; Feb. 3, Two-Spot Club, Montreal; Feb. 4, South Street Cinema, Ontario, Canada.

Henry Busse, Jan. 20, Whitham Spring Room, Knoxville, Tenn.

Will Bradley, Jan. 18, Sunnymoor B. & Pottstown, Pa.; 19, Roseland B. Brooklyn, N. Y.; Feb. 2, Lucas theatre, Savannah, Ga.; 3, Grand theatre, Macon, Ga.; 21, Palace theatre, Cleveland, O.

Del Courtney, Feb. 1, two weeks, Club Trocadero, Henderson, Ky.

Ed Lewis, Jan. 20-22, Palace theatre, Jacksonville, Fla.

Vincent Lopez, Jan. 26, Geof. E. Pavilion, Johnson City, N. Y.; 22, State theatre, Uniontown, Pa.; 23, Ambridge theatre, Ambridge, Pa.; 24, Park theatre, Meadville, Pa.; 25, Orpheum theatre, Connellyville, Pa.; 29, Geneva theatre, Geneva, N. Y.

Jimmie Lunceford, Feb. 16, Triangle, Cleveland; 17, Granada B. theatre, Toledo, O.; 18, Civic, Toledo, Nu-Em B. Youngstown, O.; 20, Cathedral theatre, New Castle, Pa.; 21,

Bands at the Boxoffice

(Presented herewith, as a weekly tabulation, is the estimated charge business being done by name bands in various New York hotels. Dinner business (7-10 P.M.) not rated. Figures after name of hotel give room capacity and cover charge. Larger amount designates weekend and holiday price.)

Band	Hotel	Weeks Played	Covers	Total
Orrin Tucker	Biltmore	300	\$1.150	650
Eddy Duchin	Waldorf	375	\$1.150	19,372
Lani McIntire	Lexington	300	75¢-\$1.50	500
Lou Lombardo	Roosevelt	300	\$1.150	17,800
George Horman	New York	400	75¢-\$1.50	7,775
Glenn Miller	Pennsylvania	300	75¢-\$1.50	28,915
Tony Pastor	Lincoln	225	75¢-\$1.50	375

* Asterisks indicate a supporting floor show, although the band is the major draw. † 5 days, Leighton Noble replace Sat. (11).

10 Best Sellers on Coin-Machines

(Records below are grabbing most nickels this week in jukeboxes throughout the country, reported by operators to VARIETY. Names of more than one band or vocalist after the title indicates, in order of popularity, whose recordings are being played. Figures and names in parentheses indicate the number of weeks each song has been in the listings and respective publishers.)

1. Frenesi (2) Southern	Artie Shaw.....Victor
2. There I Go (6) (BMI)	Woody Herman.....Decca
3. I Give My Word (5) (BMI)	Benny Goodman.....Columbia
4. Nightingale Sang (4) (S-B)	Tommy Tucker.....Okeh
5. Two Dreams Met (5) (Miller)	Will Bradley.....Columbia
6. Dream Valley (6) (Feist)	Eddy Duchin.....Columbia
7. Yes, Darling Daughter (1) (Feist)	Jack Leonard.....Okeh
8. I Hear Rhapsody (1) (BMI)	Glenn Miller.....Bluebird
9. Last Time I Saw Paris (1) (Chappell)	Sammy Kaye.....Victor
10. Santa Fe Trail (1) (Harms)	Al Kavlin.....Okeh

DISKS GAINING FAVOR

(These recordings are directly below the first 10 in popularity, but growing in demand on the coin machines.)

Stardust (Mills)	Tommy Dorsey.....Victor
One I Love (Forster)	Artie Shaw.....Victor
Let's Be Buddies (Chappell)	Tommy Dorsey.....Victor
So You're the One (BMI)	Leo Reisman.....Victor
Five O'Clock Whistle (Advance)	Sammy Kaye.....Victor
Scrub Me Mama (Leeds)	Dick Jurgens.....Okeh

Auditorium, Columbus, O.; 22, Cafes, Cincy.; 23, Pythias Hall, Nashville, Tenn.; 24, Auditorium, Birmingham, Ala.; 25, Auditorium, Chattanooga, Tenn.; 26, Auditorium, Columbus, Ga.; 27, Auditorium, Atlanta, Ga.	Ring Crosby.....Decca
Ruby Newman, Jan. 10, party, Brooklyn Country Club, Brooklyn, Mass.; 14, party, Hotel Astoria, Boston	Hal Kemp.....Victor
Boy Raeburn, Jan. 31, Memorial Union, Minneapolis, Minn.	Tony Pastor.....Bluebird
Adrian Rollini, Jan. 16, Capitol theatre, Washington, D. C.	Glenn Miller.....Bluebird
Bill Roberts, six weeks, Jan. 31, Olympic hotel, Seattle, Wash.	Ella Fitzgerald.....Decca
Jack Teagarden, Feb. 1, Newport, R. I. Navy Training Base; 7-8, U. S. Naval Hospital, Chapel Hill; 14-15, Wake Forest, Wake Forest, N. C.	Will Bradley.....Columbia
Jan Savitt, Jan. 28, Amherst College, Amherst, Mass.	Charlie Barnet.....Bluebird
Johnnie Dorsey, Feb. 19, Hopkins Auditorium, Baltimore, Md.; 21, Muelhernberg, Allentown, Pa.; 22, Sunnymoor B. Pottstown, Pa.	Connie Boswell.....Decca
Bob Chester, Jan. 25, Manora Temple, Brooklyn, N. Y.	Bill Barto, Fort Wayne, Ind.
George Hall, Jan. 28-29, Palace theatre, Newport, N. W.	Red Kinney, Jan. 23, Loew's State theatre, N. Y.; 31, four weeks, Claridge hotel, Memphis.

Music Notes

Eddie Cherkow writing lyrics for four ditties to be sung in "Prairie Pioneers" at Republic.

David Buttolph directs 150-piece orchestra to score music for "Western Union" at 20th-Fox.

Werner R. Heyman composing the score for "Topper Returns" on the Hal Roach lot.

Dmitri Tomlin finished musical backgrounds for Frank Capra's "Meet John Doe."

Paul Sheep signed by Max Reinhardt to cliff scores for seven stage plays, first of which is "The Merchant of Yonkers."

David Buttolph wound up his scoring job on "Western Union" at 20th-Fox.

Don George, Teddy Hale and Jean Herbert writing backgrounds for "Ridin'" at Republic.

Barnet Publications, Inc., New York, has changed its name to Empire Music Co., Inc. Louis P. Randall, of NYC, was filing attorney.

COSLOW PANS BMI PAYOFF

Oberstein Partner in Consolidated

Joins Band Organization on Friday (17) With Title of General Manager

Ell Oberstein, general manager of the whilom U. S. Record Corp., has bought a 50% interest in Consolidated Radio Artists, Inc. The deal was closed Saturday (11) and Oberstein takes over as president and general manager this Friday (17).

Under his agreement with Charles Green, president of Consolidated, Oberstein will direct organizational policy and concern himself, in addition to the active management, with the development of new bands and the acquisition of name bands whose contracts are expiring with other booking offices. Green will confine himself to the selling end of the business.

WATERBURY BURLEYCUE USING NAME BANDS

Waterbury, Conn., Jan. 14. Jacques latest entry. Sunday flesh shows starring name bands. House, playing burlesque, week days, presented new policy (12) with Harry James.

Pitt AGVA Arranges Deal With Musicians

Pittsburgh, Jan. 14. After months of negotiations, Clair Meeder, head of musicians Local 60, and Nat Nazarro, Jr., AGVA executive secretary here, finally reached a mutual working agreement here last week. For some time, Local 60 had refused to recognize AGVA, making organization work of performers' union difficult.

Agreement produced immediate results, with several new clubs signing close shop agreements with AGVA. Among them were Nixon Cafe, Villa Madrid, York Grill, Churchill Tavern, Swartz Cafe, Allen's Cafe, Liberty Cafe, Redd's Cafe, Tom's Cafe, Harry's House, and among the chartered clubs, Penn Avenue Moose and Charleroi F.O.E.

MADRIGUERA OFF AIR

Sees No Point in Playing Over-Plugged BMI Tunes

Detroit, Jan. 14. Eric Madriguera, who took himself off the air because of the BMI situation, broke the attendance record for the Hotel Statler's Terrace Room here during the recent holidays. His crowd figures, the hotel announced, topped records extending back for 17 years, through the days it was known as the Fountain Room. Previous big draw was by Xavier Cugat, crew hung up in the same week of 1939.

Madriguera had been catching six spots nightly on the air here, three nationwide over NBC, but with the new year he stopped the broadcasts. His point was that the band wouldn't benefit nor gain attention by playing over-plugged worn-thin BMI tunes.

Ropes have been up in the 300-seat room since Christmas time and record was established despite a threatened strike on New Year's Eve. Newspapers carried stories of the contemplated walkout of hotel employees, but the table cancellations were filled up from waiting lists.

Madriguera, who came into the room in mid-November following Cugat, a long-stander in the Terrace Room, has had three time extensions, latest carrying the band to Feb. 5. While Detroit still goes for the rumba-conga music, Madriguera has been working as a 50-50 band, half North and half the South American way.

Frank Loesser and Julie Styne cleft five numbers for "Sis Hops" at Republic. Songs are "That Ain't Hay," "Cracker Barrel Country," "Well, Well," "If You're in Love" and "Look at You, Look at Me."

On Wisconsin

United States Department of Justice has been filing suits in the New York courts, with no intention of going to trial, so often in the past that continued resort to this device as a means to obtain consent decrees has provoked complaints from judges on clogging court calendars. This is part of the reason the action against ASCAP, BMI, NBC and CBS is being filed in Wisconsin. A trial there can be had within a year. A delay up to three years would be probable in New York City.

Huge expense of transporing witnesses to middle west may already gotten some thought by the prospective defendants.

A mystery surrounds the failure of the D. J. to select Brooklyn as a proper place to hold a trial in the same time as Milwaukee, but all that can be gathered from a closed-mouth Department of Justice in this regard is a cryptic, "We are afraid of Brooklyn juries."

Another added expense for the defendants which will mount even more than the transportation of witnesses is the hiring of Milwaukee counsel to handle all steps up to the actual trial itself.

NBC PAYS FOR KAYE'S LINE

NBC is so interested in the music of Sammy Kaye's band that it has scheduled the outfit for a half hour sustaining broadcast every Saturday evening and will pick it up at NBC's own wire cost, from whatever town the group is playing. Programs air 1:130 p.m. on the Red.

Series began from New York last Saturday (11) and from the same point this week (19) as Kaye's group is playing the Strand theatre. Following week (25) it will come from Providence, R. I.

NAT KALCHEIM IS HALF IN BAND BIZ

Nat Kalcheim, vaudeville booker at the Wm. Morris agency in New York, will spend part of his time in Hollywood next month, hereafter booking bands into theaters. Work will have to be forego in vaudeville, he will be handled by Lou Wolfson, who will take part of his time from booking fairs and other outdoor activities.

Changes are effective immediately.

It's Now Sesac, Inc.

Albany, N. Y., Jan. 14. Society of European Stage Authors and Composers Corporation, New York, has changed its name to SESAC, Inc.

The corporation, with offices in New York City, filed the papers with Secretary of State in Albany.

Robert Russell a Pub

Chicago, Jan. 14. New non-ASCAP music firm has been set up by Robert Russell. First number to be published is "Morning on the Farm," by Jack Elliott.

Dick Jennings ordered will introduce the tune over WGN.

COAST WRITER REBUTS KLAUBER

Claims Radio - Sponsored Publishing House Insincere in Attitude and Victored by Arithmetic

THE BMI PLAN

Hollywood, Jan. 14. Sam Coslow, replying personally to Edward Klauber, CBS executive v.p., on the leaflet sent to ASCAP writers by the National Association of Broadcasters, scored the pamphlet's statements about BMI's "benefits" to songwriters as a neat bit of soapsuds. "For instance," wrote Coslow, an ASCAP member with an 'A' rating, "when you tell us that you count performances and pay on the precise basis of use you failed to add that this payment amounts to one cent per song per station."

In other words," continued the letter, "by using arithmetic, you figure that if every station in the country played nothing but music 16 hours a day, 365 days a year, the total amount paid for this music would be \$639,850 per year, or less than one-seventh of what the stations paid for music last year! That's great news for the composers and authors of the country, many of whom depend mainly on performance fees for their bread and butter." Under the above arrangement Jerome Kern would actually receive \$2,500 per year for the use of his music.

"Now honestly—you spend good handsome brochure, and sent one to every well-known songwriter in the country in an obvious attempt to impress us do you expect us to swallow your lies that the songwriters are being mistreated?" ASCAP, when your own organization turns right around and offers the songwriters one-seventh of what we are used to getting from radio usages? And remember that one-seventh is based on an assumption that every station will play nothing but songs 16 hours a day!"

BMI's Own Version

Following is Broadcast Music's own explanation of how it proposes to make royalty payments to writers in its catalog as far as performances are concerned:

"The 668 stations comprising the BMI membership have been broken down into nine sample groups, seven of which contain 74 stations and two 75 stations, classified as (1) affiliation (network and independent), (2) power, (3) size of town, (4) allocation of time on the air, (5) geographical location and (6) foreign language broadcasts."

"For example there are nine BMI stations affiliated with NBC, located in large cities, each having 1,000 watts power. One of these identical stations was allocated to each of the nine sample groups. By means of this method, each sample group contains the same number of stations having similar characteristics. After the number of performances of a sample group of stations is tabulated the sample is taken as a basis for calculating the total number of performances on all BMI stations."

"Should 'There I Go' be played 6,000 times during January by the 75 stations in the first group (less than three times a day) that number of performances would be multiplied by nine and the composer would be credited with 54,000 performances on 608 stations. Since under the BMI pay-off plan the composer is to receive 1c. per performance per station he would receive \$540 in radio royalties for January. In addition to the regular royalties received from the sale of sheet music, recordings and transcription rights."

"Actual tabulation for the current month began with the checking of every performance of all selections by all stations in two sample groups. This month under the direction of C. Robert Miller, the BMI legal department will examine and audit the 70,000 program logs broadcast by the 159 stations in all 48 states which make up the two sample groups under study. During the first month of tabulation two sample groups are being examined and checked against each other to assure complete uniformity and accuracy. After January tabulation will be made from different sample groups each month so that each group will be reached in rotation. Thus the program logs of each of the 159 stations will be checked at least once a year. All details of the checking system are being handled by a staff of 20 girls."

Canadian Government Eases Border Funds Rule for Dance Band Tours

That's Bad

Lincoln, Jan. 14. When R. H. McLean, a Canadian, a band in the middle of an scheduled run at the Turnpike Casino, he was individually vehement about the girl singer:

"I wouldn't even want that gal singing in my bathtub!"

SPEED PARTING BARLOW BAND

Buffalo, Jan. 14. Local branch of the American Federation of Musicians' aversion to long camped travelling bands pushed Ralph Barlow's orchestra out of its stand at the Dellwood Ballroom here Friday (10). Outfit was in its seventh week when AFM local heads ordered to scram with six days notice. AFM rule calls for two weeks notice, at least.

Action forced Ralph Flynn, operator of Dellwood and also a bandleader, to pull his own group from the Chez Ami, local nitery, to supply tempos for ballroom customers. Though scheduled to exit Sunday night (12) Barlow's bunch scrambled two days early in order to be on schedule for a quickly made booking at the El Rancho, Chester, Pa., Saturday (11).

Girl Singers a Must On Lucky Strike Show; Leaders Add Them

Girl singers are musts with the bands American Tobacco is buying to pick up from various Army camps each Saturday night as part of its Lucky Strike Hit Parade. Contracts for the jobs carry a clause making female chimers a demanded part of each outfit whether those used ordinarily have them or not. Ones that don't have to hire one for the evening."

Bands already down to do the weekly shows are Tommy Dorsey, Charlie Barnet, Jack Teagarden, Ozzie Nelson, Tommy Tucker, Jan Savitt and Benny Goodman. Of those only Savitt is missing the feminine touch deemed so necessary at Army encampments. Eddie Duchin started them last Saturday (11).

Door's Weekly Changes

Famous Door, New York, which has been the small Joe Sullivan combination the past couple months, swallows a name band politics next Tuesday (21). Eddie DeLange's new crew is in first in Bunn Burgen following.

Crews will be changed weekly.

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His first Lucky Strike broadcast here is dated for Feb. 12. His Feb. 5 shot will emanate from Chicago and observe the fourth anniversary of his "College of Musical Knowledge" under Lucky Strike's sponsorship.

Kyser works westward by playing

a week at the Palace theatre, Cleveland, opening Friday (17), then to the Fox, Detroit (24), for another stanza. On Feb. 1, band plays two shows the same night for one buyer, Louisville, Ky., Courier-Journal is buying band to play a show at an auditorium following it with a dance at an armory.

To allow the tour the Canadian Government has eased its restrictions on across-the-border movement of money. Norval is playing the dates on guaranteed minimums and 50% of the cash he's sure of has already been deposited in a New York bank, to be ponied up after he makes his appearance. Band is currently at the Brunswick hotel, Boston, closing the 18th.

NAPA Sues N. Y. Ballroom For Using Records

National Association of Performing Artists has undertaken to test in the courts the right of a ballroom operator to play phonograph records without obtaining permission from the interpreters who made the discs. Named in the test suit is Robert L. Douglas, operator of the Renaissance ballroom in Harlem.

Action, which has been brought in the N. Y. supreme court, seeks an injunction against Douglas, damages of \$50,000 and an accounting of the ballroom's profits. This is the first time that NAPA has filed a suit in the name of its president, James J. Walker, former N. Y. Mayor.

MILLER EXPLOITATION PLEASES ZANUCK

Darryl Zanuck, pleased with the Miller Music's exploitation job on "Down Argentine Way," specified that Miller also handle the Mach Gordon-Harry Warren score to Road to Rio." Under 20th-Fox's contract, Jack Robbins can spot the scores in any of his three firms—Miller, Feist or Robbins—and usually switches them around, although Feist is chiefly the Metro filmusical outlet.

Kyser to Hollywood For Eight Months

Hollywood, Jan. 14. Kay Kyser brings his band here early next month for an eight-month stay. He has another picture on tap at RKO and is lining up nitery and dance dates.

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Philly AGVA Making Progress Under Mayo; Signs 7 Niteries

Philadelphia, Jan. 14.

The Philly local of the American Guild of Variety Artists appeared this week to be getting a new lease on life with the announcement of its newly-appointed executive secretary, Dick Mayo, that the union had concluded closed-shop contracts with seven niteries.

AGVA has been in the midst of an interesting fight with its ex-biz agent Tom Kelly, who has revised long-standing United Entertainers Assn., a rival performers' union. Nitery owners were hesitant about signing with either outfit while there remained two unions in the field.

Last month AGVA lined up organized labor through the Central Labor Union and this support is beginning to break down the resistance of the cabaret owners. One of the first to sign with Mayo was Bill Hopkins, owner of Hopkins' Rathskeller and head of the Pennsylvania Cabaret Owners Assn. With Hopkins in the fold Mayo said he hoped that the other unions in the association will sign up soon.

The other spots to sign AGVA-pacts were: Kalmer's Rathskeller, the Club Bali, the Open Door Cafe, Mayo's (no relation to the biz agent), Di Pinto's and the Lido Venice.

The new exec-secretary has been local rep for the Theatre Authority. He replaced Jack Miller, who was transferred to AGVA's theatre division in New York.

Mayo says that the dues-paying membership, which had dropped alarmingly following the ousting of Tom Kelly, was making a comeback. "Our rolls have almost doubled in the past month," Mayo said.

Meanwhile reports were current here that the State Department of Labor and Industry was investigating charges that the Entertainment Managers Assn., which acts conducting a similar business of acts that worked for agents who did not belong to the EMA. Officials of the organization denied the accusation. Performers who allegedly have been discriminated against have been questioned by Anthony J. Sharkey, local enforcement officer for the State.

Mayo said that he would take no sides in the dispute as long as no AGVA member was hurt.

"The EMA has assured me," said Mayo, "that all AGVA contracts are being honored. That's all I'm concerned with."

DANCER GETS \$9,500 FOR LOSS OF LEG

Detroit, Jan. 14.

Destruction of 16-year-old Jane Smith's career as a dancer was appraised at \$9,500 by Recorder's Judge John V. Brennan here. The girl brought suit against the owners of a room which pinned her against a building and forced the subsequent amputation of her right leg.

She originally had filed suit for \$50,000, saying that was the normal expectation of what she would earn as a dancer.

Philly Stork Club Must Drop That Tag

Philadelphia, Jan. 14.

Federal Judge Guy Bard on Wednesday (8) issued an injunction ordering Albert Marcus, local night club operator, to cease using the name "Stork Club" for his North Broad street spot. Suit was brought in the U. S. District Court by Sherman Billingsley, owner of the Stork Club in New York, asking for an injunction against Marcus.

This is the second case of this kind brought here. Two years ago a similar suit was filed against the 21 Club by the owners of the N.Y. club with a similar name charging "pirating." The Court also granted the Gotham group an injunction in that case.

Plettiner Quits Nitery

New Orleans, Jan. 14.

George Plettiner, singer of the French Quarter's swankiest night the Casino Royale, has resigned to return to his post as manager of the New Orleans Athletic club.

A big hike in salary lured him back.

Here We Go Again

Hollywood, Jan. 14.

Montmartre nitery, which has had more tenants and changes of title than any other den in the cinema colony, is about to get another double changeover. Spot has been dubbed Rancho Grande by its new operators, Maurice Gebber, a furrier who dabbles in theatricals on the side, and Jan Rubin, violinist. Western barroom set used in Paramount's "Las Vegas Night" has been installed. Rubin leads the orchestra of five pianos and a bass.

Arbitration Bd. Upholds

Charles Allen Pact With Criss Cross, Nixes MCA

The Joint Standing Committee of the American Guild of Variety Artists and the Artists' Representatives Assn. has upheld the contract of Charles Allen, New York agent, with C. C. Christensen, working as Criss Cross in vaude and niteries. At the same time, the committee decided that Christensen's contract with Music Corp. of America is invalid and that AGVA must give half of the fees he has earned from the act since last June 7 to Allen. The vote by the joint committee was unanimous.

Sitting in at the hearing were Dewey Barto, president; Hoyt Haddock, executive secretary, and Mildred Roth, counsel of AGVA; Sam Shayon, Lester Laden and Herman Citron, representing ARA, plus L. Robert Broder, ARA's counsel. Barto and Haddock were given a chance to summarize AGVA's representations with the agent, but they also voted in favor of Allen.

Allen's contract with Christensen runs to March 11, 1943.

Bronchitis Shelves Mitzi

Mitzi Mayfair was forced to cancel her scheduled appearance at the Paramount, New York, opening today (Wed.).

Bronchitis was the cause.

AN ACTOR'S ACTOR

An inspired attempt to undermine Dewey Barto as president of the American Guild of Variety Artists is under way. With one of the parties in the movement the very same who himself provided a perfumed chapter in the investigation of the American Federation of Actors. If nothing else, Hoyt Haddock has chosen a very strange bedfellow.

Either directly, or via a stooge, Haddock is signaling the gun turret. Thus that near-strike at the Michigan, Detroit, on New Year's Eve, which was a sad mistake on the part of Haddock and Les Goldin, AGVA's Detroit local, was twisted around to put Barto in a bad light. Actually, Barto countermanded a strike order by Haddock to Goldin (at Goldin's behest) that put AGVA in the light of trying to pressure the Michigan theatre operators.

No matter how sized up, in the Detroit situation Barto was acting in the interest of actors, rather than in the interest of porters' union. Also, with Haddock having been shorn of his powers weeks ago, he was acting without authority of AGVA's national board or executive committee in ordering such drastic support of a non-affiliated union. It's also significant that both the musicians and stagehands unions had refused to strike pending mediation of the porters' dispute with the theatre.

Barto has evaded publicity on his activities in and for AGVA. Now, when it appears as though it may soon be a question whether he or non-actor Haddock is to hold the confidence of AGVA's membership, the spotlight should be thrown on the little acrobat's excellent work for the organization, and also perhaps on

Von Herberg, Meyers Now Operating Seattle Nitery

Seattle, Jan. 14.

Von's Cafe, formerly Rippe's, the town top-notchet, is now being operated by a showman, J. von Herberg, and a partner who knows the cafe business all the way. A. J. Meyers, for 15 years chef at Davenport hotel, Spokane.

Cafe is newly refurbished.

CIGGIE'S ARMY CAMP SHOW ON TOUR

The four-act show being booked with various name bands into army camps, under Lucky Strike sponsorship, opened Saturday (11) at Ft. Myer, Va. Thirteen dates have been set, although performers are optioned for a total of 52 weeks. Music Corp. of America is packaging the unit for Lord & Thomas, which handles the ciggle account.

Acts are Jerry Lester, mc; Gall Galli, magician; Flora Vestoff, dancer, and Dean Janis, singer. Band leader for the present tour is Eddie Dutch, with Panama Dorsey set for Saturday (18). Show reviews after that, depending upon their proximity to the particular camp at the time.

Band is cut into Lucky Strike's "Hit Parade" for two numbers, the rest of the time backing the acts, which are not aired. Show is repeated for the Coast at midnight, at which time the acts also repeat, as Army theatres in most cases are too small to hold the entire camp personnel at one shot.

Sked for the tour is the Marine Barracks, Quantico, Va., Saturday (18); Ft. Dix, N. J., Jan. 26; Naval Training station, Newport, R. I., Feb. 1; Camp Devens, Ayer, Mass., Feb. 8; Ft. Meade, Md., Feb. 15; U. S. Naval Academy, Annapolis, Feb. 22; Ft. Hamilton, Brooklyn, March 1; Naval Air station, Norfolk, Va., March 8; Camp Upton, Yaphank, L. I., March 15; U. S. Naval Training Station, Great Lakes, Ill., March 22; Ft. Jay, N. Y., March 29, and Submarine Base, New London, Conn., April 5.

Grandma looks much like a midget these days, and vice versa, that dispensers of liquid sustenance don't know whether to serve a bottle of milk or a whiskey sour. As a result of this confusion, the Baltimore hotel, the Palladium Ballroom, and the Riviera Country Club have been deprived of their liquor licenses for 10 days. They were charged with serving strong drink to minors.

The greatest sufferer was the Biltmore, which was suspended off for seven license one for each bar.

These were suspended on two charges of violating the minor drinking regulations, involving six girls and four boys. Baron Long, Biltmore operator, contended that the liquor was served by a temporary waiter.

Considering the extreme care the

Biltmore has always exercised in refusing service to minors, two honest mistakes out of the 10,000,000 people served since repeal makes this penalty seem several declared Long.

The Hollywood Plaza hotel was handed a 10-day lay-on on a charge of keeping its bar open after 2 a.m.

Haddock's far-from-shimmering career with AGVA.

Barto's modesty may have prevented recognition that he has been both conscientious and patriotic in his concern for AGVA's future. A working actor ("Hollywoodpopin"), he has given nearly all of his spare time to AGVA; he bought a desk out of his own money and installed an extra phone in AGVA's office, for which he personally pays the bills, and by being constantly on the job managed to offset the erratic element which too long had control of AGVA. He won the confidence of the theatre operators and he, not Haddock, was primarily instrumental in getting the guild shop agreement in all the N. Y. vaudevillians.

Distinctly different is Haddock's record. Haddock has constantly fostered and protected the "wrong people" in AGVA; he became executive secretary of AGVA when AGVA's financial condition was good, but now it is very bad; he has not been instrumental in effecting one important agreement between AGVA and an employer; his knowledge of the show business is virtually nil, and this is probably most important for those interested in a show business union.

Haddock has not fooled Barto and Haddock knows this. Without outside interference it would have been merely a survival of the fittest, but now those in AGVA as well as the Associated Actors and Artists of America must take notice that Haddock has gained a crony who was more than just a disinterested observer in the AFA mess. The payroll accounts of AFA proved that, and it's currently a strange position for one who called the Four A's all sorts of choice names when it gave Ralph Whitehead the boot.

Feud With B'way Strand Key to MCA Pressure on N. Y. Roxy to Establish Band Policy as Deliberate Opposition

F. & M. Loses Circus Suit

Los Angeles, Jan. 14.

U. S. District Court denied Fanchon & Marco's motion for breach of contract suit in which the Hagenbeck-Wallace Show Co. was awarded a verdict of \$15,000 last month.

Action dates back to the spring of 1939, when F. & M. is alleged to have signed a contract to take the circus for not less than five weeks, with options. The tour folded after one week.

3 L.A. Night Clubs Get Booze License Nixes On Minor-Selling Rap

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A new slant on the fact of Music Corp. of America in presenting sales of bands to theatres was brought to attention last week when it was learned that the agency had tried every approach possible to get the Roxy, New York, to establish a policy similar to that in effect at the Paramount and Strand on Broadway. Idea actually stemmed from MCA's difficulties with WB's Strand some months ago, when WB for a time barred MCA bands from all of its theatres because the agency sold away the Orrin Tucker-Bonnie Baker orch-singer combo to the Paramount. Horace Heldt's band for Loew's State, both houses opposition to the Strand.

From reports, MCA offered the Roxy all sorts of inducements and concessions on bands to go into opposition with the now-established Paramount and Strand policies. Large house, controlled by 20th Fox and booked by Fanchon & Marco, balked at the idea, however, stating that it was doing okay with its presentation shows. It did buy Kay Kyser's orch, however, for one week to play concurrently with the band leader's last picture, "You'll Find Out."

MCA's effort to get the Roxy to go into a band policy was somewhat reminiscent of the old Keith-Albee booking office tactics, when it would either give another theatre operator concessions on acts and salaries, or even build a theatre itself, in order to bring opposition into line. WB had barred MCA, and evidently MCA didn't like it.

Whether MCA had offered the Roxy cut-rates on bands cannot be learned. In both the Orrin Tucker-Bonnie Baker and Horace Heldt inclusions with the Strand, MCA sold its share of the operation after the WB house had been dithering for some time. First MCA client to fail to come through with its promise to play "All This and Heaven Too" (Bette Davis-Charles Boyer) with Tucker-Baker; second, the State offered Heldt more coin.

CHI AGVA SETTING B. & K. NITERY DEALS

Chicago, Jan. 14. American Guild of Variety Artists' office here continues active under the new regime headed by Jack Irving. Some half-dozen more niteries were brought into the fold recently, with a like number scheduled to be signed within the next few days.

Also on the fire is an agreement with the Balaban & Katz circuit. Several preliminary discussions have already been held and it is indicated that an AGVA committee and B. & K. execs will settle final clauses in the contract some time this week.

Loew's o.o.s Dante Magic Show as Vaude Unit

Pittsburgh, Jan. 14. Loew's is considering condensing of Dante's magic show into a 60-minute vaude unit for its houses in the Pittsburgh area and the legitimate spot ends in couple of weeks. At least that much was indicated last week when Loew's sent Mike Cullen, district manager, to Pittsburgh to see the full-length version at Nixon and report back on its possibilities.

Understood, Loew's interest was also increased at reports of excellent biz Dante is doing on the road. His show, "Sim Sala Bim," has several weeks remaining in legit spots and won't be available until middle of March at least.

Daniels Adds Spokane

Seattle, Jan. 14. Joe Daniels reports addition of Post street theatre, Spokane, to his northeast vaude time, opening Jan. 31, and using five acts, three days weekly.

The spot plans going to seven days a week, split, if business is okay.

Larry Sunbrock Leaves Lot of Unpaid Bills as Thrill Show Scrams Mpls.

Minneapolis, Jan. 14.—When Larry Sunbrock departed for Tulsa, Okla., his next stop after playing his west-coast organized "Hollywood Thrill Show," combining circus, daredevil thrill stunts and rodeo features, at the Municipal Auditorium here for eight days, he left numerous irate creditors holding the sack for thousands of dollars of unpaid bills, Show, which Sunbrock claimed drew 105,604 and 109,501 paid admissions in Detroit and St. Louis, respectively, was big business. It grossed \$15,511 against its estimated \$24,000 "nut," leaving Sunbrock approximately \$9,000 in the red.

Sunbrock came to town about a week before the show and apparently was flush with cash which he spent in prodigal fashion. It was estimated that he paid out \$6,000 for advance newspaper, radio and other advertising, besides contracting for a great additional amount for which he still owes. The belief here is that he was well cleaned when he showed the door of the Auditorium last hold out enough to transport the troupe of several hundred people and many animals to Tulsa. Some of the live stock was attached here and there was even a threat that a midget rough-riding performer, recuperating from injuries in a local hospital, also would be attacked.

Programs selling for a dime contained the "who's who" on Sunbrock. It said he "conceived, produced and exploits the show" and called him "the only showman in the business today who can truthfully be advertised as a triple-threat showman."

He also acted as mc for the performance here, handing the mike through the show, with 56 numbers listed on the program, ran three hours without an intermission. An advertised ice show never materialized.

One funny angle was the disposition of the huge amount of dirt, clay, tanbark and sand covering the Auditorium's huge floor. Unknown to local unions, the Sunbrook cowboys and roustabouts loaded the stuff into

the Auditorium. But when the show was over no less than three Minneapolis unions—the building maintenance employees, vehicle loaders and general drivers—reached the scene and each insisted that it must be employed to remove the dirt. A torrid squabble ensued, but before it reached a decision Sunbrock had beat it out of town. George A. Valentine, manager of theager, decided that each of the unions would share equally in the work, the cost of which would be defrayed by the city. This satisfied all concerned.

B. & K. SETS NAMES FOR 2 CHI HOUSES

Chicago, Jan. 14.

Nate Platt, Balaban & Katz booking manager, has set a flock of names for the Chicago and State-Lake theaters. Friday (17) comes the Ray Noble orchestra, followed by the "Folies Bergeres," Artie Shaw's band, George Krupa and the "New Orleans Jazz Band." Feb. 14, the headliner will be Phil Spitalny's all-girl band, followed by the Orrin Tucker orch.

Next Friday (17) the State-Lake will have Lou Holtz plus some Coasters including Wendy Barrie, Arlene Judge, Lola Lane, Cab Calloway's band comes in for week of Jan. 24 and the following week brings back Sally Rand to the town in which she started seven years ago.

Raid 3 Wichita Spots

Wichita, Kas., Jan. 14.

Law enforcement officers led by two agents from the state attorney's office, Topeka, made a lightning raid and gambling equipment in three night clubs here last week (8). One place raided was the Canyons, swankiest night club here.

Nine employees of place, raided early in evening, were booked at county jail.

Other two clubs, Chesterfield, north of city, and New Moon, in town, were small places.

Felix Ferry Must Stand Trial in Actor's Suit

Felix Ferry must stand trial on Feb. 375 against him by G. K. Pope, actor, according to a decision made Wednesday (8) by Justice Louis A. Valentine in the N. Y. supreme court. The court ruled that an issue exists as to whether a nitery show put on by Ferry in London was the same as given in Monte Carlo and Paris, and denied a plea for summary judgment.

Pope claims he was hired by Ferry in 1934, at \$25 weekly for a show to be given in Monte Carlo, and then for five runs in the town in England. After the Paris run he was let out, and he seeks a salary of \$225 weekly for a 15-week run at the Grosvenor House, London. Ferry claims Pope was engaged by the Society des Bains de Mer and it, not he, is responsible for any breach. He also claims that under the contract Pope could have been let out on one week's notice, limiting his claim to \$225.

CORIO STRIPS RECORD IN BALTO, TOPS \$11,000

Baltimore, Jan. 14.

Ann Corio hung up a 10-year record when the dancer, in her new, drawing room gross, indicated at over \$11,000. Nearest figure was past New Year's week, which, with midnight shows included, reached an estimated \$8,000.

Burley biz has been exceptionally strong in town, with booming payrolls in wide and rigid defense projects located here a contributing fact.

N.Y. CAFE SETTLES ON PAY

Hurricane Coin-Embarrassed, But Talent Gets Salaries After Delay

Hurricane, New York nitery, had some financial embarrassment last week when the talent was asked to wait for their salaries. By the end of the week, according to reports, all payments had been made in full.

Hurricane, which has Mario operating with backing from George Raft, among others, has been stenched at least twice in recent weeks. Last such happened New Year's Eve.

Labor trouble is said to be the reason for the stenches.

Night Club Reviews

Continued from page 42

BLACKHAWK, CHI.

rags wedding, with remarkably few changes.

Show figures to keep the customers in the mood. It marks an attempt to give 'em something besides the regular setup of nitery acts, and for that reason merits every break.

After quite an absence, Ted Fio-Rito is back with his orchestra. Fio-Rito has been among the top orchestra leaders of the country, and he is particularly liked in Chicago. His present aggregation is excellent throughout, with wealth of melody and a fine style. Pianist of the week did a bang and does a walloping job of playing the show.

He is and has always been a fine performer. Making himself at home here, he was a heavy hit on his opening show Friday night (10) at the Blackhawk. The show, though, was "light," the last at around 2 or 2:30 a.m.

Robinson is not doing much talk. A few opening cracks lead him into song, then into a tap dance, a couple of gags topping the session. For his second act, he has a solo, with musical accompaniment here opening night by the Nicholas D'Amico band did not appear to lend as much effect as it might have. For the rest of the show accompaniment, however, D'Amico's band does.

In doing "Down Argentine Way" from the "20th-Fox" picture of the same name, Robinson throws in some of that buzzing with his lips, like bees, as he used in vaudeville days. Very pleasant. A few more taps there and for the signoff he does an eccentric tapping routine to "Still of the Night." On his opening performance here, Friday evening Robinson virtually stopped the show and did not do more. He did 15 minutes.

Peggy Fears is a holdover. On Robinson's preem she did five numbers. Her opening isn't so good, her second better and the third, "Last Time I Saw Paris," excellent as she does it. Her third act, however, makes an effective arrangement of "Falling in Love With Love."

Both D'Amico and Panchito's rhumba crew play the dance rhythms neatly, alternating at that chore. They're holdovers.

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VERSAILLES, N. Y.

Bill Robinson, Peggy Fears, Nicholas D'Amico Orch., Panchito Rhumba Orch.

Of Broadway, the old "two-a-day" picture theater stages and Hollywood, Bill Robinson set the pattern of a precedent by going over to the east side and into the snooty Versailles. He's the first colored star to crash the upper-crust of the movie belt, lying on the east side of Fifth Avenue. Though it retains its highly formal dignity and prices

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CANADA
58 Belmont St. West

SAG Asks Equity to Declare Coast Theatres Playing Dirty Shows Unfair

Equity has been asked to declare certain theatres in Los Angeles unfair because of salaciousness in advertising. If not in performances. There has been a local campaign going on there for some time, motivated by the church element. In show circles there is a growing feeling that the agitation may spark a new wave of censorship, not only applying to the stage but the screen.

It is not proposed to fight censorship, at least when there has been a complete lull in the affairs of the association. The suggestion came from the Screen Actors Guild, whose leaders say the situation is serious. Equity, however, will proceed rather cautiously. It is intimated, since such action could result in damage suits.

Ordinarily Equity could take action by warning the players against appearing in salacious plays, but the coast touch that has been ditching up the raw stuff is using amateurs and Equity has no jurisdiction over such performers. Plays being plugged by means of lurid outdoor paper and other advertising forms are principally "Desire Under the Elms" and "White Cargo." Samples of the "publicity" sent east bear out the contention that the amateurs are stepping

the mark.

Anastasio Warned
Recently SAG adopted a stringent regulation aimed at the raw show activity. New rule is to the effect that no player appearing in salacious shows can become a member of SAG. Aim of the resolution is to make it more difficult to cast the shows and this is the intention of the SAG leaders in inserting a requirement in their membership application forms that any person desiring to join must prove he never appeared in such shows. SAG's action regarding the situation to Equity asserts that if the theatres were placed on the unfair list it would not only strengthen their new regulations, but would embarrass the managers of the questioned shows. Tuesday Equity's council adopted a similar resolution. Principal reason for SAG to step into the situation is the censorship angle.

Mater was also placed before the Drama Guild, it being pointed out that the original scripts were probably tampered with, permitting objectionable material in the performances. Guild did not regard the matter as within its activities and replied it could not figure in the campaign.

SPRINGFIELD, MASS., GETS LEGIT SETUP

Springfield, Mass., Jan. 14. Touring Broadway shows, absent for many years from this once-profitable road stand, will again play the Court Square theatre here beginning next month. Revival is being effected by the Springfield Playgoers' League, Inc., patterned after similar organizations in St. Louis and other midwestern cities. Announced that the group numbers more than 800 members from Springfield and such neighboring towns as Amherst, Holyoke, Northampton, Westfield, Greenfield and as far away as Brattleboro, Vt. First show scheduled to open here is "Leslie's Big Book," booked for Feb. 5. Organization is also dickering for appearances of the Original Ballet Russe, Alexander Woollcott's "Man Who Came to Dinner" company, "The Little Foxes," "DuBar" — "Was a Lady," the Dorothy Gish company of "Life with Father" and the Lunts in "There Shall Be No Night." Court Square, operated by Loew's, Boston, will be available for all the shows through an agreement with E. M. Loew, the company's president.

Divorce Younger Golterman

St. Louis, Jan. 14. Mrs. Maria Veronica Golterman, singer-wife of Edward Golterman, of Guy Golterman, local grand opera, has filed for a general divorce last week. She also has got custody of a one-year-old son and \$6 per week for the baby's support. She charged general indigencies. The couple were married Dec. 20, 1935, and separated last Oct.

Golterman, who was formerly associated with his father in the presentation of the high brow stuff, is now employed by the city.

Saroyan Tries Out New Play on Coast

Hollywood, Jan. 14. William Saroyan will break in his new play, "Across the Board or Tomorrow Morning," at Pasadena Community Playhouse Feb. 11.

After two weeks run he will take the piece to New York.

Moss Gives Blitzstein's 'Answer' Okay to Play After Earlier Rumpus

Something of a rumpus arose last week over Marc Blitzstein's "No for an Answer," described as an opera performed without scenery to the score played on a piano at Mecca Temple, N. Y. There was threatened court action and it was claimed that License Commissioner Paul Moss, attempting censorship by refusing the hall's license. This most skillfully denied and proved it by issuing a temporary permit for the second showing Sunday (12).

Blitzstein had quite a time with another of his musical oddities, "The Cradle Will Rock," about two years ago. That one was put on by a group after being rejected by the WPA theatre project. Later it was tried commercially, but ended in the red. Blitzstein and similar group thought "No" would be okay for regular runs, general opinion appears to be different.

Blitzstein scheduled three Sunday nights for "No," two having been played and well enough patronized. Company, including ensemble, totals 34 people, all appearing for the "cause" at minimum pay under an unusual arrangement agreed on by Equity. Each player received one-eighth of \$50 or \$6.04 (less social security) for each performance, or a total of approximately \$18.12 for three times. However, they were also given rehearsal pay at the rate of \$20 weekly. Just how much each got for rehearsals was not clear.

Selwyn Wins Claim On Old Avery Hopwood Play

Arch Selwyn & Co. and the American Play Co., Inc., were returned the winners Friday (10) in the N. Y. supreme court in connection with their suit against Hollywood Plays, Inc. Justice Isidor Wasservogel awarded Selwyn \$2,700 on a claim for 50% of \$6,500, and American Play \$604. Defendant's counterclaim for 50% of \$2,500 was dismissed on its merits.

Suit claimed that on June 2, 1915, Selwyn and Co. entered into a contract with Avery Hopwood for the right to produce his play, "Fare and Warmer." Selwyn was to receive 50% from any sale of the play. The defendant is the successor to Hopwood, and it is claimed that in December, 1936, it sold the rights to the play to a German film company for \$6,500. The other plaintiff, American Play Co., was to receive a percentage based on the rights of Selwyn.

Claim of Hollywood Plays, Inc., was dismissed on the basis of a sale by Hopwood between 1919 and 1920 of another Hopwood play, "Our Little Wife," to Goldwyn Pictures Corp. for \$2,500.

\$1,137 Lien Clips Tallulah

Nyack, Jan. 14.

A mechanic's lien for \$1,137 was filed in Rockland County clerk's office against Tallulah Bankhead in connection with a house in Mount Ivy which the actress bought from Rollo Peters, stage designer and producer. Several days ago, while the house was in the process of being situated and built, Miss Bankhead living in it, a fire of undetermined origin broke out. The house was ruined and the actress had to leap out a second story window to save herself.

David and Frank Miele, contractors, claim they did work on reconstructing the house totalling \$2,637, but were paid only \$1,500.

PENNER'S DEATH CALLS HALT TO 'YOKEL' TOUR

Sudden death of Joe Penner in Philadelphia Friday (10) resulted in canceling the road tour of "Yokel Boy" in which he was starred. Company was brought back to New York the following day, also the costumes and lighting equipment, but the settings were scrapped. As the show had been out two weeks, no additional salaries were due the players. Business had been away under expectations and the slight attendance is believed to have been the cause of the production's little box office improved somewhat, it was reported the closing notice would have been posted at the end of the Philly date.

Road showing of "Yokel" reunited Ray Henderson, Lew Brown and Bobby Crawford, who published songs with Buddy DeSylva. Show was written and produced originally by Brown and after a slow start at the Municipal, N.Y., made out on it, grosses of one thousand dollars a night, the \$30,000 level, but it is questionable if the production coin was ever earned back. Proposed tour is said to have been backed by Sam Rosoff, subway builder, and cost of sending it out was around \$35,000.

Crawford planned to the Coast Monday (13) for the Penner family. While in Hollywood he may arrange with him to have a new musical produced in association with Henderson. Brown is not mentioned in connection with the planned new show.

Further details on Penner in radio section.

PEOPLE' WAGE CUT REQUEST WITHDRAWN

After making arrangements with Equity for the right to cut salaries, the Theatre Alliance, a Hollywood group presenting "Meet the Angels" at the Mansfield, N. Y., decided to continue without making such a cut. When it was decided on the cuts, it was learned that when cuts are made, players with run of the play contracts have the right to withdraw upon two weeks notice. Known that several in the "People's" cast received other engagement offers, and Alliance wants to hold the show intact as long as possible.

For some reason "People" has not been drawing the business warranted by the strength of performance. Evidently a mistake was made in opening on Christmas night against "Pal Joey," which was the first evening critics. Notes of the second series were favorable enough, but evidently playgoers take only the first stringers' opinions seriously.

Although the N. Y. Times' reviewer liked "People," first stringer Brooks Atkinson also saw the show after the opening. He went to town in his Sunday (12) column, lauding the show and its people. Management is seeking to get other first-stringers to withdraw, and if successful, those up are obtained, the Com. Reueve which had a 3-week run in Los Angeles, may make the grade on Broadway.

"The Flying Gerards," Playhouses, and "Johnny Belinda," Longacre, applied for permission to cut salaries, with Equity assenting. In the cast of "Belinda" it was revealed that several salaries were increased after the show opened at the Broadhurst. Drawings, however, dropped sharply, January 25, but the management later stated the engagement would continue after that date.

"Gerards" was presented by Edward Chaste, with the backing of W. A. Brady, but the latter declared himself out after adverse notices. Chaste secured the support of Marcus Heiman, who is guaranteeing salaries and new contracts were issued. Title of the show may be changed to "Keep Your Spangles On."

Ballet Russe, \$21,000

St. Louis, Jan. 14. Four performances of the open house of the Municipal auditorium (10-12) grossed an estimated \$21,000, swell box. This beat last year's take by an estimated \$2,000. House was scaled to \$2.50 and society turned out.

Better Grade of Shows Sparking N. Y. Legit As Season Nears Half-Way Mark

Dennis King's Philly Fold Means Rebates in Pitt

Pittsburgh, Jan. 14. Nixon theatre got it in the neck all the way around last week when Dennis King's musical, "She Had to Say Yes," decided to fold up in Philadelphia.

Show had been booked here for current stanza and around \$1,000 in mail order tickets had already been sold.

Langner May Take Over Revised 'Angels', Hit By Hub Council As Dirty

"Battle of Angels," which starred Miriam Hopkins and which the Theatre Guild called in after two weeks in Boston, is not likely to reach the boards again this season. Underwood, however, that Lawrence Langner, a Guild director, believes the play has definite possibilities. With the script revised, it is due to be tried out again at the County Playhouse, Westport, Conn., next summer.

Langner former manager of Webster, spent a good deal of his summer vacation in trying to renew with the possibility that a new play will be tried out every third week.

Atress Tells Off Hub Council Boston, Jan. 14.

Miriam Hopkins who appeared here in "Battle of Angels" is a new author, Tennessee Williams, had her say in an argument that emanated in the city council, where the play was regarded as off color. She agreed with the critics that maybe the play was not so good, but denied it was not.

Michael J. Ward, of the council, said the cops should shutter "Angels," objecting to certain lines. Quoted in the dailies, Miss Hopkins came back again: "I think it would be a good idea if the City Council were flung into your Boston harbor, the tea once was. It was a dirty show. I wouldn't be acting in it. The dirt is something in the minds of some people."

Policeman Joseph F. Timilty, who is a first-nighter, okayed "Angels." Play was favorably reviewed by Alexander Williams, second-stringer on the Herald. He is no kin of the author.

Actors Fund Benefit Switches Date, House

Date and house of the Actors Fund benefit performance have been switched to Jan. 26 ("Sunday"), at the Imperial, N. Y., although tickets had been issued for Jan. 27 at the Winter Garden, Monday being available at that house because "Hellzapoppin" plays on the Sabbath. Tickets for the Imperial will be sent out to those who had already subscribed.

Benefit this year will be emphasized as a tribute to the late Dan Frohman, who headed the Fund for many years. Last year, on April 26, a benefit evening for the even-numbered houses, most of the major musicals do not play on that evening and it is expected the performance will be strengthened by the appearance of featured players and ensembles from such shows.

Veronica Bankrupt

Veronica Stage Costumes, Inc., filed a voluntary petition of bankruptcy in the N. Y. federal court Monday (13), listing assets of \$6,240 and liabilities of \$34,261.

Among secured creditors are A. C. Blumenthal, \$2,450, on a loan; Jerome Kern, \$2,450, on the same; Dazian's, \$1,927, for goods delivered; and B. Ray McConnon, \$5,000, on a loan. Debts due constitute the majority of the assets, with \$5,297 owed the bankruptcy by three creditors; the Cotton Club, \$1,134, the Cuban Village, at the Detroit World's Fair, \$2,383; the Midsummer Nights Dream Corp., \$1,500.

Broadway continues to be toned up by the tardy arrival of successes after a long autumn and early winter period that saw few hits. Considered to be the funniest new show is "Arsenic and Old Lace," which opened to rave notices at the Fulton Friday (10). Incomers have been notably weak in the winter of laurels, so the chances of "Lace" are natural.

Also in the van of good things that started with the coming of the holidays were "Pal Joey," Barrymore, "My Sister Eileen," Billmore, and "Old Acquaintance." Moroso, later being selected to be shown in Washington Jan. 26 as a benefit for the national infantile paralysis fund. There were, however, some in-betweeners and three fast flops, latter being "The Lady Who Came to Stay," Elliott, "Night of Love," Hudson, and First Stop to Heaven," Windsor.

This week the most highly rated show out of town in years will arrive with the opening of "Lady in the Dark" at the Colonial, Thursday (16). Show began the season at the Colonial, Boston, at \$3.30 top and it was claimed the new musical could have remained four more weeks. Show is partially backed by Paramount, while Metro backed Mr. and Mrs. North, which opened Sunday (12) at the Belasco to friendly notices. Those shows should lead the way to further participation on Broadway by Hollywood regardless of the stalemate on the Dramatists Guild contract.

Premiere By-Play

There was a short of checker play in the opening date switches of "Lace" and "North." Homicide is a factor in both, but although there is no other similarity except that they are both comedy, "Lace" is to open first. After one week, "Lace" was dated to open Monday of this week, with "North" slated for Tuesday. Latter show therupon decided to premiere Sunday, with the management of "Lace" beating that move by ringing up, last Friday.

After trying out last summer "North" was the subject of controversy. Stage rights were held by William Harris, Jr., who insisted that the play be made more melodramatic than comic. Owen Davis, who dramatized the work, disagreed, indicating that the play should be primarily a comedy. Manager sent author a check for \$100 monthly to hold his rights, Davis mailing them right back. Then Harris desired and Metro became interested, backing the show and selecting Alfred de Lisiere, Jr., to make the presentation.

Attendance on Broadway after New Year's stand up fairly well until Wednesday and Thursday last week. Only reason for the drop was assigned to the prevalence of grippe. One agency reported 60 percent cancellation of matinees alone. Business for the final days, however, picked up, with strong takings reported almost all along the line.

GALLO WANTS TO SUE W. DE BASIL AS WELL

Fortuno Gallo has appealed to the N. Y. supreme court to allow him to add Wassily de Basil, ballet producer, as a defendant in connection with Gallo's suit against Universal Pictures. Art, Inc., Ballet Russe, Inc., Russi Ballet, Inc., Julius Fleischmann, Sergei Denham, Rene Blum, S. Hurck and Hurok Attractions, Inc., Gallo seeks \$15,500, representing 10% of the gross of the Ballet Russe de Monte Carlo, later merged with the defendants, on a 20-week tour starting Jan. 3, 1938, in which the plaintiff acted as tour manager.

Gallo's suit was dismissed by Justice Samuel Hofstader in N. Y. supreme court in April, 1938, and at that time Gallo had no appeal. Gallo says he has been informed by the defendants that should he be successful in recovering a judgment against them he would have to collect from de Basil, as the producer has assumed liabilities of the defendants up to \$2,500, as a result of a deal he made with them. To avoid starting a separate suit, should the trial be successful, Gallo is seeking to add de Basil to the original action now.

Plays on Broadway

Arsenic And Old Lace

Comedy in three acts (four scenes). By Joseph Kassinger. Features: Thora Hird, Allyn Joslyn, Josephine Hull, Jean Adair; John Winters, Boris Karloff, Robert Coote, Whistler; setting by Raymond Sneyd. Directed by Edward Lindsay and Russel Crouse. New York, Jan. 10, '41; \$3.30 per ticket (\$4.00 opening).

Alby Brewster Josephine Hull

Teddy Brewster John Alexander

Officer Murphy Bruce Gordon

Martha Brewster Jean Adair

Mortimer Brewster Allyn Joslyn

Mr. Gibbs Henry Herbert

Dr. Chilton Roger Stoltz

Officer O'Hearn Anthony Ross

Louis Rosenthal Vicente

Mr. Winters William Parkes

Howard Lindsay and Russel Crouse, already well known as the creators of *Life With Father*, have laid a bullseye with *"Arsenic and Old Lace,"* one of the most wildly hilarious Broadway shows in years and a solid boxoffice smash. Playgoers are in the Fox's for the balance of the season at least, possibly sticking well into next season. House is leased on a four-walls basis and the show is geared to get by at around \$9,000 a week. It is a comedy of mystery, of hefty profit at that rate. Play is also a likely picture buy.

Joseph Kassinger, who previously wrote *"There's Wisdom in Women"* and *"Cross Town"* is listed as author, having suggested the original idea which he called *"Bodies in Our Collar."* However, Lindsay and Crouse did extensive rewriting during the many months they had the show in preparation, and they are entitled to be considered the true originals, although not getting co-author credit.

"Arsenic" is a side-splitting comedy despite its grim subject matter. It deals with two sweet, old and sisterly ladies who keep their nephews, poison, lonely old lodgers and bury them in the cellar of their mansion in Brooklyn, always giving them proper religious funeral services. One nephew, Boris Karloff, plays Roosevelt and digs the *"Panama Canal locks"* in the cellar, where the victims are buried. Another nephew is a homicidal maniac whom a facial operation has made him look like Boris Karloff. A third nephew is a New York drama critic and, despite that, the only sane member of the family.

Opening with an umbrella-style footsie scene, the play scamper through one of the funniest first acts in memory. Second acts taper off a bit as the comedy gives way, to exposition, posturing of reputations. However, it picks up again with the curtain and breezes into an hysterical finale. This magical effect is heightened by a couple of novelty curtain calls in which involved hiring 13 extras to emerge from their graves in the cellar to take a bow.

All this is a remarkable combination of the macabre and the uproarious. It has a number of laugh-out-loud gags and, invariably, turned into the dizziest kind of comedy and once more demonstrating the close relationship of terror and mirth. Opening night's performance drew a standing ovation.

On opening night, the curtain fell on something to drink. Upon opening the liquor closet a body falls out. The police and others are quickly on the scene, but there still is not the pat that comes with a body.

The police are helpful to Lt. Weigand in his attempt to ferret out the culprit. It is known that Mrs. North has a penchant for losing her door key and that there are many other doors in the building. The police are left wondering what happened to the old postman who saw the guilty man on the stairs is mysteriously bumped off when he goes for a bottle of beer. Suddenly, the mystery is solved, as there is a knock at the door of Mrs. North. The fellow who comes in twice calls her a nasty name, but Mr. North can't bosh him with something because of having a gun. So she calls the police, who come in and calling up police headquarters to get her husband unlocked.

One who fits into the spirit of the comedy is Tito Vico, who plays a superstitious, somewhat supercilious, peridotine. Owen Davis, Jr., is one of the suspects who becomes indignant. Lee Lindsay is another, one who hates his brother, Boris. Of course, the one who was figured to be the killer turns out to be that person.

Owen Davis, Jr., presents and paced the performance, with the backing of Metro.

Helen Broderick is sincere, direct and incisive, the decided star of the romantic interest. Edgar Stoltz is properly cringing as an amateur surgeon assistant to the homicidal maniac. Anthony Ross is suitably intense as the playwriting cop, while Wyvile Bishop, John Gielgud, Bruce Gordon, Victor Sutherland and William Parke are helpful in supporting parts.

Bretaigne Windust's staging is inventive, flexible and imaginative, making artful use of all parts of the large stage and neatly pointing up the play's highlights. Although Raymond Sneyd's single setting seems unnecessary, the house was held several moments after the house lights were dimmed, giving the audience ample time to get seated and thus saving the opening scene of each act.

Hobe.

MR. AND MRS. NORTH

Comedy in three acts (four scenes). By Joseph Kassinger. Features: Thora Hird, Allyn Joslyn, Josephine Hull, Jean Adair; John Winters, Boris Karloff, Robert Coote, Bruce Gordon, Victor Sutherland, William Parke, Wyvile Bishop, John Gielgud, Bruce Gordon, Victor Sutherland and William Parke.

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Teddy Brewster John Alexander

Officer Murphy Bruce Gordon

Martha Brewster Jean Adair

Mortimer Brewster Allyn Joslyn

Mr. Gibbs Henry Herbert

Dr. Chilton Roger Stoltz

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Louis Rosenthal Vicente

Mr. Winters William Parkes

Albert Hackett Josephine Hull

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Chi Legit Slides Off, But 'Dubarry'

\$24,000, 'Night' \$23,000, Both Big

Chicago, Jan. 14. Bottom has fallen out of the legit situation here. From a full-house last week, the loop has tobogganed to a house-for-rent situation that is disconcerting.

Grand Opera House had two quick blows to the chin, first with the cancellation of "Meet the Elite," the Denning show which was to have repaired the damage. Following that, came Sam Gerson made arrangements for "Yokel Boy" and then Joe Penner died. At present it appears that the house shutters will remain closed until the arrival of "Blossom Time," which is figured to hold out for a couple of weeks at least.

Nothing is set for the Selwyn, which went dark on the folding of Ruth Gordon in "Hello, Goodbye." It is a curious engagement of "Ladies In Retirement" with Flora Robson. This is for two weeks and then the house shutters, until Feb. 17, when a road company of "Sister, Etcetera" is due.

Erlanger is in happy shape at present with "Dubarry Was A Lady."

"Also Bang-up Is Life With Father" (Al Blackstone) is in its second week and is having no trouble showing neat profit weekly, as Studebaker deserves \$1 top.

Estimates for Last Week:

"Dubarry Was A Lady," Erlanger (3d week) (\$1,000; \$3.30). After having done a sensational \$30,000 over the New Year's week, the show came back with another roaring \$24,000 last week. "Night须" (John Gielgud) indicates terrific personal following here.

"Life With Father," Blackstone (4th week) (\$1,000; \$2.75). Held easily with \$12,800, which is remarkable money at the time of the run. Show celebrated one year in town Feb. 19.

"Pins and Needles," Studebaker (4th week) (\$1,000; \$1). Selling out at many performances and the others are hot, also, which means steady money at \$7,000.

"Pygmalion," Harris (7th and final loop) (\$1,000; \$2.75). Stayed over a couple of weeks too long. Headed for Milwaukee and points north and west. Finished with \$6,500 here. "Rhythm" (John Gielgud) was the attraction throughout.

"There Shall Be No Night," Grand (3d week) (\$1,200; \$3.30). Finishes here Saturday (18), completing three and half weeks at complete sell-out, but again capacity, last week, at \$23,000.

'ROAD' BIG \$12,000
IN 8TH CINCY VISIT

Cincinnati, Jan. 14. Second largest gross for its eighth local engagement was the approximate \$12,000 rung up last week by "Tobacco Road" in the 1400-seat Cox on Friday night. In the same week, "Road" grossed \$17,500.

Burg is sans a road show this week.

Mr. & Mrs. North' Only \$11,000 in Washington

Washington, Jan. 14. Local critics went to town for "Mr. and Mrs. North" as their new hit of season, which has seen at least a dozen flops tries, but they couldn't help but notice that the show grossed \$11,000 at \$2.75 tops. Lack of stars probably kept the pop trade away.

"The Cream in the Well" by Lynn Riggs, opens tonight (Tuesday) instead of Friday, to make room for a short day. It's also the first try-out this season to bow here cold.

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Dante 8½G in Pitt

Pittsburgh, Jan. 14. There were indications last week at night that the show was hitting again for a big magic show. Dante at \$1.65 top grabbed around \$8,500, which is excellent for this type of entertainment and at that top, too. Opening was slow, not with much enthusiasm for the show, but once the notices came out there was a steady line at the window for every performance. First major league homecoming revue Pittsburgh has had since Masterton's last visit almost 10 years ago.

With "She Had to Say Yes" and "Yokel Boy" cancelling Nixon will be dark until Feb. 1. "Tobacco Road" is in its second week and "Hellzapoppin" following for fortnight and "Male Animal" coming in Feb. 23 as fourth ATS subscription offering.

ANIMAL' NATURAL CLICK IN COL: FINE \$14,500

Columbus, Jan. 14. "The Male Animal" came home last week, localities turning out more to see it work. Home-owner, Mr. Thresher and Ohio manager, Elliott Nugent. Excellent press helped gross at Hartman (1,600; \$2.75) rise to highly satisfactory estimate of \$14,500 for eight performances. Thursday night marked first anniversary of comedy.

Previous week "Tobacco Road" began for eight time, pulled terrific \$9,600 for nine performances at \$1.65. "Hellzapoppin" of life opened yesterday (Monday) for a week at the Talley Method, new Bchirman play, starring Ing. Claire and Philip Merivale, premiring tonight (Tuesday) at the Plymouth.

Estimates for Last Week:

"Lady In The Heat," Shubert (11) after two weeks here, supported (al-

most) by the opening of "Crazy With the Heat," musical, fnished off three good weeks here, also Saturday. That leaves for this week also "Lilac Time," "Hellzapoppin" in its 16th week, and "The Talley Method" new Bchirman play, starring Ing. Claire and Philip Merivale, premiring tonight (Tuesday) at the Plymouth.

Estimates for Last Week:

"Lady In The Heat," Shubert (11) with \$1,600; \$3.30. Ended with three good standees here with \$15,000, okay Revuc looks like possibility for fair run on Broadway.

"Crazy With the Heat," Repertory (15th week) (\$1,600; \$3.30). Finishes off last week, but attendance somewhat disappointing, with taking dipping to around \$7,500. Favorable followup comment may help.

"George Washington Slept Here," Lyceum (12th week) (\$1,004; \$3.30).

"The Little Foxes," Imperial (12th week) (\$1,671; \$3.30). Talked about, but attendance somewhat disappointing, with taking dipping to around \$9,500; fair operating profit.

"Hellzapoppin," Winter Garden (12th week) (\$1,671; \$3.30). Highly regarded but attendance somewhat disappointing, with taking dipping to around \$7,500. Favorable followup comment may help.

"Hold On To Your Hat," Shubert (11) with \$1,600; \$3.30. There were no performances last week. Al Jolson's "King of the Road" and night of "Yokel Boy" at the Locus. Decision was reached late Saturday to abandon tour and cast regular New York.

This week's only legit offering is "Liberty Jones," Theatre Guild production of new Philine Barry play, which is playing ATS subscription at the Lyceum.

Estimates for Last Week:

"She Had to Say Yes," Forrest (2d week) (\$1,000; \$3). Holiday trade gave this one a start, but it died in the middle of the week. The show is still helping. Only \$14,500. Taken off for revisions Saturday night. "Liberty Jones" current.

"Lady Came to Stay," Elliot Closed Jan. 4; yanked after four performances.

"The Dark," Alvin (M-1,877; \$4.40). Presented by Sam H. Harris; score by Kurt Weill; lyrics by Ira Gershwin; sensational engagement Boston; opens Thursday.

"It Happened on Ice," Center (16th week) (\$1,009; \$2.75). After a week of the tour during New Year's week, dived away down and dipped under \$24,000; reported much better this week.

"Lady Belinda," Longacre (17th week) (\$1,016; \$3.30). Was readying to wind up engagement, but operating not revised downward and may stretch through winter; estimated around \$7,000.

"Lady Who Came to Stay," Elliot Closed Jan. 4; yanked after four performances.

"The Little Foxes," Imperial (1-16; \$4.40). Presented by Sam H. Harris; score by Kurt Weill; lyrics by Ira Gershwin; sensational engagement Boston; opens Thursday.

"Life With Father," Empire (61st week) (\$1,005; \$3.30). While the field tapered off last week, top holder was virtually as strong as ever; with the exception of "Hellzapoppin" with standees in most performances.

"Louisiana Purchase," Imperial (33d week) (\$1,005; \$4.40). Not up to pace of first six months, but still holding its own. The show is well away and getting excellent grosses; over \$20,000 last week.

"Man Who Came to Dinner," Music Box (1-16; \$4.40). The show is still showing affect more than new successes as indicated here with takings around \$10,000; claimed to be profitable at that level.

"The House of痛苦," Mansfield (3d week) (\$1,000; \$3.30). Parties at concession rates helped attendance, but not much change on gross; Coast show's draw under expectations.

"Old Maid," Biltmore (3d week) (\$1,000; \$3.30). Parties at concession rates helped attendance, but not much change on gross; Coast show's draw under expectations.

"Mr. and Mrs. North," Belasco (1-16; \$3.30). Presented by Alfred de Lisiere, Jr.; written by Owen Davis from Noel Coward stories; opened Sunday (12) with \$1,600.

"My Sister Eileen," Biltmore (3d week) (CD-991; \$3.30). Rated well up among new successes with business holding up; around \$16,000 last week, which is not much under capacity.

"Night of Love," Hudson. Got adverse press and was taken off Saturday (12); played seven performances.

"Old Maid," Biltmore (3d week) (CD-939; \$3.30). Has distinct charm, draw, with matines selling out and night trade fairly good; estimated \$18,000 last week; will do well.

"Pat Joey," Barrymore (3d week) (M-1,104; \$4.40). One of the holiday arrivals that is rated a good thing; pace of moderate-sized houses is capacity; gross up to around \$22,000.

"Panama Hat," 46th St. (11th week) (M-1,347; \$4.40). Little or no change in capacity gain of top rank-

Shows in Rehearsal

"Claudia"—John Golden.

"Home Sweet Home"—Ted Hammerstein, Denis Dufour, Hugh Skelly.

"Out of the Flying Pan"—William Deering, Alexander Kirkland.

"Boudoir"—Jacques Chambron, Tanyard Street—Jack Kirkland.

LAWRENCE SRO

\$27,000 IN HUB

Boston, Jan. 14. Another smash week for "Lady In the Dark" with Gertrude Lawrence, supported (almost) by the opening of "Crazy With the Heat," musical, fnished off three good weeks here, also Saturday. That leaves for this week also "Lilac Time," "Hellzapoppin" in its 16th week, and "The Talley Method" new Bchirman play, starring Ing. Claire and Philip Merivale, premiring tonight (Tuesday) at the Plymouth.

Estimates for Last Week:

"Crazy With the Heat," 44th St. (R-1,225; \$4.40). Presented by Kurt Weill; lyrics by Ira Gershwin; score by Moss Hart; music by Bert Luboff. The show was as good as most others then rebounded; gross, around \$20,500, which is okay.

"Cabin in the Sky," Martin Beck (12th week) (M-1,214; \$3.30). Change in managerial setup; operating costs cut and some script changes; estimated up to around \$20,000.

"Boys and Girls Together," Broadhurst (15th week) (R-1,160; \$4.40). Presented by Kurt Weill; lyrics by Ira Gershwin; score by Moss Hart; music by Bert Luboff. The show was as good as most others then rebounded; gross, around \$20,500, which is okay.

"Cabin in the Sky," Martin Beck (12th week) (M-1,214; \$3.30). Change in managerial setup; operating costs cut and some script changes; estimated up to around \$20,000.

"Tootsie," Broad., Forrest (36th week) (C-1,007; \$1.10). While the original is turning small weekly profit, the road show is playing repeat dates and is making \$10,000.

REVIVAL:

"Twelfth Night," St. James (7th week) (D-1,326; \$3.30). Dropped sharply last week to \$17,000; lowest week since opening, but better this week; advance sale extends into March.

"Charlie's Aunt," Cort (13th week) (D-942; \$3.30). Went off as expected, but attendance was still good enough; booking limited; next show here, "The Talley Method" due in Feb. 3.

"First Step to Heaven," Windsor.

Taken off last Saturday; planned no more shows.

"Flight to the West," Guild (2nd week) (D-958; \$3.30). Highly regarded but attendance somewhat disappointing, with taking dipping to around \$7,500. Favorable followup comment may help.

"George Washington Slept Here," Lyceum (12th week) (\$1,004; \$3.30).

Among the better, and still but the leaders dropped to around \$9,500; fair operating profit.

"Hellzapoppin," Winter Garden (12th week) (R-1,671; \$3.30). Talked about, but attendance somewhat disappointing, with taking dipping to around \$7,500. Favorable followup comment may help.

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B'way Picks Up After Sharp Dip;

'Joey' \$23,000, 'Eileen' \$16,000,

Both OK, Lace' Points to 17G

around \$22,500, with standees in most performances.

"Separate Deaths," Plymouth (42d week) (C-1,107; \$3.30). Dropped with month, but still around \$17,000, which is much longer than anticipated; one-setter still turning a profit; with last week around \$7,000.

"The Corn Is Green," National (7th week) (D-1,621; \$3.30). Got best money among straight shows last week, with takings close to \$21,000; standees in most performances.

"The Fly," Broadway Playhouse (2d week) (C-865; \$3.30). Change in managerial setup; operating costs cut and some script changes; estimated up to around \$16,000.

"Tobacco Road," Forrest (36th week) (C-1,007; \$1.10). While the original is turning small weekly profit, the road show is playing repeat dates and is making \$10,000.

REVIVAL:

"Twelfth Night," St. James (7th week) (D-1,326; \$3.30). Dropped sharply last week to \$17,000; lowest week since opening, but better this week; advance sale extends into March.

"Charlie's Aunt," Cort (13th week) (D-942; \$3.30). Went off as expected, but attendance was still good enough; booking limited; next show here, "The Talley Method" due in Feb. 3.

"Flight to the West," Martin Beck (12th week) (M-1,214; \$3.30). Change in managerial setup; operating costs cut and some script changes; estimated up to around \$16,000.

"First Step to Heaven," Windsor. Taken off last Saturday; planned no more shows.

"Flight to the West," Guild (2nd week) (D-958; \$3.30). Highly regarded but attendance somewhat disappointing, with taking dipping to around \$7,500. Favorable followup comment may help.

"George Washington Slept Here," Lyceum (12th week) (\$1,004; \$3.30). Among the better, and still but the leaders dropped to around \$9,500; fair operating profit.

"Hellzapoppin," Winter Garden (12th week) (R-1,671; \$3.30). Talked about, but attendance somewhat disappointing, with taking dipping to around \$7,500. Favorable followup comment may help.

"Hold On To Your Hat," Shubert (11) with \$1,600; \$3.30. There were no performances last week. Al Jolson's "King of the Road" and night of "Yokel Boy" at the Locus. Decision was reached late Saturday to abandon tour and cast regular New York.

This week's only legit offering is "Liberty Jones," Theatre Guild production of new Philine Barry play, which is playing ATS subscription at the Lyceum.

Estimates for Last Week:

"She Had to Say Yes," Forrest (2d week) (\$1,000; \$3). Holiday trade gave this one a start, but it died in the middle of the week. The show is still helping. Only \$14,500. Taken off for revisions Saturday night. "Liberty Jones" current.

"Lady Came to Stay," Elliot Closed Jan. 4; yanked after four performances.

"The Dark," Alvin (M-1,877; \$4.40). Presented by Sam H. Harris; score by Kurt Weill; lyrics by Ira Gershwin; sensational engagement Boston; opens Thursday.

"It Happened on Ice," Center (16th week) (\$1,016; \$3.30). Was readying to wind up engagement, but operating not revised downward and may stretch through winter; estimated around \$7,000.

"Lady Who Came to Stay," Elliot Closed Jan. 4; yanked after four performances.

"The Little Foxes," Imperial (1-16; \$4.40). Not up to pace of first six months, but still holding its own. The show is well away and getting excellent grosses; over \$20,000 last week.

"Man Who Came to Dinner," Music Box (1-16; \$4.40). The show is still showing affect more than new successes as indicated here with takings around \$10,000; claimed to be profitable at that level.

"Old Maid," Biltmore (3d week) (CD-939; \$3.30). Parties at concession rates helped attendance, but not much change on gross; Coast show's draw under expectations.

"Mr. and Mrs. North," Belasco (1-16; \$3.30). Presented by Alfred de Lisiere, Jr.; written by Owen Davis from Noel Coward stories; opened Sunday (12) with \$1,600.

"My Sister Eileen," Biltmore (3d week) (CD-991; \$3.30). Rated well up among new successes with business holding up; around \$16,000 last week, which is not much under capacity.

"Night of Love," Hudson. Got adverse press and was taken off Saturday (12); played seven performances.

"Old Maid," Biltmore (3d week) (CD-939; \$3.30). Has distinct charm, draw, with matines selling out and night trade fairly good; estimated \$18,000 last week; will do well.

"Pat Joey," Barrymore (3d week) (M-1,104; \$4.40). One of the holiday arrivals that is rated a good thing; pace of moderate-sized houses is capacity; gross up to around \$22,000.

"Panama Hat," 46th St. (11th week) (M-1,347; \$4.40). Little or no change in capacity gain of top rank-

musical, which was quoted

Is there a job for one who for many years has served faithfully and intelligently in the theatre as treasurer and business manager?

JULIAN ANHALT
Essex, Conn.

'Hell' Big 22G in Cleve.

Cleveland, Jan. 14.

Billy House and Eddie Garr proved that there's nothing a laugh can't cure him last week, grossing up to \$22,000 with "Hellzapoppin," a gross that eclipsed most of the Hanna's takes for this and last season. Revue brought in \$18,000, while children in aisles at curtain call, in which the show is booked for a return engagement early spring.

"Tobacco Road" is on tap currently for sixth visit. Ina Claire and Philip Morris in "Talley Method" due next week.

EDDIE GARR
America's Distinctive Entertainer
ON TOUR.
•
"HELLZ APPOPIN, JR."

Mgt.: WM. KENT
1776 B'way, New York

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Literati

Odd Nazi Literary Demand

Marked increase has been shown during past six months by European countries dominated by Hitler in acquiring rights to American best-sellers. Large number of inquiries have been received by agents and publishers in the U. S. from publishers in Germany, Holland, Denmark, Norway and Sweden. Inasmuch as it is virtually impossible for authors to get their royalties because export of coin is forbidden by most European countries, little attention is given the requests for rights.

In a few cases where agents have entered into negotiations with publishers in Nazified countries, German propaganda ministry has ordered cuts or changes which authors have refused to make. An instance is "The Final Hundred Years," which Nazis demanded that a statement that U. S. synthetic rubber was best in the world be switched to make Germany's ersatz product appear better.

Meanwhile, the South American market for translated copies of U. S. books has opened up greatly since that country's entry into war. Spanish and Portuguese publishers have moved their establishments to Latin America and are doing comparatively good business. Among them is Espana Calpe, which moved from Barcelona to Buenos Aires, and Editora Norte Sul, which has shifted to Rio de Janeiro. Later just acquired the Portuguese language rights to Ernest Hemingway's "For Whom the Bell Tolls."

Unique switch has taken place with publishers' moves from Spain to Latin America. Whereas rights formerly sold to Spanish and Portuguese firms included markets for books in these languages in South America, now rights sold to South American firms include Spain and Portugal.

Youngstown's Mag Cleanup

Starting out to confiscate a recent issue of *Life* magazine because of a photograph of Gypsy Rose Lee, strip-tease artist, Youngstown (O.) vice raiders seized about \$300 worth of "salacious" literature at various newsstands in the city, and extended its drive to pictures and displays of chorus girls in front of the Grand theatre, local burlesque house. The photographs were quickly removed by the management.

Local officials found the full-page photographs of *Life* "offensive." It depicted a scene at a British relief banquet in New York, in which Miss Lee is standing on a platform while a New York reporter is taking a newspaper picture from her back net tights, after paying \$10 to the relief fund for the privilege.

Four other *Life* magazines were confiscated, "because they sell so fast," police officials reported.

However, the cleanup squad picked up numerous magazines of the so-called "spicy" and "sexy" variety and several pin-up magazines. These included *Sensory Zest*, *Sex, Real Detective*, *Crime Detective*, *Intimate Detective*, *Spicy Detective*, *Film Fun*, *It Grin*, *Laff Peek*, *Pic*, *Personal Romances*, *Carnival*, *Movie Fun*, *Police Gazette*, *Spot*, and others. Most of these were taken in the pictures of scantily clad show girls, as too realistic photographic illustrations of sex crimes, and sex rackets, officials said.

Pearson-Allen Win Suit

Federal court jury at Clarksburg, W. Va., has returned a verdict for the defendants—the Clarksburg Publishing Co. and Drew Pearson-Robert Allen, publisher of the syndicate's *Washington Mirror*. Pearson, a column in the libel suit of Representative Martin L. Sweeney, Democrat of Cleveland, after deliberating one hour and 25 minutes last Saturday (11).

Sweeney based his action on a contention that he was libeled in a column which said that he opposed the appointment of the Cleveland federal district attorney to a judgeship because of his race.

The suit is the first to be tried against newspapers which carried the column.

A's Review Crackdown

Totalitarian lid has been clamped by the Associated Press on excerpts from its film reviews, used hitherto by studio advertising departments to plug pictures. The AP sent out an ultimatum that its critical comments could be used only with star billings. Now the blackout is complete.

Lloyd Stratton, assistant general manager, put it: "A movie can't

commercial publication of any kind. Reprinting, republishing or quoting of any of this matter is contrary to the legally-given property right granted to members." Meanwhile the United Press and International News Service are inviting studios to review their review meadows.

Repercussions from Ad

Publication of a "full-page advertisement of Haledman Julius Publication's 'Little Blue Books' a paprika type of literature, in the Detroit Free Press (11) brought heavy repercussions.

On the day following the appearance of the ad, the newspaper was swamped with hundreds of telephone calls from Legion of Decency, Parent-teacher groups and the like.

Result was the firing of Paul L. Mixter, manager of the general advertising department, who had passed it. Both J. H. Barry, general manager of the newspaper, who was out of town, and John S. Knight, the publisher who was in Henry Ford hospital for a check-up, were away at the time the ad was accepted.

In a full-page apology followed, it was admitted that he "was shocked by the nature of the advertisement, disgusted by the text and humiliated that such copy should appear in the Detroit Free Press. I have instructed the Free Press to refuse to accept payment for the advertisement."

PM in Exec Switch

Switch in executive suite of New York's Park Plaza made this week. George H. Lyon, managing editor, has become assistant to the publisher. New post is that of a writing job with Lyon traveling to get material for special series.

Publisher-editor Ralph Ing尔斯通 will add to his own duties those formerly held by Lyon. Switch was made as a result of his desire to take more complete control of the editorial operation of the paper. PM circulation is said to be holding steadily without any sensational increases and well below the 200,000 mark, which is reportedly necessary for it to break even.

Tom Fidale, who's handled the daily's promotion from its very inception, has been named an assistant to the publisher, in charge of promotion.

Report New Chi Daily

Once more there is a strong report in Chicago of a morning daily as competition to the Chicago Tribune, which has been the town's sole morning sheet since the demise of the old Hearst Herald-and-Examiner.

Would-be publishers are understood to be putting up bonds account for \$100,000 before proceeding further. The name of the paper is stated to be the Chicago Morning Sun.

Downs Back to Europe

Kenneth Downs, INS foreign correspondent, boats for Europe Saturday (18). He'll go to Vichy first, being one of the rare newsmen able to obtain a visa to enter France, and then head for the Balkans.

Downs, who returned to the U. S. from Europe in July, has been covering Washington since.

Film Mag Goes for Charm

Another film fan magazine, Picture Play, passes out of its old sphere with the March issue and becomes Your Charm, devoted to Hollywood fashions and beauty culture.

Mag is the second of the oldsters to move out of the fan field. Photoplay, first of the veterans, recently merged with Movie Mirror.

Father's Sizing Stretches

Vinnie Fidale's Hollywood column is now being carried in 130 dailies; exclusive of weeklies. McNaught syndicate recently added four more sheets to the string.

Pillar will run in Detroit Free Press, Miami Herald, Syracuse Journal-Herald and Akron Beacon-Journal.

LITERATI ORBITS

Charles J. Finger, 71, author, adventurer and for years a book reviewer for the N. Y. Herald Tribune, died Jan. 10 in his home near Fayetteville, Ark. Leaves widow and five children.

Mrs. Fannie C. Macaulay, 78, writer of books based upon the Orient, died Jan. 6 of pneumonia in Louisville.

Edward B. Conlls, 67, for 20 years associated with the Scripps-McRae Syndicate and former v.p. and business manager of the Toledo News-

VARIETY

Bee, died in Toledo Jan. 7 after a long illness.

Grove C. Hall, 53, editor of the Montgomery (Ala.) Advertiser and writer of a Pulitzer prize-winning editorial in 1928, died of a stomach ailment in Montgomery Jan. 9.

Frank Kirkpatrick, 55, vet Pittsburgh newspaperman and one-time city editor of old Pittsburgh Post, died at his home in that city last week after a long illness.

James Joyce, 58, Irish author and writer, died in his studio in the English novel, "Ulysses," died after an operation for intestinal ailment Jan. 13 in a Zurich, Switzerland, hospital.

Joseph D. Hurley, 47, general manager of the Boston Post, died Jan. 12 of influenza in Boston. He had been ill two weeks.

Fau Southworth Bliss, 52, one-time drama editor of the Minneapolis Journal, and for years a Twin City newspaper man, died in Kansas City where he was regional social security director.

CHATTER

Donald Hough sold "Old Sigurd" to Seaviewpost.

Al Kahn, new night editor of Union Postscript in Hollywood.

Alvin Johnston doing a Statepost yarn. Preston Sturges in three parts.

Toplof Caver sold his new novel "Mardi Gras" to Lynne House for spring publication.

Oldest language sheet in Syracuse, the Syracuse Union, German weekly, suspended publication.

Truehart Publications, Inc., chartered to conduct a printing-publishing business in New York.

Champion Play Corp. chartered to conduct a business plays, musicals, books, stories etc., in New York.

May C. Kelley, editorial director of Movie Life and other fan mags, paying her annual visit to Hollywood.

Beiderman, Pittsburgh Press baseball writer, has sold Collier's a story on Fritzi Zivic and the Fighting Zivics.

Walter Fisher, whose "Children of God" was a best-seller last year, has just completed another novel, "City of Illusion."

Karen De Wolf finished a new Hollywood novel, "Take the Laughter," for February publication by Bobbs, Merrill.

LIBERTY JONES

(Continued on page 50)

bility, and her understanding and delineation of the part place her among the more competent performers.

John Neal, 30, Martha Smith's son, is making his debut in "Papa's Home." He plays the role seriously, energetically and at times stirringly. The pair are well teamed and give credence to the idea of romance between them.

Support is given by a large cast, notably contributions coming from William Lynn, as Uncle Sam; Martha Hodges, representing the eighty commandos; and matron Mrs. John Tom Neal as Smith's other self (his practical side); Howard Freeman, a secretary; Katherine Squire, a modern nurse; Ivy Scott, Liberty's old maid; and others.

Tomothy Louis Poole, Richard Sanders, the three fifth columnists; Norman Lloyd, Murray O'Neill, Alain Franklin, William Mende, as Lawyer, Divinity and Law.

Set and costumes (particularly that of Ruth) are excellent.

The theme of "Papa's Home" is that D. B. Bobs are prominently in the mood of the play and similar comment applies to the music of Paul Bowles. Orchestras work offstage, rather than in the pit.

John Homan's staging rates a bow in developing its present point.

Bone.

Lucky Strike

(Continued from page 1)

penditure to this mechanical medium.

Idea of selling jukewax as a medium for advertising is nothing new. Several years ago an attempt was made in this direction, but by the phonograph record route, by an organization calling itself the National Phonograph Record Network, Inc. Latter even obtained the approval of the American Federation of Musicians for the employment of the union's members but, after doing an experimental series for Carstairs' Whisky, no more was heard of the N.P.R.N.'s operations.

Lucky is one of the largest users of commercial film in the country but the exhibition of these subjects is confined to salesmen-retail relations.

Wednesday, January 15, 1941

Inside Stuff—Legit

A flock of people have pieces of "Arsenic and Old Lace," hailed by the critics and first nights as the funniest play of the season when it opened at the Fulton, N. Y. Friday (10). In that respect it is akin to "Life With Father," the stock laugh show of last season that is still going strong in N. Y., Chicago and Boston. Howard Lindsay, who plays in "Father" and Russell Crouse, who wrote that play with him, are the producers of "Lace." Latter play was authored by Joseph O. Kesselring, but it is understood that L. and C. peppered up the script.

In addition to Lindsay and Crouse, those interested in "Lace" include Frank Sullivan, formerly on the Morning World, Howard Culman, who has a hunk of "Father" and other shows; John Byram, eastern story editor for Paramount; Boris Karloff, who is the featured player in "Lace"; Lester Meyer, operator of the Empire, N. Y. (where "Father" is running); Gilbert Gabriel, former critic; Nedda Harrigan and Dorothy Richmond, executive secretary of Chorus Equity. "Lace" was budgeted for \$30,000 and probably did not use all the money. It farred well in Baltimore, breaking even on the engagement, unusual for a new play.

Byram and Sullivan say they bought in principally to annoy Dick Manley, Show's press agent, who must regard them as being among his horde of bosses.

Critics on New York morning papers were invited to Boston last week to see "Lady in the Dark" and three made the trip. Show, produced by Sam H. Harris, is the most strongly touted show in years and played to capacity in the Hub. "Lady" opens at the Music Box, N. Y. Thursday (16). Reason for asking the reviewers to Boston was to insure them seeing the whole performance, not expected to ring down until around 11:30. As a rule critics on morning dailies leave half an hour sooner because of deadlines. Explained by the management that the late portion of the show is important to the whole.

Those who saw "Lady" in Boston were Richard Watts, Jr., Herald-Tribune; Brooks Atkinson, Times, and Robert Coleman, Mirror. Whether they attend the Music Box debut or not, their notices will not appear until Friday (17). Howard Barnes, picture reviewer of the Trib, also went to Boston. He covers legit first-nights for WOR, giving a miniature notice by radio immediately after performances.

Alvin Jansen, son of Dante, the magician, was hauled before the Philly local of the American Guild of Variety Artists on Jan. 2 charged with slugging and biting Lester Scott, one of the performers in the "Sim Salamander" company headed by his father. Scott told AGVA officials that young Jansen struck him after accusing him (Scott) of complaining to the union he was forced to do heavy labor backstage. As Scott was preparing to swear out a warrant charging Jansen with assault and battery, the magician came in and paid damages, doctor bills, etc., and the case was dropped. Previously, Dante himself was held in \$200 bail. Magistrate's Court charged with striking Sam Friedland, company advance man, in a fight over Moi-Yo Miller, female lead in the show, the dispute arising out of what Dante claimed to be insufficient publicity for Miss Miller.

Braigdale Windus, director of "Arsenic and Old Lace," at the Fulton, N. Y., was busy with rehearsals and the Baltimore tryouts of the play that didn't open in time for Christmas. Christopher and wife, Irene Baxter, sent presents and cards to their friends, but left all their own presents unopened under their tree. The comedy having opened to smash success Friday night (10), the couple had their own Christmas on Sunday (12). They intend celebrating their private New Year's Eve this week.

Current Road Shows

(Week of Jan. 15-22)

Ballet Russe de Monte Carlo—University auditorium, Laramie, Wyo. (15); Music Hall, Seattle (17-19); Royal Victoria, Victoria, B. C. (20); Strand, Vancouver, B. C. (21-22); State, Kalamazoo (21); Civic Auditorium, Flint (22-23); Cream in the Well—National, Washington (15-18); "Dumbarry Was a Lady" (Bert Lahr)—Englewood, Chicago (15-22); "Hellzapoppin"—Temple, Saginaw, Mich. (15); Capitol, Flint, Mich. (16-17); Strand, Lansing, Mich. (18); Keith's, Grand Rapids, Mich. (20-21); State, Kalamazoo (22); "Flame" (John Beal)—Carrollton, Carrollton (22-23); "Liberty Jones" (John Beal)—Forest, Philadelphia (15-22); "Life With Father" (Lillian Gish)—Blackstone, Chicago (15-22); "Life With Father" (Dorothy Gish)—Repertory, Boston (15-22); "Male Animal" (Elliott Nugent)—Bushnell auditorium, Hartford, Conn. (15); Shubert, Nev. Haven (16-18); Washington (20-22); "Man Who Came to Dinner" (Clifford Webb)—Royal, Alexandra, Toronto (15-18); "Phantom of the Opera" (R. Hart)—Empire, London (15-18); "Philadelphia Story" (Katherine Hepburn)—Municipal auditorium, Shreveport, La. (15); Robinson auditorium, Little Rock (17-18); Ryman auditorium, Nashville (20); Tivoli, Chattanooga (21); Temple, Birmingham (22).

"Pins and Needles"—Studebaker, Chicago (15-22); "Pyramidal" (Ruth Chatterton)—Davidson, Milwaukee (15); Lyceum, Minneapolis (16-17); Paul, St. Paul (18); Shrine, Des Moines (20); Orpheum, Davenport (21); Iowa, Cedar Rapids (22).

"Sim Salamander" (Dante)—Cass, Detroit (15-18); Cox, Cincinnati (19-22); "The Wizard of Oz" (Ruth Claire)—Plymouth, Boston (15-18); Hanna, Cleveland (20-22).

"There Shall Be No Evil" (Alfred Lunt, Lynn Fontanne)—Grand, Chicago (15-18); University, Madison, Wis. (21); Auditorium, St. Paul (22).

"Time of Your Life" (Eddie Dowling)—Hartman, Columbus (15); Er-

langer, Buffalo (16-18); Royal Alexandra, Toronto (20-22).

"Tobacco Road" (John Barton)—Hanna, Cleveland (15-18); Strand, Milwaukie, O. (20); Palace, Marion, O. (21); "White Heat" (Tallulah Bankhead)—Billmore, Los Angeles (15-18); Auditorium, Pasadena, Calif. (20); Russ auditorium, San Diego (21).

"Rhapsody in Black"—Maryland, Baltimore (15-18).

Name Concert Dates

(Week of Jan. 15-22)

Key to abbreviations: (R) indicates Recital, (S) Guest Soloist, (C) Guest conductor.

Kirsten Flagstad—(R) Academy of Music, Brooklyn (21).

Jacoba Heifetz—(R) Moore theatre, Seattle (15); (R) H. S. auditorium, Boise, Idaho (17); (R) White theatre, Fresno, Cal. (20); (R) Opera house, San Francisco (21).

Jose Iturbi—(S) Dallas Symphony, Fair Park auditorium, Dallas (19-20).

Dorothy Maynor—(R) Memorial auditorium, Louisville (17); (R) H. S. auditorium, Knoxville, Tenn. (20).

Yehudi Menuhin—(R) Civic auditorium, Grand Rapids, Mich. (15); Art Museum, Peristyle, Toledo (17); (R) Fine Chapel, Oberlin, O. (21).

Jose Iturbi—(S) Dallas Symphony, Fair Park auditorium, Dallas (19-20).

Dorothy Maynor—(R) Memorial auditorium, Louisville (17); (R) H. S. auditorium, Knoxville, Tenn. (20).

Yehudi Menuhin—(R) Civic auditorium, Grand Rapids, Mich. (15); Art Museum, Peristyle, Toledo (17); (R) Fine Chapel, Oberlin, O. (21).

Grace Moore—(R) Waldorf Astoria hotel, N. Y. (16).

Elio Pinza—(R) Pierre hotel, N. Y. (21).

Lily Pons—(R) County center, White Plains, N. Y. (17).

Paul Robeson—(R) Yale university auditorium, New Haven (17); (R) H. S. auditorium, New Haven (18).

Lawrence Tibbett—(R) Waldorf Astoria hotel, N. Y. (16).

Lewis Harmon, who was temporarily with the Sam H. Harris office now doing advance ballyhoo for "Pygmalion" tour.

Broadway

Rafael Garcia, Argentine impresario, here for a visit.

Willard Hart, author of "Primer Path," finishing a new play.

Marian Shockley hopped to Detroit last week to make a commercial film short.

Marc Connally headed for Acapulco, Mexico, for a couple of weeks' vacation.

Loren and Mario, dancers, going into their sixth month at the Navarro.

Hal Oliver is press agent for Philadelphia's Main Line Playhouse movement.

Jerry Keyser, Warner Bros. foreign publicity chief, back at his desk after illness.

Tony and Helga Garnett back to the Coast after three weeks vacationing in New York.

Sam Dembow, Jr., expecting to be on his feet in a few weeks. Reoperating from broken leg.

Fred Zweifel, manager of "Boys and Girls" in New York, celebrated his 75th birthday Monday (13).

Jack McInerney (Paramount theatre) back from Florida, left his missus there for the rest of the winter.

Mrs. John H. Hargrove recovering from a dislocated knee. Husband handles full-time Fox trade publicity.

New Stage magazine sponsoring Hellzapoppin' party at Winter Garden, Jan. 19, to benefit the Red Cross.

Joe Hurley, editor of Variety now with Steve Hannagan publicity outfit, agenting dog track in Tampa, Fla.

United Artists had trade press to lunch Monday (13) to meet David "Skip" Weshner, new exploitation chief.

Carol Dannenberg, secretary to Ernie Emerling in Loew's, is taking a leave of absence. Herber L. Anderson, Saturday (18).

Julian T. Abeles and his wife to the Coast for 10-day trip on which he will be 20th Century-Fox on the copy route.

Carmen Amaya, South American artist imported by S. Hurko, opens for Monte Proser at the Beachcomber on Broadway Jan. 18.

Roy C. Williams, eastern division sales manager, back Monday (13) from sales huddles in the Boston and New Haven branches.

Elias Lapiner, former Metro publicist, representative of Compton Enterprises, has opened a new office in Paris, has opened his own art-ad service here.

Clifford Almy, Warner Bros. manager in the Philippines, left for Cebu (Mindanao) en route to his post in Manila, after N. Y. home-office huddles.

Sydney Harmon, Leonardo Bercovic and Robert Sloan, agents of Compton Enterprises, are making a new show, "What Would You Do?" which they are authoring and producing.

Izetta Jewel and Guy Monpenny opened last night (Tuesday) at the new Hotel Flamingo, Las Vegas. Wife, proprietress in opposition to her husband, the original Tony, who has a nearby spot.

Metro's talent department, since coming under the direction of Marvin Scheek, is getting the fancy new and enlarged quarters on the 11th floor, for which it has been clamoring for years.

Daniel G. Wang, Warner home office publicist honored at Toots Shor's last week by pals in publicity department prior to his departure last Saturday (9) for Mexico City, where he will be working on a musical.

Kelcey Allen, Women's Wear drama critic, suggests that Sixth avenue, between 42d and 50th streets be renamed Rockefeller avenue in recognition of that family's contribution to the thoroughfare's improvement.

Athur Menken, vet Paramount newsreel cameraman who covered the Norwegian campaign, has returned to his home village, now serving in the U. S. marines, is now assigned to the photographic division at Quantico.

Songwriters trio, three bachelors—John Feldman, Edie, last week for John Redmond. Feature was phone record of conversation between Eugene West (thrice-married) and Redmond, in which West gives Redmond marital advice.

St. Louis

By Sam X. Hursl

Wilbur Evans, Monogram player, here for a visit.

Marjorie Lawrence, Met soprano, makes local debut with St. Louis Lyric Opera Jan. 18.

W. M. Griffin, booker for the Rogers Circuit, Cairo, Ill., in town shopping.

Nat Steinberg, manager of the local branch of Republic Pictures, in Chicago on his vacation.

Ray Colvin, proxy of the local Exhibitors Supply Co. and wife, motor through California.

Ernest Feltner, former Vienesse concert violinist and now a resident

here, gave a recital at the YMCA, and Y.W.H.A. last week.

Frank M. Priester, who operated an amusement park in Belleville, Ill., near here, died at his home in the St. Henry's Seminary 15 years ago.

Johnny Perkins and Ray Bruder, partners in the East St. Louis Playhouse, are looking for the building in which their recreational enterprise is located. Last week they paid the first installment \$15,000.

Lady and Max Schall headed for Cuba, Max turning over his baton to Dick Rogers, his successor of the band Osborne, received a silver service from the boys. Osborne will produce full-length musical revue "Ice-Capades of 1941," financed by group of American arena managers and staged by Russell Markert, of the Radio City Music Hall, opens a six-week run at the Majestic Jan. 20. Markert once served as dance director of the Missouri theatre here.

Paris

Francis Carco sunning at Nice. Film bad girl Ariety is at Lyons.

French agent Pierre Leclerc is dead.

Author Jean Cocteau back in Paris.

Pick actor Pierre Bost is still a prisoner.

Film actress Meg Lemmonie birthday.

Cecile Sorel planning to write her memoirs.

Ten new busines put into service in Paris zone.

Comedie Francaise thesp Jules Leleid is dead.

Annual horticultural show opened at usual French capital.

Madame Giraud, famous for writing diary of the last few months.

Steve Fulton, UP correspondent in Vichy, has left for Paris.

John Dakin, new AP correspondent in Vichy, has joined the law firm of Walter Batchelor and James Goodwin, attorney for Monte Proser-Batchelor Enterprises, also here.

Singapore Sadie's clever ads getting lots of short bit attention. It's a matter of time before she becomes a sort of Chinese lions hereabouts but Al Goldman's Ruby Foo's and Monte Proser's Beachcomber the top spots.

Walter Jacobs of Lake Hopatcong and Walter Batchelor and James Goodwin, attorney for Monte Proser-Batchelor Enterprises, also here.

Monte Proser is still content to be a kiddy at Singapore Sadie's new bistro.

Fred Chaventone, best known as Fred when he was a tire hotel at the corner of Avenue de l'Opéra and Avenue de l'Impératrice, is now a sort of Chinese lions hereabouts but Al Goldman's Ruby Foo's and Monte Proser's Beachcomber the top spots.

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Miami

Bill Corcoran vacationing here. Eddie and Cordoba go from the Beachcomber here to Palmer House, Chicago.

George Woodin is set to lead the New Royal Palm show, with Abe Lyman succeeds Ted Lewis.

Val Olmstead, boy to the Drury, Corral Gables, with Ramon and Renita featured and holding over.

Gladys George, who created "Kind Lady" doing a guest this week at the local Cant Galher Players in "Lady."

Joe Moss, N. Y. nitery boniface, takes over the Mayfair, and a Benny Davis show, his Starlets, opens there.

Eddie Jackson (ex-Clayton, Jack & Durante) heads the Wit's Endinery on 23rd street, near the Roney Plaza, with Al Stone and Cy Reeves as partners.

Tom and Jack (fee, the "Crying") Goldman, who run Ruby Foo's and the Hickory House here, now also have the cuisine dept. at the Esquire.

Alfred Pared, his own sister at the new Grossinger's Beach hotel, not completed, doing a till-in at emcee at Esquire, where Cross and Waller hold forth.

Walter Healy, in between the Roney-Plaza pool, makes the Royal Palm his early evening h.q. and the Beachcomber the late hangout. That usually pulls many of the other show business folk.

Jimmy Campbell, London music man, back from a quickie flight to Nassau. Reg Connolly, his ex-partner in the British firm of Campbell-Connolly, also flew to Nassau to meet his family.

Jack Robbins pays a grand a month for the penthouse suite at the Lord Tarleton, but still does his singing in show business' town's congarbahrung, which holds more than there must be in all Cuba.

Mrs. Louis Sobol, Lorenz Hart, Donald Flamm, Nate (Hotel Edison) and others, Broadway here.

Walter Batchelor and James Goodwin, attorney for Monte Proser-Batchelor Enterprises, also here.

Conrad Krebs in from Coast for three-day good will visit on behalf of Perry Lieber.

Eddie Sherwood slowly recovering from rather serious injuries received in bad fall.

Edie and Alex Gifford

taking over Kiddie Club

conducted by Uncle Jack Don Hix

in tie up with WBAL, Baltimore

Post and the Hippodrome. Hix leaving for Coast film stint.

Leslie, screen writer and local columnist, expecting stork in Holmwood.

Cy Woitman (he's with Johnny Long band and she's a Pittsburgh gal) expect the stork in couple of months.

Mike Harmon quit Diane show here last week to remain at home few weeks before marrying New York medico.

Stephan Fetchit booked into Villa Americana, Miami, beginning next Monday (15), first night engagement here.

Baltimore

By Howard A. Burnam

Joe Grant recovered from his recent op.

Bill Sexton operated on for stomach disorder.

Junior League Follies' set for Maryland.

Danny Frisch active in local British Relief activities.

George Hoffman in charge of local Previews.

Gabe Kanauer recovering from recent auto mishap.

Bernie Seaman handling show for annual Christmas.

Ike Rapport and Harold Burke back from vacances in Florida.

Bill Hicks planning to open his new deluxe Mayfair early in March.

Henry Kahn's daughter Gladys, married to non pro. Dito Do Helm.

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Post and the Hippodrome. Hix leaving for Coast film stint.

Father Flanagan in town to look over the new picture about Boys.

Elton A. Vinson pinch-hitting at RKO for Perry Lieber, who's on vacation.

Herbert Wilcox and Anna Neagle returning from a four-month tour of the east.

Dennis O'Keefe was ordered to take a physical examination by his doctor.

Mr. Blue and William Press joined the Reg. D. Marshall agency as associates.

Louis Pollock and Adolph Schimmel in from New York for Universal studio huddles.

Pollock now back in N. Y.

Wendy Barrie to Chicago for a week.

Elton A. Vinson pinch-hitting at RKO for Perry Lieber, who's on vacation.

Howard Hughes resumed direction of his picture after week off reconditioning.

Douglas Kennedy became Keith Douglas to avoid conflict with New York newspapermen.

Cliff Gabler and Carole Lombard arrived from Baltimore, where the actor was given once-over by doctors at Johns Hopkins hospital.

Buddy Lester was visited into his room by his friend, a alma mater, University of Southern California, 26 years after his graduation.

Lester Crawford, struck by a truck, recuperating from a fractured leg.

Helen Broderick Crawford and father of Broderick Crawford.

Hollywood

Les Marcus laid up with flu.

Claudette Colbert skiing at Sun Valley.

Little Ball and Desi Arnaz to Miami.

Al Lichtman back from home-ofice huddles.

Vincent Mahoney joined Universal pictures.

David Chudnow recovering from minor surgery.

Smiley Burnette to Denver for live-in.

Lee Garmes back to the hospital after a flu relapse.

Walter Lang back to work after four weeks illness.

Mike Krim checked out of Warner's.

Mische Auer returned from six-week personal tour.

Gradwell Sears trained in for a week.

Pauline Barr out in the hospital after an appendectomy.

Sterling Holloway removed the cast from his broken leg.

Gene Autry to Philadelphia on a road trip.

Henry Fonda checked out of the hospital after a brief illness.

Bill Wallis to Washington, D. C. for his Presidential election.

Public Bar out in the hospital after an appendectomy.

Olivia de Havilland undergone her appendectomy for another week.

Errol Flynn planned in from New York and hopped off for Honolulu.

Levi Whelan, foreign exchange student, to return to England.

William Powell reported back to work after two weeks in the mountains.

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Middle Barnes screen a year's worth of magazine photo sessions by major photographers.

Howard Hartz moved out of the Metropoli publicity department to go into business for himself.

Johnnie Greenstein, Universal star, checked into a Sun Valley.

before checking in at Universal as assistant to John Joseph.

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OBITUARIES

JOE PENNER

Joe Penner, stage, radio and film comedian, died in his sleep at a Philadelphia hotel Friday (10).

Further details, radio section.

REGINALD BACH

Reginald Bach, 54, British actor and stage director, who for 35 years had appeared in the United States in plays on Broadway and abroad, died of pneumonia Jan. 6 in the New York Hospital. He had been ill for several months.

Born in London, Bach was interested in amateur theatricals while a student. At 19 he made his professional debut as Major Rattan in "Ici on Parle Francais" at the Cheltenham Opera House. Later he became stage manager at the Haymarket, London, where he remained from 1914 to 1917.

Bach first went to New York as a member of the cast of "Yellow Sands," a London comedy success, which its producer, Sir Barry Jackson, brought to Broadway with its original cast in 1927. Bach stayed to direct a revival of "Our Betters" and also staged a modern dress version of "The Taming of the Shrew."

After an interval in England, he returned in 1938 to play in "Love, the Devil and the Snob" at the Shubert. There he starred "The Holmeses of Baker St." presented at the Masque, N. Y., the same year, "Green Waters," "Anthony and Cleopatra" and last season directed "Foreigners," which had a short Broadway run.

Widow and two children, all of whom live in London, survive.

DON CARLOS

(Charles Hall)

Charles Hall, 70, known in the profession as Don Carlos, died in the Oakman Theatre, Detroit Jan. 4, in the midst of his annual act. He died with Sophie, who with him handled the act for more than 50 years, finished the show as he was carried dead from a heart attack to a dressing room.

Athough born in Simcoe, Ont., Hall made his home in Detroit most of the time he was not on the road. As a young man he started out with his act of monkeys, and dogs, and a pony, got a contract with a famous "Music Hall" act sometimes used by others who paid him rights on the idea of dressed-up chambermaids, clerks and inebriated guests, all played by the animals. For decades a widely-known act in vaudeville and circuses, Hall appeared on Keith and other circuits.

Of late years the couple liked playing golf and frequently frequenting picture houses on Saturday for the sheer pleasure of entertaining the youngsters. It was in the midst of one of these shows that Hall died.

Buried in Detroit was heavily attended by hundreds of youngsters for whom he had staged shows, in schools as well as in the theatres.

EDWARD A. OLIVERI

Edward A. Oliveri, 65, veteran booking agent, theatrical manager and director of entertainment for the Knights of Columbus overseas in the World War, died of a heart attack Jan. 5 at his home in Washington, D. C.

Shortly before his death he was commissioned as a lieutenant in the U. S. Army and was to have been in charge of entertainment and amusement for enlisted men at several training camps. He did similar work for the government during construction of the Panama Canal.

A native of Washington, Oliveri was the son of Joseph Oliveri, a charmer who was a member of the Band. Starting as a vaude booker for several Washington theatres, he later joined the Barton-McHugh agency, Philadelphia. Oliveri also toured the country with a company known as the American "Minstrel Show." He was a brother of Paul Francis, who teamed with Rose Di Mar in a singing and talking act some 30 years ago.

Also surviving are a son, Edward Jr.; two other brothers and five sisters. Funeral services were held in Washington Jan. 8 and burial took place in Congressional Cemetery.

MARGARET KEYES

Margaret Keyes, retired concert contralto, opera singer and soloist with the Chicago Symphony and Philadelphia orchestras, died Jan. 6 at her home in New York after a long illness. At one time she toured the United States and Canada in con-

cert engagements with the late Enrico Caruso.

Receiving her early musical education in Florence, Italy, Miss Keyes also studied in Paris and London, late Herbert Witherspoon. Starting in 1909, for eight years she was soloist for the Chicago Symphony Orchestra on its spring tour.

Making her operatic debut with the Chicago Opera Company as Maddalena in "Rigoletto," Miss Keyes sang with that organization from 1910 to 1914. She made her American debut with the Philadelphia Orchestra. For 30 years Miss Keyes was contralto soloist at the Broadway Tabernacle Church, N. Y.

She leaves a sister and two brothers.

HENRY B. VINCENT

Henry B. Vincent, 68, composer, conductor and founder of the Erie Playhouse, died of a heart attack Jan. 7 in an Erie, Pa., hospital. He had written more than a hundred musical compositions including an opera.

Born in Denver, Vincent was a graduate of Oberlin University and also studied in London and Paris. A resident of Erie since 1898, he established the Little Playhouse in 1916, which eventually became known as the Erie Playhouse. He was a member of the Erie Symphony Orchestra. Vincent also served as an organist and lecturer at the Chautauqua Institute at Chautauqua, N.

18 YEARS PASSED AWAY

DAVID POWELL GOODMAN

Died Jan. 19, 1923

A loving one from us has gone.
A voice we loved is stilled;
A place is vacant in our hearts
Which never will be filled.

Dear Daddy—I miss you more
now than ever.

Your son, Jack.

JACK POWELL AND FAMILY

X. Among his compositions were an oratorio, "Prodigal Son," and an opera, "Esperanza," presented in Washington in 1906.

He leaves a son, Paul, and a brother.

WILLIAM H. PAGDEN

William H. Pagden, 68, retired concert and operatic singer, who was a tenor soloist with the Philadelphia Symphony Orchestra and sang duets with the late Mme. Ernestine Schumann-Heink, died Jan. 9 at his home in Jersey City after a short illness.

Born in Nottingham, England, Pagden came to America as a youth and started his musical career as a soloist at a Philadelphia church. Later he appeared with the Philadelphia Opera Company and the Boston Symphony Orchestra. An authority on the works of Handel, he was considered one of the nation's most able oratorio singers.

Since 1911, when poor health compelled his retirement, he had been a resident of Jersey City. However, he remained active as director of choirs for several local churches. His widow and son survive.

ANNE EVANS

Anne Evans, 70, daughter of Colorado's second territorial governor and largely responsible for the inauguration of the Central City Drama Festival, died of a heart attack Jan. 6 in Denver.

Always a patron of the arts, Miss Evans became interested in the Central City Opera House shortly after the Indians, led by their chief, a Mecca for summer tourists, and lover of the drama. Both new and old plays have been presented, including "The Merry Widow" with Richard Bonelli; Gladys Swarthout and Natalie Hall; "Hamlet" with Walter Huston and "A Doll's House" with Ruth Gordon.

ROSE DAVIS

Rose Davis, 25, a rodeo performer, whose bruised body was discovered

near the Pennsylvania Railroad tracks in New Brunswick, N. J., the night of Jan. 7, was an apparent suicide victim, according to William H. Jacqui, Middlesex county coroner.

Miss Davis, according to police, leaped from a fast Pennsylvania passenger train westbound for Fort Wayne, Ind., where her grandmother was reported to have been seriously ill, and to whom Miss Davis was ostensibly going to return via train.

Harry Marvin, who described himself as her fiancé, was unable to furnish a motive for her act to police.

CHARLES REED GILBERT

Charles Reed Gilbert, veteran legit player, died Sunday (12) in Washington, D. C. He was 81.

Gilbert toured for years with Chauncey Olcott, played the part of the tramp in the original production of "The Virginian" starring Dustin Farnum, and later on tour with William S. Hart in the Farnum role. He had appeared in many stage successes of the '90s.

His wife, Katherine Argyle Gilbert, also of the stage, has been dead for some years.

BILLY GASTON

Billy Gaston, songwriter and producer, who was a member of the team known as Gaston and Barrison, died Dec. 28 at the Polyclinic hospital, N. Y. His partner, Mabel Barrison, following the Gaston split, married Joe Howard, noted as the writer of "I Wonder Who's Kissin' Her Now."

Among Gaston's popular songs were "You'll Be Sorry Just Too Late," "Gee, But This Is a Lonesome Town" and "She's Miss Ginger from Jamaica." Funeral services were held in New York on New Year's Day.

BOB GIRARD

Bob Girard, 53, blackface comedian and one-time stock company performer, died after a short illness Jan. 1 at the Jewish hospital, Philadelphia.

Girard, whose right name was Rupert C. Garrod, began his theatrical career at 14. For a time he put on a minstrel show of his own in Chicago and later joined the Dumont Minstrels, with which he remained until its dissolution in 1922. He also appeared in stock at the old Grand theatre, Philadelphia.

Three sons, two daughters survive.

FRANK BRIDGE

Frank Bridge, 72, conductor and composer, died of a heart attack in London Jan. 11. He was a prolific writer of chamber music and was regarded as one of the better modern composers whose works were especially used by string quartets.

Born in Brighton, England, Bridge studied at the Royal College of Music and as a conductor was a member of the Royal Philharmonic Society, the Savoy Theatre Opera and the Queen's Hall Orchestra, all in London. While most of his compositions were written either for orchestral or string quartet use, he had also composed many selections for the piano.

MRS. MARTIN J. WELLER

Mrs. Martin J. Weller, who, as Mme. Planks, the Lady of Lions, a famous animal trainer 40 years ago, died of heart disease, died in her home in St. Louis. She was 74. She had lived in St. Louis since the world's fair there in 1904. Her husband, also a showman, worked on a ferris wheel at the fair.

Mrs. Weller was a featured performer with Frank Stockton's animal show, but quit after most of her animals were destroyed in a fire in Baltimore.

HERMAN P. CHELIUS

Herman P. Chelius, 92, former concert artist, pianist and conducting director of the Boston Conservatory of Music, died Jan. 7 at his home in Dorchester, Mass. A native of Germany, he had provided organ accompaniment for such lectures as Mark Twain, Ralph Waldo Emerson and Henry Wadsworth Longfellow.

Surviving are two sisters, a daughter and a grand-daughter.

SELBY C. OPPENHEIMER

Funeral services were held in San Francisco Jan. 2 for Selby C. Oppenheimer, Frisco impresario and managing director of the Frisco Opera House. He was 62. At various times he had managed theatres in Frisco, San Jose and Sacramento.

Oppenheimer became biz manager for the original Frisco Opera Association in 1923, and had been the city's leading impresario since.

CATHERINE HAYES

Mrs. Catherine Hayes, 55, former stage and screen actress, died Jan. 6.

in Los Angeles after a long illness. Deceased was in vaudeville and legit from 1902 until 1927, when she moved to Hollywood to enter pictures.

Among her screen roles were "The Great Lover," "Zoo" in Budapest, "Warrior's Husband" and "The White Sister." She retired in 1934 because of ill health.

CHET WALLEN

Chet Wallen, 33, died at San Diego, Cal., Jan. 5, when his auto overturned. Widow, who was injured in the accident, and a daughter survived.

Wallen was for years rated one of the best dare-devil stunt drivers in the country, and performed for countless fairs and other shows.

GRADTRUDE (TRUDY) PARNELL

Gradtrude (Trudy) Parnell, former musical comedy and vaude performer, died in Indianapolis, Nov. 3. She had appeared in such hits as "Wild Flower," "Peggy Ann," "Little Jesse James" and "A Connecticut Yankee."

Her husband, Paul Parnell, musical director of "Yankee," survives. In recent years the couple had operated a photo studio in Indianapolis.

FLORENCE H. MORGAN

Mrs. Florence H. Morgan, 97, playwright and author, died in Cleveland Jan. 11.

Writer of the play "Terence," which starred Chauncey Olcott, and had a long run on Broadway, Mrs. Morgan also scripted several novels.

Leaves a daughter, Mrs. Robert H. Perdue, with whom she lived.

WILLIAM R. ABRAM

William R. Abram, 60, manager of the vaudeville team of Abrahams and Johns, died in San Francisco Dec. 31. Act was widely known through its billing, "The Timely Awakening."

Abram was for a number of years a character man with the Henry Duffy Players, Frisco. A sister, Madge, survives.

HENRY A. OTTMAN

Henry A. Ottman, 73, retired theatre executive, died of a heart attack recently in New Orleans. Personal manager for the late Henry Greenwald for years, he operated the old Grand Opera house, New Orleans, and later managed the Music Hall there. Two sons, two daughters survive.

W. S. JACOBS

W. S. Jacobs, 64, for 30 years a theatre and night club operator, died recently in Hot Springs, Ark. Born as operator of Lyric theatre, legit and vaude house in Hot Springs, in 1910. Owned and operated several night clubs.

Death followed automobile accident injuries.

DWIGHT ROBBINS

Dwight Robbins, 70, retired actor, who had appeared on the stage for more than 50 years, died Jan. 5 in Poughkeepsie, N. Y.

In recent years he had acted for radio.

Sam Neaman, veteran exhibitor of Natrona, Pa., near Pittsburgh, died at his city last night after a lingering illness. He had recently returned from Florida after trying to regain his health there.

John Elliott Cowdin, 83, father of J. Cheever Cowdin, chairman of Universal's board, died Jan. 7 at Harkness Pavilion, New York, after a long illness.

Alfred Wood, manager of Tower and Melba theatres (Interstate circuit), Dallas, died Jan. 4 after brief illness.

Father of Paul Krumenacker, manager of WB exchange in Albany, died in his home in Pittsburg last week after a short illness.

Father, 87, of John McCormack, the tenor, died in Dublin Jan. 7.

12 Nitery Alibis

Continued from page 1

spending their coin on Easter clothes. "May is lousy because the weather is too nice and people don't want to stay indoors in a night club."

"June is lousy because people are getting ready for vacation."

"July and August are terrible because everybody is away."

"September is punk because people are still broke from their vacations."

"October is off because people are spending money on football and winter clothes."

"November has people worried over elections and buying coal."

"December is worst of all because of Christmas shopping."

Cantor

Continued from page 1

negatively. "What's the matter with it," Cantor wanted to know.

"Sounds too much like 'Birth of the Blues,' they shot back."

Cantor and Burns and Allen thought differently. They would have liked to have seen it. Shaw was ordered to make a fast recording and a call was put into Radio City. The turntable hardly died down when the teletype started ticking!

"Can't use! Sounds too much like 'Tip Toe Through the Tulips.' Playing safe," Cantor substituted "Lazy Mary, Won't You Get Up?"

MARRIAGES

Irene Williams to Cecil Walker, in Schenectady, N. Y. He's with WTRY, Troy.

Pann Merriman to Oliver Scott, in Des Moines, Dec. 31. Bride is dancer; he's pianist with WHO, Des Moines.

Rita McCambridge to Dave Shanahan, in Wellsburg, W. Va., Jan. 1. He's assistant treasurer of Nixon (legit) theatre, Pittsburgh.

Lola Lane to Henry Clay Dunn, in Hollywood, Jan. 5. She is a screen actress.

Edith Graham to Arthur Van Horn, in San Rafael, Calif., Jan. 3. Bride is radio-stage player; he's KFRC announcer-newscaster.

Stanley S. Josefoff of Young & Rubicam, radio and television department, New York, and Barbara Gordon, New York, colist, Dec. 30 at Baltimore.

Timothy Ross Marshall to Ruth J. Steffen to Joe Betzer, Dec. 28 in Buffalo.

Mary Elizabeth Hicks to Charles Nagy, in Franklin, Ky. He's WLCAC, Franklin staff musician; he's WLCM music director.

Ruth J. James to Ger Parkinson, Jan. 8, in Boston. He's staff organist for WBNS, Columbus, O.

Margaret Frohneknecht to Arthur Kober, in New York, Jan. 11. He's the playwright, divorced from Lilian Hellman.

Dorothy Osborne to Joe McGangle, in Portland, Me., Jan. 13. He's manager of Empire theatre, Portland.

Sue Allen to David G. Taft, in Cincinnati, Jan. 11. He is on WKRC sales promotion staff.

Virginia Ruth Rogers to Stan Laurel, in Las Vegas, Nev., Jan. 12. He's the film comedian.

BIRTHS

Mr. and Mrs. Loye Pack, son, in West Va.

Mr. and Mrs. Frank Wilson Hobbs, daughter, in Oakland, Calif., Jan. 2. Mother is known on KPO-KGO, Oakland, as Monty Margret.

Mr. and Mrs. Ronald Reagan, daughter, in Los Angeles, Jan. 4. Parents are screen players, mother being Jane Wyman.

Mr. and Mrs. George Dutton, son, in Hollywood, Jan. 2. Father is in Paramount's sound department.

Mr. and Mrs. Richard Collins, daughter, in Hollywood, Jan. 4. Parents are screen players, mother being Dorothy Cumming.

Mr. and Mrs. Raoul Patel, daughter, in Hollywood Jan. 5. Father is business manager of dance department at 20th-Fox.

Mr. and Mrs. Edward Dmytryk, son, in Los Angeles, Jan. 6. Father is film director.

Mr. and Mrs. Robert Glacey, daughter, Jan. 2, in Buffalo. Father is WGR-WKWB (Buffalo) announcer.

Mr. and Mrs. George Schaefer, Jr., daughter, in Hollywood, Jan. 8. Father is an assistant director, is son of RKO president.

Mr. and Mrs. Delmar Davies, daughter, in Hollywood, Jan. 9. Father is screen writer at RKO.

Mr. and Mrs. Jimmy Alderman, son, in Dallas, Jan. 31. Father's a newsreader with WFAA-KGKO.

Mr. and Mrs. Jack Dean, son, in Ithaca, N. Y., recently. Father's an announcer with WHCU, Ithaca.

Mr. and Mrs. Jimmie Hanna, son, in Ithaca, N. Y., recently. Father's general manager of WHCU, Ithaca.

Mr. and Mrs. Gene Fowler, Jr., daughter, in Hollywood, Jan. 8. Father is film cutter, son of the novelist and screenwriter.

Mr. and Mrs. Frank Albertson, son, in Glendale, Calif., Jan. 8. Father is screen player.

Tibbett's Trapeze Act

Continued from page 1

through with a full schedule of roles regardless of his recent vocal black-out is that every performance he is giving this year is a bit of real life melodrama as well as a lyrical undertaking. The 'will-he-won't' he situation has focused unprecedented attention upon the singer, who is doing a musical trapeze act that he audited acutely conscious that he cannot make it one time.

There are a number of historic examples of opera singers losing their voices, regaining them after a period of time and returning for more or less successful comebacks. Few of these singers, however, ever

Met Grosses \$98,000

The Metropolitan Opera grossed about \$98,000 last week. This means about \$6,500 loss on the performances. 'Daughter of the Regiment,' with Lily Pons on Monday, and 'Louise,' with Grace Moore on Tuesday (in Philadelphia for a one-night stand), and Thursday's 'Pagliacci,' with Tibbett, produced profits, but other performances offset this.

'Siegfried' on Friday dipped in the carmine an estimated \$3,500. Marjorie Lawrence sang an excellent 'Brunhilde,' but Kirsten Flagstad was missed at the box-office.

tempted the fates with an 'Otello.' Admiration and fear follow his every note this year, creating the big unscheduled thrill of the Met's 1940-41 season.

Nellie Melba was silent for a year after her disastrous attempt to sing 'Brundibar' in 'Walther's' at the Met. Reszke in the 1895-96 season at the Met, De Reszke himself sang 'Lohengrin' under will-he-won't he conditions in 1901 after an absence of a year, at which times reports had it his voice was forever stilled. An enforced four year retirement from 1915-1919 of Lucrezia Bori, and her subsequent triumphant return, are also recalled. Amongst the singers, however, there abided a trim degree of popularity at the Met, and had followers who worshipped them good, bad, or indifferent, and woe betide the unfortunate who dared criticize any note of the idol. Tibbett's case is somewhat different.

Not that the baritone has not attained popularity, but at least among the foreign element, the native born Italians and their descendants, the would-be operatic neophytes, etc., who crowd the rails night after night, Tibbett's popularity was the second best. The Duke of York was the first Tiberius.

His good qualities were grudgingly admitted, and his bad ones were played up to a degree far beyond their bounds.

With the announcement last May that the baritone would be forced to cancel all engagements until this month, a warmer, friendlier feeling developed toward him. 'He was not bad when he had it,' became the census of sympathetic opinion.

His first Ford radio broadcast, consisting of one aria and two songs was not regarded as a test. That came in 'Rigoletto,' which the baritone sang credibly, but dubiously. Then came his remarkable performance as Tonio in 'Pagliacci' Thursday (10). His voice retains its usual quality but he is using, or perhaps is only capable of using, not more than two thirds of his former power. In the middle and the low registers the once booming voice was smothered frequently by a not too loud orchestra.

The singer also resorted to tricks of stage presence to gain a dramatic effect, which had heretofore been accompanied by sheer noise. As it stands today the voice is still a good one, but it is hardly the organ which made its owner one of the greatest of modern singers. This Saturday, Tibbett will either make it or break it, as he is scheduled to sing Iago in 'Otello,' probably the most trying vocally and dramatically of all baritone roles, the NBC broadcast from the Met. Even at the opera house itself, tension is being felt regarding this performance, and hopeful that Tibbett will succeed in the effect that Tibbett has restrained himself, feeling his way so far, and will cut loose in 'Otello.'

Should the role prove too taxing, the hope is expressed that he will retire gracefully for the season, and rest, for that alone, according to his

J. J.'s 'Love'

Continued from page 1

theatres because of adverse notices. He also sought to have a Washington critic banned, until it was pointed out that the house (National) where 'Love' played was not operated by the Shuberts.

Shubert appeared to act on the theory that the out-of-town critics don't know a good show from a flop, but he didn't let out a peep when the New York reviewers frankly said 'Love' didn't have a chance. In fact, he believed 'em.

Humorous angle to J. J.'s squawk in Boston came when he ordered a review off the press list. This was done, even though the critic explained that his assistant sat on 'Love,' he having seen a straight play on that evening. Shubert refused to be mollified and claimed the critic wasn't nice on the telephone.

Also reported that when J. J. announced he'd told Lee, that his brother got off fighting with the press. The inference was that Lee reserves the right for himself.

Hearst vs. RKO

Continued from page 1

the general understanding that the picture is based on a story which parallels his own biography. Threats of legal action followed a special preview of a rough cut of the film in an RKO projection room, attended by Miss Parsons, Oscar Lawler, Hearst corporation official, and A. Laurence Mitchell, Hearst's counsel in Los Angeles.

Since then, emissaries of the Hearst newspaper system have been checking up with writers for news, Hearst's associates, oldies and goodies, to substantiate the claim that studio publicity has linked 'Citizen Kane' and the Lord of San Simeon as the same. The Welles story begins with a young man who buys a newspaper with mining stocks received from his mother, and goes on with a political career in which the leading figure is defeated for the governorship. The Welles factor impels him to start a newspaper campaign claiming the election was fraudulent. It winds up with the publisher dying in old age and lone-

liness. Death is a word never uttered in Hearst's presence. On his San Simeon and Wyntoon estates it belongs to a foreign language. The death of 'Citizen Kane' is understood to be one of the cogent reasons for the publisher's attitude against the pictures.

To date, RKO has shown no tendency to scrap the film. The studio has about \$800,000 tied up in its preparation and production, in which Welles played a quadruple role as producer, director, writer and actor.

Joseph Nolan, v.p. in charge of studio operations, declared personally, but not for the higher-ups, that he could see no reason to let the picture go into the scrap heap.

The picture, he asserted, will be released for a world prem in New York, Feb. 14, possibly at the Music Hall.

RKO studio publicity department said it had no part in the preliminary campaign on 'Kane,' but that Herb Drake, personal drumbeater for Welles, was given free hand to hop up interest in the picture. RKO claims title preview for mag and news writers, the latter which stumped out the nature of the film.

Drake without tipping off studio flunks. They say he never took the press department into his confidence or disclosed what he intended to do.

N. Y. Reaction

George J. Schaefer, RKO's general manager in New York, the company has given 'no serious consideration' to withholding 'Kane' from release because of the Hearst action. It appeared remote, also, that RKO would seek retribution by pulling its

advertising from the Hearst press because of reported ban by the sultan of San Simeon on any mention in his papers of either RKO or its product.

S. Barret McCormick, company's art and publicity director, declared they had no objection to withholding ads. Harry Mandel, pub-ad chief for the RKO theatre circuit, stated definitely that advertising will not be pulled from Hearst papers. 'We never fight with newspapers,' he emphasized. 'We use the Hearst papers like any others because our ads in them bring in customers. Any publicity we get is sugar-coating and lack of it will not cause us to alter our policy.'

Nixes 'Kitty Foyle' Layout

San Francisco, Jan. 14.—Hearst embargo on RKO over the 'Citizen Kane' incident delivered a hard blow to RKO's Golden Gate here. House had just planted a full page layout on 'Kitty Foyle' in the Call-Bulletin, which was suddenly cancelled.

With two of the four local dailies Hearst's dropping off all references to RKO products is tough on the Gate, playing RKO exclusively, although it will still get mention of its stage shows.

Bills Next Week

Continued from page 48

Dalena Lamont, Harry Collier Ore, Whittier Hotel (Gold Cup Room)

Alphonse Village, Bernice & Parks, Bob Cooper, Carl Miller, Eddie Ochs, Fredie's Cafe, Art Lester, Al Schenk, Hal Simpson

Gourmet Club, E. Robinson Ore, Bill Lockman

Hotel Allerton, Karen Torrey, Jack Mike

Hotel Carter, Verasolite, Hotel Cleveland

Pauline Pendora Ore, Margaret English, Hotel Fenway, Hotel Franklin, Hotel Sterling, Jimmy Van Ordell

Hotel Statler, Jose Jordan, Ora Nilia, Eddie & Elena, Catalina Roland

Jack's, Eddie's, Robertino, Roberta, Arlene Rice Ore

La Conga Club, Ramona Hotel, Ora Jade, Presley Hotel, Regal Club

Dixie, Malvin Ore, Paul Denning, Cunningham Inn, Jim Debs

PITTSBURGH

Auricchio, Hugh Morton, Ore, Eddie & Eddie, Aviation Lodge, Ray Parrish Ore, Sally Lane

Buckminster Club, Al Turner, Ore, Billie Burke, Belvedere

Bohemian Club, Joe Villa, Ore, Hill Green's

Laxton Bailey Ore, Bill Wilson

Boogie-Woogie Club, Bob Hammitt, Jimmie Lee, Don Wilson

Booster Club, Kitzie Kuz, Ruthie Lash, Nutty Fagan, Harry Corcoran, Garpardine, Tiny Miller

Bennie Crawford, Mary Kries, George Moore, George Moore, Cork and Bottie

Freddy's, Eddie Peacock, The Camelot Inn Ore, Mabel Harrold, Eddie Peacock

El Chee, Don Mario Ore, Gerardo Danté, 'People' (amphitheatre)

Hotel Fred, Phil Kornblatt, Michael Mitchell, Joann Wheately, Hotel Henry (Silver Grill)

Hotel Lester, Jean Woods, (Gardens)

Hotel New Haven, Dorothy Donahue

Hotel Sanders, Ida Johnson, Dorothy Donahue, Shirley Heeler, Al Davis

Evergreen Garden, Eddie Moore, Eddie Moore, Paula Harvey

Hotel Elmira, Gina Maria Ore, Zita St. Clair

Hotel Empire, Leopoldo

Hotel Plaza, Eddie Gray, 2

Hotel Ryerson, Betty Denman, Birch Twins

Hotel Savoy, Eddie Martello, Samirretto

Villa, Madrid, Elvita, Cecile Ore, Eddie Gray, 2

Woolworth, Jimmy Gamble Ore, Jay Loring, Chuck Williams

Jack Kennedy Ore, Tony Ruvalcaba, Ray Miller, Ruthers

Sterling Schramm, Freda Lazar, Aacht Club, Jack W. Ryan, Ore, Ray Miller, Ruthers

Yachting Club, Eddie Peacock, Vonnelettes

Sky-Vue, Johnny Martin, Eddie Peacock, Alberta Curtis, Ulnor, Grill

Art Zarco, Eddie Peacock

Mike's, Samirretto

Villa, Madrid, Elvita, Cecile Ore, Eddie Gray, 2

Woolworth, Jimmy Gamble Ore, Jay Loring, Chuck Williams

First Jazz in England

New York

Editor, VARIETY:

Recently your paper mentioned

that you had been introduced

to Eddie Peacock by Mr. English,

today the Times attributes this fact

to another gentleman—but the distinc-

tion really belongs to a 100% Ameri-

can Producer—John Lester, who

took his band over to England

as far back as 1914. He introduced

Jazz—called JAZZ, into his 'Ten

Cowboy Syncopators' Stage Band.

The first time the Billing went up

at Leeds, Empire—the manager

brought me back to tell Mr. Lester

to ask if there was a producer,

he had never heard such a word. Lester's band became for many years

the most popular musical act over

there bar none, playing every house

in London and the provinces, and in

the Lester review of musicians. The

famous Emlyn Thomas was Lester's

M. C. for the house-band for

many years, acting as choir master

for his Southern Syncopators and

Georgia Jubilee Singers, and all

its reviews.

Kittie Acer,

Ex-Stage Director

For Lester Productions,

Stoll, Moss and Black Theatres.

WHAT THEY THINK

Gold in Them Thar' Hills?

New York, Editor, VARIETY:

Recently Mr. William A. Brady, the venerable producer, wrote an article in which he warned the youngsters to stay home and not attempt 'the Broadway hurdle.'

'There is no place on Broadway for the young people,' said he. 'We don't think so, and if you will grant us a little space in which to answer him we will be most grateful.'

We are The Forty-Niners, a newly-formed cooperative group consisting of the younger people in the theatrical writing corps who are firmly convinced and determined to prove that youth can make the grade on Broadway. Yes, we are familiar with the vicissitudes of the younger talent in show business, but are ready to show that big Broadway bogey-man, Mr. Producer, that he is wrong when he insists the public wants names. (There are a few we'd like to call him.)

Sooo, we have banded together to put on a show of our own. We are preparing big, bold, and (we are told—say it)—borrowed and paid until we have sufficient to raise the curtain on our little, impudent-to-but amusing, we hope—show 'Beggars' Revue.' In an out-of-the-district theater, where unions have an understanding heart and non-commercial enterprises are tacitly exempt from the necessary union conditions and labor, we intend to discover ourselves, with two planes furnishing the accompaniment.

Soon we will be up and running, with the gallery filled with Comiskey fans from over the river. At the last minute that season was a fatality, the bookie probably because of his string of kag wins before he was stopped in the first round by Max Baer last summer. They forgot that Nova batted the same Baer prior to being butchered by Tony Galento. To make it all the more puzzling, Baer made quite a few months ago and Galento disappeared from the sports pages thereafter.

Nova was hospitalized for a long period thereafter because of an infection and the boys didn't figure he could stand off the 20-year-old Comiskey.

He may not have fully regained his former condition, but certainly looked like a gladiator in the Garden ring, his body bronzed from training in the open. Nova exhibited rapiers fast and jab and a body punch hefty enough to knock Comiskey to one knee in the first round.

The Jerseyite never did show much as a boxer, but against Nova he was more crude than ever and made almost every mistake that a fighter can make. He tried to land with roundhouse rights and only luck saved him from an early knock-out. As the in-fighter Comiskey shows nothing unless a miracle happens, Jersey can kiss its chances for a champ goodbye.

In the later rounds, Comiskey hugged Nova around the neck with his left finger, while the Coast embattled lambasted to the short ribs so many times that he grew tired of hitting the big lug. Finally, under such punishment, Comiskey dropped to one knee in the final round and just managed to get up before being counted out. He hugged until the bell rang.

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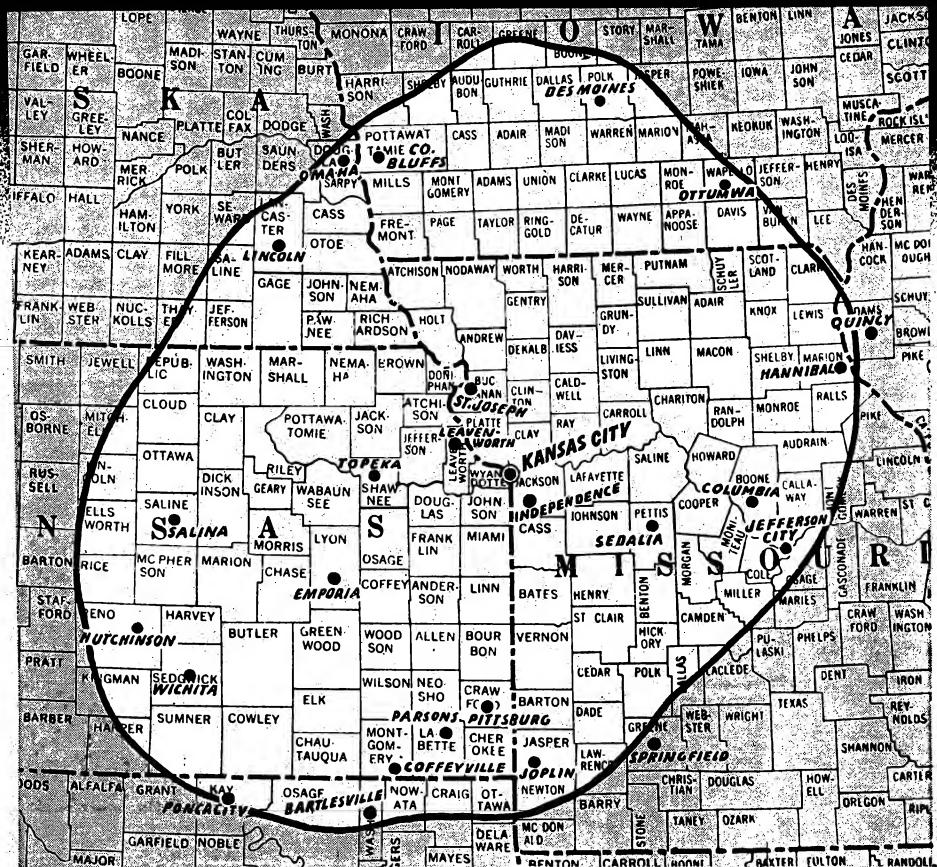
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WDAF

Covers the Great KANSAS CITY MARKET



Largest Radio Coverage in the Kansas City Area

The outer black line is the one-half millivolt signal point for WDAF's full-time operation on 5,000 watts. This WDAF primary area, largest radio coverage in the Kansas City area, was measured by engineers of Bell Laboratories. 917,113 Radio Homes in WDAF's Half-Millivolt Area.

OWNED AND OPERATED BY THE KANSAS CITY STAR

Outlet N. B. C. Basic Red Network

Represented by Edward Petry & Co.

SCREEN

RADIO

MUSIC

STAGE

VARIETY

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VOL. 141 NO. 7

NEW YORK, WEDNESDAY, JANUARY 22, 1941

PRICE 25 CENTS

MUSIC WAR'S CASUALTIES

No Written Morality Clauses But Radio Performers Very Careful

Unlike the film industry, radio doesn't make a practice of inserting morality clauses in performance contracts. It's a tacit understanding on the part of both the public and behavior subject is general in network radio. "Unwritten rules" mostly apply to drinking in public, or at least permitting pictures to be taken while holding glasses of liquor, as well as any kind of scandal. Particularly touchy subject is being involved in souse escapades, especially the kind of night club bravado that actually gets into the dailies. One network official receiving such publicity several years ago was immediately let out.

Generally these morality conditions apply to the performers, particularly those with names closely associated with a program or product, than to the behind-the-scenes producers, directors or executives. Most of the performers of those associated with a program in any capacity are to be identified in a photograph, they're always careful not to be shown drinking, having liquor glasses in their hands, or with bottles on the table. Frequently the femme performers even avoid being photographed while smoking. This strictly-temperate requirement occasionally causes some hasty scrambles when a photographer makes an unexpected appearance.

Because none of the large sponsors

(Continued on page 60)

Democracy

"Listen America, Now," program on WMCA, New York, seeks to inculcate fraternity and tolerance among kids. Said one boy, summing up for democracy:

"If you don't like another kid, don't call him some dirty name because of his race. Just shout: 'You're a stinker!'

NOT WORTHY OF COMRADES' HISSES

San Francisco, Jan. 21. Left-wing reaction to Metro's "Comrade X" as reviewed in People's Daily World:

"Really, there's little reason to be angered and upset about 'Comrade X.' Of course, all the characters constantly refer to the situation before Ben Hecht's warped, needle-cry brain soaked in alcohol, has carried on so stupidly and clumsily that not even Hearn would believe 'Comrade X' is about the Soviet Union."

Sheet advises the faithful that "If you're the kind that insists on seeing 'anti' films just to hiss, stay away from 'Comrade X.' It's not even worth hissing."

PROGRAMS AND SONG SALES OFF

Cooperative Analysis Popularity Report Reveals 52 Shows in December-January Drop—Music Jobbers Say Pop Sheet Sales in Nosedive Although Standards Hold Up

VERY BITTER

First blood has been drawn in the bitter all-out, no-holds-barred war between the radio industry and the music publishing industry as represented by and in ASCAP. These were the spattering 21 days after all ASCAP music went off nearly all the radio stations in the United States.

(1) According to the report for the period ending Jan. 14 which was issued Monday (20) by the Cooperative Analysis of Broadcasting the popularity rating of 52 evening (Continued on page 26)

Meet People' Testing B.O. Diff Between 1st, 2d-String N.Y. Critics

Differences in the effect on players by the first-string critics as compared with the opinion of second-stringers may be tested in the case of the People's Court, now at the Mansfield, N. Y. Thenkin Alliance, which operates the show, made the mistake of opening on the same night as "Pal Joey," spotted across the street at the Barrymore, latter musical drawing the regular reviewers. Although the notices accorded "People" by second-stringers were favorable enough, notices has been under expectation.

In the past two weeks all the first-string critics have also covered "People," their resultant comment being good and in some instances raves. There was no immediate boxoffice rush, but it was claimed that the advance sale was bettered by \$1,200 last week. Some extra space advertising was used for further revue and it is planned to splurge with quotes from the new reviews.

Mistaken Identity

Havana, Jan. 21. Word has been received here that the Cuban, Moisse Simons, who

wrote "The Peanut Vendor," is detained in France as a Jew, which he is not. The Spanish name sounds Jewish to the authorities and that's that.

Cuban friends are trying to get him out.

Suggest U. S. Sponsor N. Y. Shows On South American Tours for Goodwill

Not Me

Hollywood, Jan. 21. Herman Mankiewicz, scripter, registered a protest with the Screen Writers Guild, demanding screen credit for his work on "Citizen Kane." When the war between William Randolph Hearst, Orson Welles and RKO broke out over the picture, Mankiewicz lost all interest and withdrew his protest.

Now the studio has decided to give him full credit.

NUDE GIRL ORCH IS JUST A MIRAGE

San Francisco, Jan. 21. Tommy Harris, KFRC tenor, who operates a drinkey on the side, stirred up a mess of trouble with what he thought was a pretty swell ad. Sandblasted into his bar mirror was an orchestra of nude females. Harris took a three-col ad in all the dailies to run a picture of it, captioned "See Tommy Harris' Nude All-Girl Orchestra." Broadcast prompt action in the shape of the police department, liquor control authorities, Federal agents, and every women's club in town, mob converging on spot in a purple fog.

Plenty of red faces all around when the "ork" proved to be only a mirror but biz is good, thanks.

Vitamin Pills With Each Drink, New Law Proposal

Milwaukee, Jan. 21. Nitery ops are perturbed over what they term a screwy bit of legislation introduced at Madison this past week. Under the bill, prepared by Assemblymen William J. Sweeney, of Green Bay, and Nicholas J. Bichler, of Belgium, it would be mandatory for the cafe men to serve a vitamin pill or its equivalent with every beer, cocktail, fizz, highball, or other stimulating drink.

Sponsors of bill say their proposed legislation is in line with recommendations of the American Association for the Advancement of Science that serving of this vitamin should be made compulsory, as it helps burn excess alcohol out of the system and thus has a sobering effect upon the drinker, promoting orderliness and general safety. Tavern men fear passage of the bill would take all the kick out of their business.

Plan to send shows from New York to the capitals of South America under U. S. Government auspices as a goodwill gesture has been proposed by Fred Gruen, former president of Equity and chairman of the Associated Actors and Artists of America. He has spent considerable time on the project and stated that the idea was favorably received when he outlined the proposal to Washington recently.

Latin-America has been eyed for some time as new territory, but no concrete plan was worked out. Gillmore said from the beginning the idea had to be set aside for use in bringing the continents into closer contact. Theatrical troupes going to South America would be welcomed by ambassadors or consuls, thereby making their advent official and something of social significance.

It is even considered likely that the shows would be self-sustaining financially, if not showing a profit. Fact that average audiences beyond the borders of North America English is not considered vital factor, that being based on the fact that foreign language attractions have played New York and were well supported.

Casts with name leads would be sought. Katharine Cornell is among them and it is claimed that she favors the plan. About two years ago Miss Cornell proposed a world tour which would have included some countries where English is little known, but the idea was abandoned.

COMPOSER STRAVINSKY JOINS LEONARD FEIST

Igor Stravinsky, Russian composer, has been inked to an exclusive long-term pact by Leonard Feist, head of Mercury Music Corp., N. Y. Feist acquires world publication rights to Stravinsky's non-symphonic music.

This will mark the first time the composer's works will have been published in America. He has just completed his first short composition, "Tango," which Mercury will issue shortly.

Feist is the youngest son of the late Leo Feist.

New High in Giveaways, 18½c Gadget on 20c Ticket

Minneapolis, Jan. 21. Probably the ultimate in theatre giveaways occurred here when the Alhambra, independent neighborhood house, gave away a pie baker, costing 18½c apiece wholesale, to every woman patron buying a 20c ticket. The feature picture was "Knute Rockne."

Women saw it at 1½c, deducting the giveaway's cost.

BRITISH TROOPS LIKE NOTRE DAME VICTORY

Boston, Jan. 21. British troops have developed favorites among United States campus and football songs. This is the story reaching short wave radio centers here.

"Anchors Aweigh" rules as a heavy favorite. Tommies also like "Run Up the Score," "Navy," "Marching" the special theme of the Gordon Highlanders stationed at Bancroft, Scotland, who were taught the words by a group of Boston college girls stranded there for a few months after the outbreak of the war. However, the tune is whistled by regiments all over the island.

Ranking next in popularity are the marches, "Stars and Stripes" forever, and "Notre Dame Victory."

'Sunny' 300th for Wilcox, 16th With Anna Neagle

Hollywood, Jan. 21. Herbert Wilcox started his 300th picture when he called for a start on "Sunny" at RKO. His first was a \$5,600 production, "The Wonderful Story," back in 1919.

"Sunny" is the 16th consecutive film in which he has directed Anna Neagle.

Pro Score, Sketches For Dept. Store Show

Pittsburgh, Jan. 21. Kaufmann's, Pittsburgh's biggest department store, is going pro for its annual spring fashion show and has signed Charlie Gaynor to write an original score and several sketches for the March review. Gaynor, from New York, came weekend to confer with store execs.

In addition, Kaufmann's is going in for pro talent, having engaged Polly Rowles for lead. She's a local girl who was under contract to Universal for a year and also appeared on Broadway with Orson Welles' Mercury Theatre Show will be directed by Rose Hartz, Pittsburgh high school teacher who has worked as an assistant at several eastern summer playhouses in the past.

His 34th Term

Youngstown, O. Jan. 21. Harry M. Dunspau has been elected for his 34th term as president of the Musicians' Union, Local No. 86, by a 128-43 vote.

Frank Pasarelli was elected vice-president for 30th time.

H'WOOD BUYING ON B'WAY

RKO, Despite Hearst's Ire, Announces Huge National Campaign for 'Kane'

Penthouse Blues

RKO last week openly flaunted William Randolph Hearst. At the same time it assured the film industry that it has no intention of withholding Orson Welles' "Citizen Kane" despite the publisher's demand to do so. Film will be released at the end of February.

Studio, which has never taken any official cognizance of Hearst's ire or threats, has announced for the first time a national advertising campaign that will be one of the most far-reaching ever launched for an attraction by RKO Radio Pictures.

Hearst papers apparently will get their share of the big RKO budget, despite the publisher's edict against any publicity for the company or its product in his publications. Top execs of RKO said last week that "the schedule is now only being made up and no definite allotments have been made yet," but added significantly that there will be no intention in the established policy of treating all papers in any city equally and taking equal space in them.

"Kane" will be ushered in, pub-ad head S. Barrett McCormick said, with full-page, two-color copy in big circulation weeklies like *Life*, *Look*, and *Saturday Evening Post*, which will reach an estimated 50,000,000 readers. That

(Continued on page 63)

Jolson's Closing of 'Hats' Burns Hale; Wants Cantor Or Jessel to Step Into It

Soon after resuming last week in "Hold On To Your Hats" at the Shubert, N. Y., after laying off a week because of grippe, Al Jolson announced his closing on Feb. 1, at which time it will have played 20 weeks on Broadway. Extended spell of inclement weather is said to have caused Jolson to yearn for Miami. Stated that "Hats" which has been playing to an operating profit right along, paid off its production cost of around \$90,000 in 12 weeks at the Shubert.

Announcement of the show's suspension precipitated a plan for continuing it in Miami, Fla., or sending it out with another company. Idea was advanced by George Hale, who pointed out that he has a contract

(Continued on page 60)

MR. AND MRS. JESSEL FOR B'WAY MUSICAL

Hollywood, Jan. 21. George Jessel and his wife, Lois Andrews, will appear in a Broadway musical, "High Kicker."

Johnny Burke and Jimmy Van Heusen are now here cooking up the

Cantor Back to B'way Next Fall in 'Columbus'

Hollywood, Jan. 21. Eddie Cantor returns to Broadway next fall in a stage musical, "Christopher Columbus Jr." Rehearsals are set for August.

Cantor will finance the show, with Al Lewis producing.

GRIPPE B'WAY LEGIT

Victor Moore Latest Victim of Illness Hampering Shows

Victor Moore was added to the list of grippe casualties that has been hampering Broadway shows. He was unable to appear in "Louisiana Purchase," Imperial, Monday night (20). It is said to be the first time the comedian has missed a performance in 10 years.

William H. Philbrick, his understudy, went on. Moore is expected back in the cast today (Wed.).

HAS HOLD ON 12 OF 20 SHOWS

Six Plays, Definitely Purchased by Film Companies, With Stakes in Two Others and Four More as Certain Buys—Heavy Book Plunging

HIGH PRICES

Hollywood's desire to acquire Broadway plays for filmization, which kindled from a spark into a full flame during the past year, is evidenced by the fact that of 20 eligible shows on the boards, screen rights to 12 have either already been bought or are expected to be shortly. Of the 12, three have actually been purchased. Film companies have stakes in two others and at least four more are certain Hollywood buys. At the same time last year only two shows of 19 eligible had ownership tags on the screen rights, although eight others were possibilities as evidenced by the fact they were later sold.

Latest buy came last week when "Charles' Aunt" already firmly established with remarkable success at the Fulton, N. Y., Howard Lindsay and Russel Crouse, who produced the show, have no intention of disposing the rights in the immediate future, but are known to have future. Special interest in screen possibilities of "Lace" is because "A Flight Case of Murder" was such a film success. That Damon Runyon's comic homicide did not click on the stage, but in film form was a money maker.

At the last count there are 21 persons who have a piece of "Lace," but the producers hold a predominating interest. They state that all of those

(Continued on page 63)

(Continued on page 53)

(Continued on page 53

15 Best Sheet Music Sellers

(Week ending Jan. 14, 1941)

Frenesi.....	Southern
I Hear a Rhapsody.....	BMI
So You're the One.....	BMI
*Dear Argentina Way.....	Argentine Way
I Give You My Word.....	MILLER
Nightingale Sang in Berkeley Sq.	BMI
You Walked By.....	S-B
Last Time I Saw You.....	Chappell
May I Never Love Again.....	BMI
Along the Santa Fe Trail "Santa Fe"	Harms
There I Go Again.....	BMI
Five O'Clock Whistle.....	Harms
It's a Little Bit of Heaven.....	Southern
*Only Forever Between the Rivers.....	Sandy
God Bless America.....	Berlin
* Filmnotical,	

Met's 7th Week Grosses \$91,500

Tibbett Meets 'Otello' Test Successfully—Pelleas et Melisande' Drops \$5,000

GILBERT MILLER'S DEBUT

Leaving Soon for First Hollywood Co-Producer Role

Gilbert Miller is slated to leave for the Coast shortly to assume his co-producer role on the filming of "The Last Retirement," movie he has just produced. He will be seen soon in "Credio," his first feature film.

English producer's partner in the "Ladies" deal is Lester Cowan, indie who's leases through Columbia Show, by Edward Percy and Reginald Doherty, opened in London and had a long run in New York with Flora Robson in top role. Dennis King predicted the rad since the show's opening, but in Ver. 1,000 players it came as surprise sur-

(Continued on page 58.)

CENSOR HOLTZ BIT IN MPLS.

Minneapolis, Jan. 21.

The police department's purity squad lived up to its "purity" title last week when Sergeant Sig Couch, head, ordered the Minnesota theatre to instruct Lou Holtz, appearing on the stage with his Hollywood unit, to eliminate from his act his 40-foot picture of a couple in a provocative pose.

Lynch is off his feet while piano is being laid for the opening in two weeks of his latest theatre, the Coral at Coral Gables, Fla., a 900-seater. The Gables there also a Far-Lynch operation, will be closed at the end of the winter season for extensive remodeling.

Following receipt of some complaints at the city hall, Couch witnessed the performance and then issued his edict.

In this act with Carmen Del Rio, Holtz had a bare skirt. A member of the squad made out his report that the theatre and Holtz agreed to the order immediately without registering any protest.

There is no censorship law here, but the police claim the right to close theatres and revoke licenses in cases of indecency on the stage or screen. The question as to whether an act or bit of stage business is obscene enough to warrant such interference, however, can be fought out in the courts.

Asther Finds Himself

Hollywood, Jan. 21.

Nic. Asther, absent from Hollywood since 1934, returns for a

turn in "The Man Who Lost

Himself" at Universal. Asther had been living in England for six years.

Brian Aherne and Kay Francis share the top spots.

LOIS MORAN ON KGO

San Francisco, Jan. 21.

Lois Moran, silent screen player, made her debut as a radio dramatist on KGO this week. Played lead role in Dick Bertrand's original "Dress Rehearsal" skit, "Prov. 18" and "Petunias."

Mrs. Moran, now the wife of Col. Clarence M. Young, of Pan-American Airways,

Academy Awards Feb. 27

Hollywood, Jan. 21.
Date for the annual Academy awards dinner has been tentatively set for Feb. 27.

Radio hookup is being dickered for, however, which may switch the date a day or so in the same week.

Each of them wanted me to ride in the car he was driving.

Broadway Rose was also at the station to greet me. She brought a wreath of flowers that spelled out "Happy Landing."

With some of my best scenes on the cutting room floor, it wouldn't surprise me to get an offer from Armstrong's "lineup."

My gangster role in the picture is so realistic that Dewey had a detective shadow me for three days.

He's a good agent, and now books the "Nearly circuit." He's booked an act in the Paramount he nearly got a dance team a job at the Versailles, etc.

Real reason for returning to New York was to get my option lifted with me to match.

Broadway Dept.

Dennis King closed his show out of town so that he could recast his backers.

"Crazy With the Heat" folded after seven performances. It should have been called "Crazy For a Hit" for "Some Material."

"Mr. and Mrs. Smith" was well received. Ned that the authors, Mr. and Mrs. Langdon, will be able to go South.

One of the most popular shows in the country, "Gone and Johnson" can change the name of its importance to "Honeymoon."

"Arsenio and Old Lace" proves that murder can be fun—making it among killing for Russell Crouse and Howard Lindsay.

"George White and Three Men" Monte Blue get into any more bashes. White will have to change the name of his spot to The Gay Eight Way.

Hollywoodian

Vollmeyer says he's going back to New York for five years—so that Hollywood can discover him again.

Asked Joe Frosch where his new house was located, Joe answered, "A mile and a half from the Cle-clover Club."

Sammy Kaye's Maxwell now carries a sign, "Help This Old Auto Across the Pedestrian Lane."

Since starting by Hollywood casting I have been getting so much fan mail that I had to get another cigar box to keep it in.

Dick Powell is doing so well he bought his baby a slightly used Ford for a rattle.

Harry Conn and his wife are both stubborn people. If somebody knocks on their door, they play a game of gin rummy to see who answers the knock.

It's not true that Bing Crosby worked out a deal with the Simpons maturing people, for his lockees to use their products instead of saddles on Bing's horses.

Music Dept.

Do you think the current ASCAP-BMI battle will bring back yard singers?

I'm organizing a new club—the AS.P.C.A.S.C.A.P.—the American Society for the Prevention of Cruelty to the American Society of Composers, Authors and Publishers.

Alexander Korda should have used "I Dream of Genii With the Light Browne Scare" as a theme song for "The Thief of Bagdad."

Radio Dept.

My brother in Hollywood has a new job. He works at the Bob Hope script conferences showing writers to their seats.

Hangman Descriptions

Ned Sparks: A larger wry. Martha Raye: Howl through the night. George Jean Nathan: The Pipe of Pan. Roma Vincent: Charles Laughton with laughs. Marg. Hart Pele: George Raft: A lamb without shearer.

Observation Dept.

But my radio so... At the preview of "Tall, Dark and Handsome" that my stomach needs a manicure.

Ace Lyman writes from Florida that it is so cold there he is thinking of moving with Gabriel Heater.

A Farley Fessenden test night. Sat in Lido's for 10 minutes without hearing anybody speak. That place is a gold mine.

Saw a hockey game in Madison Square Garden that was so rough they called intermission very five minutes so the players could renew their life insurance.

Eavesdropped at the Stork Club: He has so much water on the brain that he parts his hair with a Dr. Dixie Cup.

Eavesdropped at the Copacabana: He's great in the movies, but he mugs so much that his smile is blurred.

Finally found out what a co-maker was. He's a fall guy with a fountain life insurance.

Whatever Became Of...?

Clifton & LaPell: Jim and Betty Page. Worth, Wile and Howe. Dickey and Deacon.

Afterpiece

I don't know whether to go to my barber for a sun ray treatment, or go to Florida and try my luck there.

Elsie Willkie, Actress, Held on Narcotic Rap

Pittsburgh, Jan. 21.

Elsie Willkie, former stock actress, was arrested here last week by Federal narcotics agents on charge of obtaining morphine on forged doctor's prescriptions. She was committed to jail in default of \$1,000 bond.

Government steutha said she had used about 30 counterfeited prescriptions at drugstores in the East Liberty district, and had a dozen morphine tablets in her possession when taken into custody.

N.Y. to L.A.

Virginia Bruce, J. Cheever Cowdin, Lewis E. Buddy, Reginald Denman, Alice Francis, Alice Kely, Alexander Darsch, Oscar Levant, Irving Mansfield, Richard Marvin, Edith Meiser, Stephen Falco, George Raft, J. Walter Ruben, Charles Schwartz, Murray Silverstone.

First Film for Rookies

Hollywood, Jan. 21. 20th-Fox started the first series of training films in cooperation with United States Army Signal Corps. First picture on the proper

use of cameras is to be used exclusively for Army instruction and will not be shown in public.

John Ford is directing from script by William Umlauf, Jr. based on data supplied by the U.S. surgeon general.

THE BERLE-ING POINT

By Milton Berle

Was so glad to arrive in New York that the Red Cap at the station looked like the Statue of Liberty. It was so cold the day I got here that my coat was wearing a sweater.

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Eavesdropped at the Stork Club: He has so much water on the brain that he parts his hair with a Dr. Dixie Cup.

Eavesdropped at the Copacabana: He's great in the movies, but he mugs so much that his smile is blurred.

Finally found out what a co-maker was. He's a fall guy with a fountain life insurance.

H'WOOD BUYING ON B'WAY

RKO, Despite Hearst's Ire, Announces Huge National Campaign for 'Kane'

RKO last week openly flaunted William Randolph Hearst. At the same time it assured the film industry that it had no intention of withholding Orson Welles' "Citizen Kane" despite the publisher's demand to do so. Film will be released at the end of February.

Studio, which has never taken any official cognizance of Hearst's ire or threats, has announced for the film a national advertising campaign that will be one of the most far-reaching ever launched for an attraction by RKO Radio Pictures.

Hearts papers apparently will get their share of the big RKO budget, despite the publisher's edict against any publicity for the company or its product in his publications. Top exec of RKO said last week that "the schedule is now completely worked up and no definite alignments have been made yet," but added significantly that there will be no alteration in the established policy of "treating all papers in any city equally and taking equal space in them."

"Kane" will be ushered in, pub-ad head S. Barret McCormick said, with full-page, two-color copy in big circulation weeklies like *Life*, *Look*, and *Saturday Evening Post*, which will reach an estimated 50,000,000 readers. That

(Continued on page 63)

Jolson's Closing of 'Hats' Burns Hale, Wants Cantor Or Jessel to Step Into It

Soon after resuming last week in "Hold On To Your Hats" at the Shubert, N. Y., after laying off a week because of gripe, Al Jolson announced the show's closing on Feb. 1, at which time it had played 20 weeks on Broadway. Extended spell of inclement weather is said to have caused Jolson to yearn for Miami. Stated that "Hats," which has been playing to an operating profit right along, paid off its production cost of around \$90,000 in 12 weeks at the Shubert.

Announcement of the show's suspension precipitated a plan for continuing the show in N. Y., or sending it on tour with another star. Idea was advanced by George Hale, who pointed out that he has a contract.

(Continued on page 60)

MR. AND MRS. JESSEL FOR B'WAY MUSICAL

Hollywood, Jan. 21. George Jessel and his wife, Lois Andrews, will appear in a Broadway musical, "High Kicker."

Johnny Burke and Jimmy Van Heusen are now here cooking up the score.

Cantor Back to B'way Next Fall in 'Columbus'

Hollywood, Jan. 21. Eddie Cantor returns to Broadway next fall in a stage musical, "Christopher Columbus, Jr." Rehearsals are set for August.

Cantor will finance the show, with Al Lewis producing.

GRIPPE B'WAY LEGIT.

Victor Moore Latest Victim of Illness Hampering Shows

Victor Moore was added to the list of grippe casualties that has been hampering Broadway shows. He was unable to appear in "Louisiana Purchase," Imperial, Monday night (20). It is said to be the first time the comedian has missed a performance in 10 years.

William H. Philbrick, his understudy, went on. Moore is expected back in the cast today (Wed.).

Penthouse Blues

Hollywood, Jan. 21. "A Girl's Best Friend Is Wall Street" might have been a hot title back in the feverish days of 1922, but now the story de-tours north to Trinity Church and ends in "A Girl's Best Friend Is Broadway."

Picture rolls tomorrow (Wed.) at Columbia with Joan Bennett and Franchot Tone in the top spots, directed by Richard Wallace. "Wall Street" title was ditched after the budget took a trimming.

'Arsenic' Likely To Get Top Pic Bid This Season

Play that may bring the highest price in the picture rights this season is "Arsenic and Old Lace," comedy smash which recently opened at the Fulton, N. Y., Howard Lindsay and Russel Crouse, who produced the show, have no intention of disposing the rights in the immediate future, but are known to have future. Special interest in screen possibilities of "Lace" is because "A Sleight Case of Murder" was such a film success. That Damon Runyon's homicide did not click on the stage, but in film form was a money maker.

At the last count there are 21 persons who have a piece of "Lace" but the producers hold a predominating interest. They state that all of those

(Continued on page 63)

before had paid \$75,000 for John Van Druten's "Old Acquaintance." That gave WB and Fox virtually a monopoly on the six plays actually owned by Hollywood. WB has

HAS HOLD ON 12 OF 20 SHOWS

Six Plays Definitely Purchased by Film Companies, With Stakes in Two Others and Four More as Certain Buys — Heavy Book Plunging

HIGH PRICES

Hollywood's desire to acquire Broadway plays for filmitization, which kindled from a spark into a full flame during the past year, is evidenced by the fact that of 20 eligible shows on the boards, screen rights to 12 have either already been bought or are expected to be shortly. Six of the 20 have actually been purchased, film companies have stakes in two others and at least four more are certain Hollywood buys. At the same time last year only two shows of 19 eligible had ownership tags on the screen rights, although eight others were possibilities as evidenced by the fact they were later sold.

Latest buy came last week when "Charlie's Aunt," already blind in Europe, was sold to Fox for \$110,000, a price for a 50-year-old revival that knocked the breath out of story departments and agents both on Broadway and in Hollywood. Studio hinted that the play will become Jack Benny's first picture on the lot, although Jack Haley is also reported as a possibility for the top role, which is that of 20 or 21.

Warner Bros. only a few days before had paid \$75,000 for John Van Druten's "Old Acquaintance." That gave WB and Fox virtually a monopoly on the six plays actually owned by Hollywood. WB has

(Continued on page 53)

WB has

David Loew Wins Out in Strong Stand Against H'wood Press-Preview Ban; 'Night' Shown Per Sked at Chinese

But Is It B.O.?

Hollywood, Jan. 21.

When is it a saron? not a paru? It sounds like a radio quiz but it's a war between Paramount and Warner, in which the press agents are waging intimate garments instead of flags.

Brenda Joyce, the Burkbank beauty, wears the only legitimate saron in pictures. Whether it is a saron or a paru, the Par press agents retort, the Dorothy Lamour garment is b.o.

Hollywood, Jan. 21.

Last-minute settlement of a controversy which has been waging for the past several days between major studios, the Chinese theatre managers and David Loew, head of Albert Lewin, producers of the film "So Ends Our Night," has removed from certain court action an issue which promised to involve major film factories in a bitter and lasting dispute. On instructions of Charles P. Skouras, president of Fox-West Coast theatres, the Loew-Lewin film will be given a press-preview tonight (21) at the Chinese despite the general ban on advance showing of films in the Hollywood area which is in effect by agreement of studios that are members of the producers' association.

Lewin-Lewin, an independent outfit which has just completed its first film for United Artists release, is not a member of the producers' association. Several weeks ago Russell Birdwell, exploitation head of the company, made arrangements for a press showing at the Chinese, and the studio's position was distributed for this evening's presentation.

(Continued on page 59)

Zukor Tops Drive To Raise Big Fund For Greek Relief

Planning an indicated goal of "very substantial" money, a committee is being set up by the amusement industry for the Greek War Relief, with Adolph Zukor as chairman. It will embrace pictures, legit, music, radio and other branches of amusements, as well as the sports field. Representatives from each are now sought for the committee. A steering committee will also be formed and going out over Zukor's signature Monday (20).

Sub-committees under Zukor will be appointed for the various fields of amusement, embraced, while for

(Continued on page 53)

LAURI-VOLPI MAJOR IN ITALIAN ARMY

Rome, Jan. 21.

Giacomo Lauri-Volpi, leading dramatic tenor of the Metropolitan from 1923 to 1933, has re-entered the Italian army as a major. Volpi was a captain during World War No. 1.

The tenor, who last heard him in the U. S. A. in 1930 in a performance of "Lucia" with Lily Pons, was engaged for the 1939-40 season, but failed to leave his estates at Valencia, Spain. Volpi is 49 years old.

TELEVISION SHOWMANSHIP

the display came over from England last September. One of the engineers is due to return next month to rejoin the Royal Air Force.

Actually the files of VARIETY tell a more exciting story of Scophony's achievements in pre-war London than was told on this occasion. Technically, it went off satisfactorily, but routine subject matter, lack of interesting speakers and news-providing remarks hurt.

Several professionals performed briefly and competently before the Scophony camera and then Sagall and his American business associate, Arthur Levey, spoke. The pick-up was from the next room and members of the audience were invited to be televised and to ask questions.

Scophony enters a field, American television, marked by great confusion due to the Federal Communications Commission's present inscrutable pose in the matter. A burned and wary RCA is holding off; Dumont is more or less forgotten in the New Jersey hills; Columbia's experimental successes with color add up, at the moment, to a delaying (because it's doubt-creating) influence on the whole industry.

Sagall hoped that U. S. newspapermen would be sympathetic to commercial television; hoped they would encourage it, and work against any retarding tendencies by the Washington bureaucrats. At this particular point the Londoner's demonstration showed an inexperienced and inarticulate approach to press relations. What the visitor failed to explain was why?

What television "first nights" need is more showmanship.

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TO SIC LAW ON CONSENT

Predictions of U. S. Boom Surpassing '29, Primarily Due to Defense Billions, Encourages Higher Admish Hopes

With a period of unprecedented national prosperity predicted by many Government experts over the next year or two because of the national defense program, exhibitors are anticipating a definite trend towards higher admissions.

onomic conditions improve. Latest forecast, from the Bureau of Agricultural Economics, last week, foresees a period of U. S. prosperity which may even surpass that of 1929, when the national income reached \$79,500,000,000.

Report claimed that 1929 was a year of nearly full production in many lines, a condition similar to that expected during the period of active defense production just ahead. It is expected that in the next month or two years, the bulk of \$100,000,000 worth of war will be laid out for armaments, munitions and army-navy orders. This is taken to mean that approximately \$192,000,000,000 will move in circulation in two years' time, because statistical experts figure the average dollar moves every two months. That factor is viewed as highly favorable by exhibitors, who appreciate that the more money there is in circulation the better chance for continued up-beat at boxoffices.

Many exhibitors are not looking for a big pickup in employment, but do anticipate higher wages; steadier employment and overtime on cost-plus Government contracts. This augurs inflation in the price of goods, with exhibitors logically believing that this will extend to admission scales.

Bureau of Agricultural Economic expects the later stages of national defense effort to exert an even greater overall effect on the industrial picture than at present, when so many plants are still under construction.

BOAKE CARTER SAYS GOOD WORD FOR PIX

Boake Carter, in commenting via Mutual on Senator Burton K. Wheeler's charge that motion pictures, especially news reels, were "war mongering," said he knew from personal observation what film producers were doing. Commentator mentioned in particular the patriotic shorts by "the Warner Brothers," on which they were making no profit, but instead do a lot. Carter said, they were taking a lot. Carter indicated he thought film industry was doing a better job than in 1918. When things became too one-sided, "remedial" legislation was suggested. This, continued Carter, was apt to take the form of censorship, with oft-times disastrous results.

It would be interesting, concluded the broadcaster, to watch film business' reaction to Wheeler's allegation.

Cowdin Going West

J. Cheever Cowdin, chairman of Universal's board, plans returning to the Coast Jan. 27, to resume confabs on production.

Cowdin was called back yesterday from Hollywood the first week in January by the serious illness and subsequent death of his father.

Wyler Readies 'Valley'

Hollywood, Jan. 21.

William Wyler, checked in at 20th-Fox yesterday (Mon.) after a month's sabbatical to start preparations on "How Green Was My Valley."

Arriving with Wyler were Jean Renoir, from France, and Harold Clurman, from Broadway, destined for future production assignments.

Examine Korda

Alexander Korda was examined before trial Wed. (15) at the Bar Association building in N. Y. in connection with Samuel Goldwyn's suit against United Artists. The producer was examined in a closed session on the affairs of London Films, Ltd., and more particularly on the films produced by London Films or its subsidiary, British International Pictures, companies other than United Artists.

Goldwyn, in his action, seeks damages of \$1,000,000 for alleged interference with the distribution of "The Westerner," and to break his 10-year distribution contract with UA, which has till August, 1945, to run.

UA Burns Up At WB on 'Fantasia'

Booking In Philly

Teipe of the Aldine, Philly, by Walt Disney's "Fantasia," has United Artists producers riled, but talk the company will sue Warner Bros. viewed as highly unlikely. UA has with WB a deal for number of years with WB, which operates the Aldine, by which UA product will be shown in the house.

UA producers fear that with "Fantasia's" stay at the Aldine, expected to last six months or longer, they will be stymied in getting bookings in Philly. UA is stymied in a number of other cities where producer-controlled chains operate houses and UA is reluctant to see a positive booking setup like Philly lost.

UA's pact with WB on the Aldine, it is understood, is a rather loose one. UA's idea was WB would shoot at all pictures there and offers certain booking concessions to have the house maintained as a UA showcase. Occasionally, however, the company's pix have played other WB theatres for which the management thought they were better suited, or when the house was already leased.

It appears unlikely that the UA producers' "sung" talk will come to anything, inasmuch as such a step would be, even if it were won, "lose" as one of the distributor's expressed it. WB controls entire first-run and a large part of the subsequent situation in Philly, accounting for \$60,000 to \$100,000 gross on each picture. So any hard feelings created by UA at WB, it is feared, would readily react on bookings in the future.

Scale on Walt Disney's "Fantasia" for out-of-town engagements, three weeks now set, has been fixed below that for Metro. UA will top of \$20 prevail at the Broadway theatre, N. Y., other dates will peak of \$15. Mats will be \$10 instead of \$15 as in New York.

First preem outside of Manhattan will be at the Majestic, Boston, a Shubert house, next Tuesday (28). That will be followed by Carthay Circle, Los Angeles, the next night, and then the Aldine, Philadelphia, Warner Bros. house, Feb. 12. Each will be preceded by a press preview the night before the opening.

U Drafts Laughton

Hollywood, Jan. 21.

Charles Laughton shifts from RKO to Universal for his next starring, an untitled picture under direction of Henry Koster.

British actor, under contract to RKO, is free to work outside when without commitments at the home studio.

NW EXHIBS WANT BLOCK BOOKING

Indie Organization Will Lobby for Minn., North and So. Dakota Fair Trade Practice Bills to Knock Out Objectionable Decree Provisions

MPLS. CONVENTION

Minneapolis, Jan. 21. Northwest exhibitors want to buy a producer's entire season's output, at least at present, instead of a block of five pictures required by the consent decree. At a convention called by Northwest Allied here this week (21 and 22), they expect to take the initial steps toward that accomplishment.

The film buying provision will be one of the principal causes in a fair trade practices bill which the independent exhibitors will endeavor to have enacted by the Minnesota and North and South Dakota state legislatures. Plans to push the law's passage were to be considered at the convention.

Marking the start of a determined assault on the consent decree, the convention was to witness the marshalling of Northwest independent exhibitors forces for the battle to annul and nullify much of the decree through state laws which, in effect, would consider the consent decree blow to its "objectionable" provisions.

The state fair trade practices bill also will contain clauses providing for 20% cancellation privileges for

(Continued on page 22)

PAR PUTS 18 PIX IN TINS

Hollywood, Jan. 21. Paramount has piled up a backlog of 18 features, all of which are ready for release and six in final stages of editing. The half-dozen in the cutting rooms are "Shepherd of the Hills," "Road to Zanzibar," "New York Town," "I Wanted Wings," "Las Vegas Nights" and "The Lady Eve."

Twelve completed are "Victory," "The Aldrich Family in Life With Henry," "You're the One," "Virginia," "The Mad Doctor," "Old Colorado," "The Hard-Boled Canary," "The Roundup," "Reaching for the Sun," "Border Vigilantes" and "Pirates On Horseback."

Dozier Due East in Feb. For Par Story Confabs

William Dozier, newly-named Paramount Coast story editor, is expected east early in February to confab with Russell Holman, studio's eastern production rep, and Richard Meaden, eastern story ed.

It's understood Par will somewhat revise its story and will set up on the Coast a new wing to handle control of both departments. During Richard Halliday's tenure he was in charge only of the story division, but Dozier will reportedly handle both sections with Julian Blaustein, his associate in charge of the story department.

Robert Riskin in N. Y.

Robert Riskin, who was associated with Frank Capra in producing "Meet John Doe" for Warner Bros., arrived in New York Monday (20) to discuss distribution and release of the film with Warner executives.

During his stay in the cutting room, Riskin will be placed on the release schedule for sometime this spring.

New, Enlarged Distribution Setup, Consent and Balance of '40-41 Under Discussion at Par's Chi Sales Meet

Popular Bird

Hollywood, Jan. 21.

Three studios are in a tangle over stories dealing with the exploits of American volunteer fliers with the Royal Air Force. First to announce such a film was Wanger, who called it "The Eagle Squadron." RKO followed with "The Eagle Flies Again" and Warners with "Eagle Squadron."

20th finally switched to "A Yank in the R.A.F." but the Bur-bankers are still clinging to their original title, which is practically the same as Wanger's.

D. of J. Special Unit Is Set Up To Enforce Consent

A new unit of the anti-trust division of the Department of Justice has been set up, with Robert L. Wright, assistant attorney general, at its head for the enforcement of the consent decree. It will be a point to which exhibitors may bring any complaints they desire, either directly or where a possible violation of the Sherman act may figure.

D. of J. asks exhibitors to forward any complaints as they arise, and reveals that since the entry of the consent decree, certain acquisitions of competing independent theatres have been completed or contemplated which are apparently intended to eliminate the possibility of the independent theatres securing relief that the decree was intended to provide.

The unit of J. will keep tabs on theatre acquisitions, with monthly report on all theatre activity of the consenting defendants in the U. S. case (Metro, Par, RKO, Warners, 20th-Fox) mailed to it. In

(Continued on page 12)

PATHE IN DEAL FOR UNIVERSAL LAB BIZ

Hollywood, Jan. 21. Pathe Laboratory is negotiating to take over the development of Universal films, a job that has been done by Consolidated Laboratories, both here and in New York, ever since the regime of Carl Laemmle.

Pathe is enlarging its local lab with the idea of developing negatives here. If the deal goes through, it will mean that the entire print output of Universal will be handled by the Pathe plant at Bound Brook, N. J.

20th Signs Jean Renoir

Twenty Century-Fox on the Coast grabbed one of the ace French producer-directors last week when it signed Jean Renoir, director of "Grand Illusion," French pic which several years ago won the New York Film Critics Award as the best foreign film of the year. It's Renoir's initial job for American films.

Renoir arrived in New York the first of this year, after being demobilized from the French army. He is a veteran in the World War and held the same rank in the present conflict. His son also served the colors in the recent warfare with the Nazis.

A new distribution setup for Paramount, involving creation of new posts and promotions as well as enlargement of the sales machine, road-show plans for "I Wanted Wings," thorough discussion of the consent decree under which selling will begin this summer, and plans in connection with the balance of this year's (1940-41) pictures, are on the agenda for Par's three-day sales meeting in Chicago which started yesterday (20).

In addition to the various sessions,

Neil E. Agnew, presiding at the meeting, had not completed the re-alignment of the Par distribution forces and additions to the payroll Monday afternoon (20) when he left for Chicago, but expected that the entire new setup may be finally set today (Wed.) or tomorrow (Thurs.). Other secretary in the meeting concerning Agnew's entire plans, probably it is understood, because various details remained to be discussed in Chicago.

In addition to introducing C. I. (Pat) Scollard as his executive assistant, it is understood Agnew will announce the appointment of Oscar Morgan as short-subject sales manager. Scollard, with Par about two years, has recently been attached to the publicity-advertising department on a shifting basis.

Shifting Morgan from the southern division post to head a sales office over there will not affect the consent decree, which will be sold separately, it is said that the division for the south set up some time ago will be abolished, with supervision of that territory thrown into the other two divisions of the company as previously. John Kirby, southerner

(Continued on page 24)

SKED WB-COAST HUDDLES IN FEB.

Warner production meeting on the Coast to discuss plans for the 1941-42 season under the consent decree will be held in Los Angeles probably early that month. Company is well up on this season's product and should be in a position to start grinding on 41-42 pictures some time this spring.

Going out from New York to huddle with Harry and Jack Warner, Hal B. Wallis and others will be Grad Scars, Carl Lesmer, Sam Schneider, Roy Stahne, Bert Kalmenoff, Mort Blaustein, and notably that Charlie Einfeld, who will sit in on the meetings, will come east immediately after they are over.

Ross, Krasna, Arthur Outfit to Keep Going

Hollywood, Jan. 21. Indie outfit owned by Frank Ross, Norman Krasna and Jean Arthur, organized to produce "The Devil and Miss Jones," is slated to continue making pictures on completion of the current job. Four major studios are said to have offered release outlets for their commitments.

"Devil" is to work at RKO under direction of Sam Wood, is four days ahead of schedule.

Blumberg Due Back

Nate Blumberg, Universal president, is expected back in New York from the Coast in a week or 10 days. He has been in Hollywood for more than a month on his present visit.

Blumberg likely will go to Miami for the premiere of "Charles Boyer-Mary Sullivan starer, "Back Street," on Feb. 4.

Philly Indie Sues WB, 5 Other Majors For \$378,000, Charging 'Conspiracy'

Philadelphia, Jan. 21.

Milton Rogasner, head of the Milton Amus Corp., operators of the Iris in the northeastern section of Philly, filed suit Thursday (16) in U. S. District Court against Warner Bros. and five other major distributors asking \$378,000 triple damages, charging that an alleged conspiracy between the defendants had caused him to lose \$21,000 in profits for each of the last six years.

Rogasner said that in addition to the losses suffered at the Iris, he was forced to keep closed another house he owned in the area, the Lafayette, because of lack of product caused by the "conspiracy."

In his bill of complaint, Rogasner asserted that the Warner circuit had tied up all product in the area while using only 90 pictures annually at its house, the Midway. As proof of conspiracy, Rogasner cited a claim allegedly made by the Paramount exchanges in which he was granted a 17-day clearance over the Warner house. The deal, Rogasner said, was okayed by the Philly exchange on Oct. 7, 1940 (during dispute over the contract terms between Paramount and the Warner circuit), but it was subsequently cancelled by Paramount's home office in New York when Paramount and Warners settled their differences.

Ackis Triple Damages

The Iris, formerly operated by the Warner chain, but has been under Rogasner's direction for the past 10 years. Rogasner is asking triple damages under the Sherman antitrust acts, which he alleges is being violated by the defendants. The defendants with the Warner circuit are Warner Brothers Pictures, Metro, Universal, United Artists RKO and Paramount. The bill of complaint will be filed by the law firm of Carr & Krause.

Meanwhile another exhibitor's suit seemed headed for an out-of-court settlement here. The case filed by Abe Ellis, operator of the Towers, Camden, N. J., vaudevillian, against 20th-Century Fox for breach of contract, looked like it would be settled without litigation, according to Harry K. Ackis of the studio.

The case was skipped to be heard in U. S. District Court yesterday (Mon.), but attorneys asked that it be continued indefinitely until terms of a settlement could be worked out. Ellis had asked \$67,000 damages from 20th-Fox on the grounds that he had suffered that much in lost when the exchange "reneged" on a contract after entering into a written agreement to provide product to the Towers and grant priority over chain houses in the Towers' zone. The Philly exchange's okay was countermaned by the New York office, Ellis averred.

Yiddish Films Will**Star Moishe Oisher**

Hollywood, Jan. 21.

Moishe Oisher, Yiddish concert singer, is slated to star in four pictures to be produced entirely in Yiddish by the Hollywood Yiddish Corp., headed by Louis Weiss and Sam Rosenthal.

Shooting starts in three weeks at the old Cinematone-Vocalote studios.

More Like a Show

Los Angeles, Jan. 21.
Superior Pictures Corporation Pictures, Inc., a temporary restraining order preventing Slavko Vorkapich from using a print of "The Forest Murmurs," a partially completed musical picture, which he is alleged to have taken from the Williams Laboratory, or from offering it for sale.

Arlington also filed an action to decide ownership of the title.

Range Busters Touring

Trio starred in George Weeks' "Range Busters," western series for Monogram, are set to make a 10-city appearance tour. Ray Corrigan is working through Illinois, Indiana and Kentucky, while John King and Max Terhune are in Texas.

Action players meet up again in Tucson Feb. 21 for filming of "Tumbleweed Ranch" in Arizona.

UNION THEATRE OPS STYMIE NW JUKEPIX

Minneapolis, Jan. 21.

Plenty of obstacles are being tossed into the path of the dime-in-the-slot movies here. The booth operators' strike is forcing the slot operator at \$60 a week for every box location, and Northwest Allied, in independent exhibitors' interest, is agitating for an ordinance which would compel all establishments holding the slot machines to take out a \$100-a-year theatre license.

As a result of the booth operators' demands, a number of niteries in which the boxes had been placed quickly discarded them.

Attorney Watson Gets His \$15,000 From Fox

An attempt by Kenneth P. Steinreich and Leopold Porlino, trustees of Fox Theatres Corp., to reduce a final allowance of \$15,000 made to Archibald R. Watson, formerly attorney for previous trustees of the estate, met with failure when senior Judge John C. Knox in N. Y. federal court refused to listen to the arguments of the trustees. Fox Theatres, though liquidated, has assets of less than \$100,000, all that is left of a \$55,000,000 estate which went broke in 1932.

The trustees had tried to point out to the court that former Judge Martin T. Marion had declared that \$10,000 was adequate compensation for Watson's services, but apparently Judge Knox was more impressed by Watson's affidavit, which declared his services were worth in excess of \$100,000.

Kath Brown's Switch

While most activity for the present will be on the Coast, recently organized David O. Selznick Productions, Inc., is being represented in the east by Katherine Brown, who is officially listed as an assistant secretary. Selznick Productions realigned its corporate setup to take over the business of Selznick International.

Mrs. Brown acted as story editor for S-I and will do likewise for the new company.

Par Plans Theatre Convention in Va. To Discuss Operating Problems, Consent

A Paramount theatre convention for detailed discussion of operating problems and, in all likelihood, a thorough analysis of the consent decree together with consideration of plans to meet the conditions that will prevail under it, will be held toward the end of March. It will be in Virginia. The date as well as the exact site where the meeting will take place will be announced later.

Par now will last two or three days, longer if matters on the agenda are not cleared up, and all phases of Par operations affecting the vast interests of the company will be gone over, with home office executives from many different departments, including legal, to attend.

In addition to the principal theatre executives of Par, including Barney Balaban, president; Leonard Goldenson, Sam Dembow, Leon Netter, Montague Gowthorpe, Harry Royster and others, it is likely that Adolph Zukor, Stanion, Griffis, chairman of the executive committee; Austin C. Keough, v.p. and chief counsel; Neil Agnew, v.p. over distribution; Fred Mohrhardt, comptroller, and others will sit in.

From Coast
Understood that no one will come from the Coast, however, the theatre department having had a meeting out there recently on production matters as pertaining to Par's own exhibition machine.

Operators of Par circuits in various parts of the country, as well as partners, of which there are many,

Studio ContractsHollywood, Jan. 21.
Warners renewed Herbert Anderson's acting contract.

Dan B. Clark signed for another year as head of 20th-Fox camera department.

Eddie Blatt inked as dialog director at Warners.

Warner signed Harold Winston as dialog director.

Warners signed Nan Wynn, radio

singer, to a long-term contract.

Robert Lowery's player option

picked up by 20th-Fox.

Garrett Craig, actor, direc-

tion at 20th-Fox.

Court approved Len Lynn's minor

contract with Republic.

20th-Fox renewed Anne Baxter's

player ticket.

Metro signed Fay Bainter.

Robert Thoeren inked writer pact

at Metro.

J. Benton Cheney assigned to write

the next three Hopalong Cassidy

stories for Harry Sherman at Para-

mount.

Robert Ellis and Helen Logan re-

newed for the sixth year as a writing

team at 20th-Fox.

George Tobias drew a contract at

Warner.

Alberto Vila drew a new pact at

RKO.

Mono, at St. L. Confab, Discloses '41-42 Sked As 26 Features, 14 Westerns

St. Louis, Jan. 21.

During the two-day session here last week of Monogram Pictures franchise holders, president R. Johnson announced that the 1941-42 production schedule called for 26 features and 14 horse operas. Details of the "March for Monogram" campaign to be staged from Feb. 22 to April 11 were outlined. Execs of the company expect sales to reach \$150,000 a week during the seven-week drive. Besides Johnson, other speakers were Steve Bullock, new general sales manager, and Trem Carr, production adviser.

Illness prevented the attendance of Lon Fidler, Denver, and B. L. Nathanson, Minneapolis. Others who were on deck for the shindig were John Mangham, Atlanta, Ga.; Ben Welansky, Boston; Harry L. Berkson, New York; Charles C. Schulz, Solon, Ohio; Cleveland; John F. Frazee, Toledo; Charles Trampe, Milwaukee; Carr Scott, Oklahoma City; Sol J. Francis, Omaha; William E. Clegg, Cleveland. Bob Taylor, mgr. of the St. Louis office, assisted in entertaining the franchise holders.

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SOUNDMEN'S STRIKE THREAT

Sen. Wheeler Inaccurate in Charge Film Industry Incites War—Hays

Senator Burton K. Wheeler's declaration that newsreels released by the American film companies are not impartial in handling news of current events and that "the motion picture industry is carrying on a vigorous propaganda campaign intended to impress the American people to the point where they will become involved in war," was sharply challenged as to the accuracy of his statements by Wili H. Hays, president of the Motion Picture Producers and Distributors Assn., Inc.

In a letter to Paramount News and Hays the charge was made by Senator Wheeler that newsreels are "fairly presented and impartial" and that administration measures are not given an even break in presenting their arguments through screen releases. Hays in reply declares:

"The facts utterly deny the merit of such charges and I am indebted to you for telling me about them so that my categorical denial, supported by the record, may be promptly noted and shared. The relatively few press releases and newsreels which have been about evenly divided between those which asserted that motion pictures 'glorified' war, and those which asserted with equal fervor that screen portrayal of the horrors of war gave aid to pacifist groups. In some instances the same films which individual critics have charged were 'too militaristic' were actually banned by foreign government censors as 'anti-militaristic.'

"Let me assure you that the responsible leaders of the American motion picture industry recognize fully the heavy and continuing responsibility before public opinion, which every medium of expression must bear today. We have seen this artistic medium destroyed abroad as a result of its prostitution by ministries of propaganda. We believe our primary service to civilization is to turn it back through the provision of wholesome entertainment; a service more important than ever in a period of great stress and strain."

"During the first 10 months of 1940 (for which an analysis has been completed), releases of the five newsreel organizations contained a total of 3,915 different clips of subjects. Since the inception of these newsreels, 85 percent of these subjects have been reports of our country's efforts to make freedom secure through adequate preparations for national defense. This coverage does not appear disproportionate, when we recall the fact that the Congress was in session for the longest period in its history; that unprecedented appropriations for national defense were being debated and voted; and that revolutionary changes in the map of the world were occurring with unbelievable rapidity."

"These same newsreels releases likewise contained scores of graphic shots portraying the horror and tragedy of war abroad, while yet other clips reported newsworthy events in Latin America which were not widely significant in promoting hemispheric solidarity and international good will."

"Free Expression"
"Our newsreels constitute an important medium of free expression in a democracy. Of course you agree with their editors that such portrayals as these are in the public interest. Sharing with the press as we do the priceless privilege of freedom of expression, we assume with them the full responsibility incident to the free exercise of that privilege."

In concluding, Hays writes:

The record thus indicates that 18% of the newsreel clips dealt with a variety of people and current events related to national defense; only 2.4% of the short subjects and 6% of the features approved during 1940 had any relation, direct or indirect, to European politics or the European War. An immeasurable fraction of even these small percentages of the total can be said to show an intention to incite to that war."

The American motion picture industry, as a child of democracy,

Navy Scores

Hollywood, Jan. 21.
Navy is competing with Army, not only on the football field but in the recruiting stations. Latest strategy by the sailors was filmed at Long Beach, Cal., and aimed at the midwest.

It consists of a triple-threat short, featuring Linda Darnell, Carmen Miranda and Henry Fonda.

March of Time Refuses To Delete Sen. Wheeler From Uncle Sam's Reel

Despite Senator Burton K. Wheeler's objection to use of his picture and utterances in "Uncle Sam—Non-Belligerent," forthcoming March of Time release, Louis de Rochemont, editor of M. of T., has notified congressmen that the material will not be removed. The March of Time claims no alterations would be made because the subject is news material, and as such should be included in the clip.

Senator Wheeler claimed the film is so obviously war propaganda that I doubt whether even you will advance the hypocritical plea of impartiality." He claimed he understood that his remarks were to be used "equally with those of the president, or those representing the opposite side."

"I don't want my name in any way to appear in a war mongering picture which has for its purpose a arousing of the sympathies and passions of the American people to the extent that we as a nation will want to send American boys to be ploughed under European soil," Wheeler stated in protesting the clip.

March of Time issues do not receive Hays Office Production Code certificates, being classed as newsreels, although sold as short features.

After an additional telegram from Senator Wheeler and one from the March of Time Foreign War committee, producer De Rochemont stated no further comment is needed on Wheeler but that Marshall's squawk required enlightenment. March of Time chief claimed the organization never gave the right of censorship to any group save when demanded by military authorities. Also that no protest was given Marshall or his group, and of T. had a release from him covering the pictures and sound recording.

New Pic Outfit

Sacramento, Jan. 21.
National American Pictures, Inc., a new company to produce feature-length films, filed incorporation papers here and was authorized to issue 2,500 shares of stock at no par value.

Directed by Herbert T. Sorenson, Helen Walker and Seymour Whiting.

Recognizes its obligation to aid the nation in the present emergency and expects to do its full duty. But motion pictures must be caught and staged far too much of the tragedy and horror of modern war for this industry's leaders to disregard the consequences of American belligerency; much less deliberately use the screen for war propaganda."

Will H. Hays Battles Flu

Will H. Hays is battling the flu and was compelled to cancel his plans to return to circuit his

planets.

John H. and Mrs. Hays were invited to the White House for dinner Monday following the inauguration. Latter attended, but returned to New York immediately.

Hays' present plans are to leave

for the Coast on Sat. (25).

(Continued, on page 22)

WALKOUT HINGES ON JURISDICTION

May Force Producers' Hand
in Scrap With IBEW Over
Delegation of Studio Work
—Bill Hits at Agents

START EXTRA TRIM

Hollywood, Jan. 21.
Threat to halt film production in Hollywood was seen today in the demand of Harold V. Smith that International Sound Technicians Local 695 be granted its jurisdictional rights in the motion picture field. Officials of the International Brotherhood of Electrical Workers have already made it plain that they do not intend to surrender any of the work their members are doing in the sound field.

Producers have indicated they will not enter negotiations with Local 695 until its jurisdictional differences with the IBEW are ironed out. It was pointed out, however, that Local 695 insists on action if a difficult situation may be created, with the possibility of strike orders and stoppage of production. It has been hinted that if the situation reaches a crisis producers will appeal directly to George E. Browne and the executive board of the International Alliance of Theatrical Stage Employees, Local 695 and other units of the IATSE, and insist on operating under local autonomy, but the IA executive board has authority to step in when it thinks a local unit is out of line.

IA officials did this some time ago when Local 695 ordered a walkout at Republic.

Local 695 also is demanding a substantial wage tilt for all classifications and generally improved working conditions. Workers employed by the day Local 695 is asking a minimum of \$9.92 for Class 1, a minimum of \$14.45 for Class 2, a minimum of \$16.73 for Class 3, and a minimum of \$16.69 for Class 4. Contracts carrying these scales were recently negotiated with 46 independent producing units by Harold V. Smith, business representative of Local 695.

The minimum scales would graduate downward where sound technicians are guaranteed employment for certain periods of time. For 12 consecutive months guarantee of 42 hours per week of six days or less, the minimum weekly and hourly

scales would be:

Class 1.....	\$139.32	\$3.24
Class 2.....	81.76	1.90
Class 3.....	65.41	1.52
Class 4.....	53.75	1.25

For four consecutive weeks guarantee, the minimum scales sought are:

Class 1.....	\$151.36	\$3.52
Class 2.....	91.16	2.12
Class 3.....	67.51	1.57
Class 4.....	53.90	1.30

Where men are employed on a weekly basis, the weekly and hourly minimums would be:

Class 1.....	\$170.31	\$4.17
Class 2.....	99.34	2.32
Class 3.....	75.68	1.76

Class 4..... 59.77 1.39

Unit Claims, Dept. 2.

Delegates are expected to be taken up this weekend at a conference to be held in Stamford, Conn., by the producer-labor contact. It is known, however, that Caswell will decline to talk wages and hours as long as the unit claims jurisdiction over work being handled by the IBEW.

A special meeting of Screen Writers Guild has been called for Monday (27) to approve details of a licensing agreement to be presented to the agents who represent them. The proposed pact is similar to that between the Screen Actors Guild and the Artists Managers Guild. Ban would be placed on SWG members employing unlicensed agents; commissions would be limited, probably to 10%; writers would have the right to cancel contracts unless furnished within a reasonable time.

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planets.

Film-Foreign Dept. Officials See Flaws in Nelson Rockefeller Plan To Hypo Goodwill via S. A. Prod.

Streamlining

Hollywood, Jan. 21.
First full-length action story ever filmed, "The Great Train Robbery," is being revived at Republic in name only.

Yan, locale and everything but the title have been changed.

SWG Votes on Foreign Scribes; May Offer Special Privileges

Hollywood, Jan. 21.
Active membership in Screen Writers Guild would be forbidden to foreign scribes if proposal gets favorable vote at SWG meeting Jan. 27. Associate members would be extended entry, but they would have to vote in Guild meetings.

Another measure to be voted on would amend Guild constitution to limit active membership to writers with screen credits on films produced in U. S. and to screenwriters employed in Hollywood studios. Also on docket is amendment defining union units and draft of licensing agreement for agents up for final approval.

ONLY 1 DET. DELUXER NOW MINUS PICKETS

Detroit, Jan. 21.
It's getting so a downtown house here is not fashionable unless there are pickets out in front.

Pickets of the Building Service Employees Local 2 were pacing in front of three of the five downtown houses here—Michigan United Artists and Palms-State—when the union started toicker with the Adams. Dickerling got no place, and finally the theatre manager snapped: "Why don't you send over your pickets?"

The union obliged. Now only the Fox hasn't pickets.

Albany Exchange Workers Demand Deal From Cos.

Albany, Jan. 21.
Office workers in major Albany exchanges, who have joined the Office Employees Union, authorized Edward P. Flaherty, business agent for the New York City, to serve notice on their employers that a contract covering wage and working conditions must be signed without delay.

This action, taken at a meeting in the De Witt Clinton hotel, culminated months of effort by Flaherty and other union officials to negotiate a contract with home offices in New York. Flaherty was instructed to take whatever action necessary to force compliance.

NLRB Hears SPG

Formal hearings open tomorrow (Thursday) in New York in battle of eastern unit of Screen Publicist Guild to gain recognition as bargaining agency for press departments of the eight major companies.

Hearings will be conducted before the National Labor Relations Board, which examined Dan Baker, SPG last week, charged the film companies with "stalling."

HAPPY ARE WE
Hollywood, Jan. 21.

Five options on player contracts were picked up in one swoop at 20th Fox.

Renewed for another term are Charlotte Greenwood, John Carridine, John Payne, John Sutton and Robert Conway.

PICTURES

Plan for using motion pictures to promote closer relations and better understanding among American republics, as announced last week by Nelson A. Rockefeller, coordinator of commercial and cultural relations between the republics, was described by many film company foreign department officials as worthy in conception but faulty in initial execution. Some are skeptical of the likelihood that the film industry will live up to the lavish promises outlined in the Latin-American goodwill group.

Objections were voiced regarding the personnel of Hollywood committees picked by this group, because nobody from a major company foreign department is listed. Biggest squawk raised was over the group's hint that U. S. companies might make some features in Latin-American.

American producers rate production away from Hollywood as unsound for innumerable reasons. Also that it holds out false hopes to Latin-American countries and is likely to arouse hard feelings if not carried into effect. What N. Y. film officials bemoan is that outside-the-industry executives should publicize here—Latin-American relations and distract good relationships which required 20 years to develop, because as one official put it, these countries may expect the film business to carry out much of the outlined "wide-scale program."

Metro, RKO, Paramount and others have tried making Spanish films strictly for this market as well as Spanish-language versions. At one time several companies tried French, German and Italian versions, but they were discontinued early because dissipating their energies because the dupe versions in Spanish were taken in the limited Latin-American market, while the original American version received no playdates. Also that the Spanish versions obtained few bookings in the domestic mart.

Observation among foreign departments is that instead of producing goodwill could be promoted through the purchase of Spanish story properties and technical fidelity to the spirit of the country concerned.

Films in Making
Rockefeller, in his announcement, said he had been in conference with John Hay "Jock" Whitley, director of the motion picture division of the coordinator's office, over the past few weeks, and that representatives of the industry have formed cooperating committees to make more effective use of the whole range of its contributions. He also announced that negotiations involving Central and South American themes now are in production or in preparation. He listed "Life of Simon Bolivar" Metro film, with Robert Taylor as star; "Road to Rio," with Alice Fay and Carmen Miranda; and "Blood and Sand" with Tyrone Power, both 20th-Fox's "Sands of Iwo Jima" Met in Argentina.

Paramount's "Bolivar" is slated for the time being because of cost involved. Formally the company had trouble getting a suitable star for the title role.

Whitney also was quoted as saying that the industry's plans to send a number of its leading performers to the Latin-Americans to appear personally at premieres, citing that 20th-Fox planned sending Alice Faye to Brazil for the "Road to Rio" opening; that Paramount contemplated the same. B. P. Schulberg and will will ask Cicely Courtneidge to arrive his time to include a Latin-American tour through the Central-South Americans. Whitney also claimed that increased newsreel coverage will be an important feature of the industry's cooperation with the Government program.

Norman Alley, News of Day photographer, is going to South America shortly, he said.

'Smellies' at Vogue, Detroit, After Several Weeks Finds 60% of Fans For It; Some Curious Odors With Pix

By JAMES S. POOLER

Detroit Jan. 21.

The completion of five weeks of 'smellies' at the Vogue theatre here reveals audiences overwhelmingly in favor of having their noses tickled by films as well as their eyes and ears. Questionnaire issued by the house to test results showed 60% synchronize the new dimension as it is 20% think the odors too weak; 15% think the aromas too strong and the other 5% just don't give a hoot.

Latest experiment was with 'Knute Rockne,' concluding tests with five different types of pictures. Odors are temporarily off while reactions are studied and improvements made.

One of recent tests was with 'Cross Country Romance,' when 'smell' of burned coffee pervaded the house as the pot boiled over, the aroma of evergreens was emitted when the tree hove into view and perfume filled the air. In the 'Avalon,' entered her boudoir, 'Boon Town' was recently qualified with a large number of additional odors. Each character was identified by a fragrance, a faint tobacco smell for Gable, 'My Sin' perfume for Hedy Lamarr, 'Nuit Nu' for Claudette Colbert and a hint of pine for Spencer Tracy.

Some results of the 'smellies' have been requests to manager James H. Eason for the return of 'Boon Town' which the audience would like to have again, while people who have already seen the film in other houses are coming in to see them again and have a whiff.

Contrast to Swiss Ideas

Unlike the demonstration at the N. Y. World's Fair this summer by a Swiss outfit, Odorated Talking Pictures, which claim its smells are created electrically, the Vogue's nostril-needling is done by chemicals. Engineer Frank Woodruff of the Aromatic Co., which is doing the experimenting here, explained that cartridges containing compounds of the proper odors are put in a machine, mixed with compressed air and shot through the theatre's ventilating system.

Oddly enough, there's no stronger scent close to the vents than farther away. The aromas spread fast and vanish with the scene. When they synchronized 'smellies' with 'The Sea Hawk,' they were able to whip out five distinct odors in 90 seconds. The bigger the movie, the better, enthusiasts say, and the fuller a theatre, the greater the control.

During the experiments the Vogue's smells were being released by manual operation, but machinery will be hooked up later to automatic controls synchronized to the film. To decide upon fragrances to be used, plot of the picture is broken down and a basic aroma developed, then novelty ones added.

NSG for Actioners

It has been found that beauty action and aromas don't mix, according to Woodruff, but on the other hand emotional peaks can raise by about 20% the intensity of the odors unperfumed are that when a scene is too perfect for the scene the audience won't detect it through its very perfection. There will have to be an educational process, too. Every aroma isn't familiar since it may be localized. How's a midwesterner who's never traveled to know the tang of sea air on a New Yorker to recognize the smell of sagebrush or the prairie? An aroma must be fixated only one to two seconds before the scene it matches appears on the screen.

Oddly enough fans wander in, unaware that the pix are being perfumed, with odd reactions. Most of these go half through a picture—later admitting they thought they were following it with sharp actions than usual—before they are aware of the odors.

One newsman reporter caught "The Sea Hawk" under those conditions. It wasn't until the swamp scene—when I thought a movie was finally getting me—that he became aware that real odors were filtering through the house and it wasn't just his imagination. He remembered fondly, two other scenes from the picture beside the realistic swamp odor—the tar-and-rope smell of old theater and the fragrance of the rose-garden scene.

Mpls. Nabes in Co-Op Campaign for Patronage

Minneapolis, Jan. 21.

Local independent neighborhood theatres have launched an institutional newspaper advertising campaign. They have double columns in every third box over their individual theatre ads. The box asks the public to 'visit your friendly neighborhood theatre.' It says: 'Always a big entertainment value, your share of happiness awaits you there. Perfect relaxation with every modern convenience. An entire evening's pleasure at very low prices. Free lighted parking. Save time and money—Attend Your Neighborhood Theatre!'

All the independents contribute jointly to defray the cost of the box, which runs every day in all the newspapers.

Miss Bishop' Junket OK Despite Lincoln Sleek

Lincoln, Neb., Jan. 21.

'Cheers for Miss Bishop' (UA), first film premiered junket-style in 1941, was mounted on two screens at the J. H. Cooper-Parlour (1,884 seats) and Nebraska (1,236) here last Tuesday (14) on a sleety, wintry day that didn't make a bit of difference to the crowds, which turned out for the personals of the players attending.

Gabe York, who took care of publicity and promotion on the circuit, and the cooperating chamber of commerce, took into account the possibility of inclement weather, so had everything scheduled indoors, save, of course, the arrivals of the players at the theatres.

On the trip from the west coast came William Gargan, Mary Anderson and Lois Ranson, of the 'Bishop' cast; Richard A. Rowland, the producer, and Dave Werner, his casting director. Wayne Morris, Neil Hamilton, John Newell, John W. McCall, William Farnum, Albert Dekker, with Tay Garnett, the film's director, augmenting from the east where he had been vacationing. Irvin S. Cobb and Neil Hamilton traded off the m.c. assignments. Mrs. Bess Streett Aldrich, author of the book, 'Miss Bishop,' and a Nebraskan, was part of all ceremonies.

Only casualty of the junket was Tay Garnett, who was delayed by the snow and missed the arrival of the 'Bishop' at the KSTP-TV station, also in the newspaper. Before he'll repeat the case, he said, the theatre will have to bring him their books showing an actual loss of patronage on Saturday nights.

Commissioner Peterson, dismissing the matter, declared there's nothing in the paper which would justify his being in residence during a week.

Afterwards, KSTP and the newspaper.

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McGrail With Victor S. Fox

John McGrail, for many years in pictures, including with the Hay's office on the Coast, joined the Victor S. Fox interests Monday (13) as promotional manager. Fox interests include the Fox Features Syndicate, the Fox group of magazines (17), the Collier's, New York, Kraus (soft copy) and Fox Radio Features.

McGrail has been with various film companies in exploitation and advertising capacities.

55 Par Theatre Men to Get Awards At Chi Balaban Banquet Thurs. (23)

At a banquet to be given Barney Balaban tomorrow night (Thurs.) in Chicago, 55 members of the Paramount theatre operating machine in the field will be given prizes for showing the best results in their respective territories on the Balaban circuit during his fifth year as president of the company.

Prizes for showings made include a trip to the Chicago banquet, with all expenses paid, and presentation of an engraved silver medal on about the size of a half-dollar with a picture of Balaban on one side and award of merit engraving with name of winner on the other.

Balaban left for Chicago Monday (Mon.) in advance, while putting off from the same office today (Wed.) will be Stanton Griffis, chairman of the executive committee; Austin C. Keough, chief of the legal forces; Leonard Goldenson, Montague Gowthorpe and Leon Neter, all theatre department executives.

The Balaban drive in the Par theatres, with each circuit owned or affiliated, choosing the winners, extended from Thanksgiving (including that day) to the week ending

That's for Me

Hollywood, Jan. 21. James Roosevelt's 'Pot o' Gold' is slated for a world premiere in Mexico City late in spring. Arrangements are being made by Frank Fouca, Los Angeles theatre operator, and Paulette Goddard, James Stewart and 50 film columnists making the trip.

Plans call for a two-week junket to the Mexican capital, with Roosevelt, Paulette Goddard, James Stewart and 50 film columnists making the trip.

Theatres Protest Vs. Radio Show In St. Paul Aud

Minneapolis, Jan. 21.

Commissioner of Education Axel Peterson of St. Paul, supervising operation of the St. Paul Municipal Auditorium, refused to head the protests of the Minnesota Amus. Co. (Paramount) and independent exhibitors against the Saturday night show, which was staged in the Auditorium by radio station KSTP in conjunction with the St. Paul Pioneer Press-Dispatch.

Peterson heard representatives of the Paramount circuit and Northwest Allied brand the shows as 'unfair opposition' for the theatres which, as taxpayers, helped to build and now aid in supporting the Auditorium. The three-hour variety shows, scaled at 30¢, were given a generous amount of free publicity and heavily plugged over the air by KSTP, which was driving a publicity campaign and running contests.

Stanley Hubbard, KSTP president, testified that most of the attendance at the shows was from surrounding towns, according to a check. Thus, he declared, St. Paul and its merchants are actually helped. He pointed out the deficiency of stage entertainment in St. Paul.

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'Santa Fe'-Ray Noble \$40,000, Chi; 'Submarine'-Holtz Spell Swell 22G 'Hullabaloo'-Rosemary Lane \$16,000

Chicago, Jan. 21. Again stage shows are the answer to the boxoffice question this week, with the Oriental, Chicago and State-Lake reacting at the wickets because of the lure of the picture. At the State-Lake, "Love Story" (Col.) and picture name as Wendy Barrie, Lola Lane and Arline Judge, is packing 'em and zooming the turnstile there to one of the smash weeks for the house.

Orpheum has Rosemary Lane, and the house has picked a battle with the State-Lake via an ad line in their display stating: "Only 1 Movie Star, but REAL! Love Story is it." And, "The Oriental" is doing business also. And at the Chicago, the presence of the Ray Noble orchestra is the current guarantee of business along with the holdover session of "Santa Fe Trail."

On the straight picture side the highlight remains "Kitty Foyle" which is being given a rousing run of it in the Palace. Aided and abetted with a strong campaign by the local office of Tom Gorman, RKO district manager, this film is setting its full money value here. And looks for maybe six big weeks. Has been getting territorial with competition which is evidenced by the immediate money results at the boxoffice.

Estimates for This Week

Apollo (B&W) (1:200; \$35-45-75) — "Love Neighbor" (Par). This is the fourth week in the loop and picture continues at heat gallop, going to \$3,500 current after taking fine \$3,500 last week.

Chicago (B&W) (4:00; \$35-45-75) — "Santa Fe" (WB) and Ray Noble orchestra on stage. Second week for film, but this is no handicap to the show, as the audience is won over to the customers to zingy \$4,000. Last week, with Ink Spots on stage, "Santa Fe" (WB) was in practically the same niche at \$4,100.

Garrison (B&W) (3:00; \$35-45-75) — "Kildare Crisis" (M-G). Will manage satisfactory \$7,000. Last week, "Bitter Sweet" (M-G) finished fourth loop stanza to okay \$4,200.

Orpheum (B&W) (2:00; \$28-44-75) — "Hullabaloo" (M-G) and stage show Rosemary Lane headlining. Good \$16,000. Last week, the A. B. Marcus show on the stage was the big money item, but the competition (News? (Rep)) vowed to \$15,000.

Palace (RKO) (2:500; \$3-44-66) — "Kitty Foyle" (RKO) and "Saint Palm Springs" (RKO) (3d wk). Has been a strong combination and handled in great favor by the RKO publicists. Smashing to \$14,000 current, after wallowing \$14,000 last week.

Roosevelt (B&W) (1:500; \$35-45-65) — "Chad Hanna" (20th). Not too much to do with it, return at \$8,500.

Last week, "Bagdad" (JA) finished to fine \$7,100 for good stay.

State (H&K) (2:700; \$28-44-75) — "Phantom Submarine" (Col) and Lou Holtz on stage. Holtz show is coming through with a semi-business session here, pointing to possibly a new high, looks for at least \$22,000. Last week, "Here Comes Mr. Jordan" (re-issue) and Gray Gordon band on stage was brilliant at \$19,300.

United Artists (B&K-M-G) (1:700; \$35-45-75) — "Comrade X" (M-G) (3d wk). Picture has held up well despite some back-and-forth and will manage good \$7,500 current by taking down a neat \$9,400 last week.

'ARIZONA' TOPS DENVER \$10,500, 'FLIGHT' 10G

Denver, Jan. 21. "Arizona" comes in first in the lap with "Flight Command" tied to "Keeping Company" in second place. All grosses are strong.

Estimates for This Week

Aladdin (Fox) (1:400; \$25-40-40) — "Till I Called You" (Col). After a week at the Orpheum, \$4,000. Last week, "Santa Fe" (WB), after a week at the Denver, \$4,000.

Broadway (Fox) (1:040; \$25-40-40) — "Kitty Foyle" (RKO) and "Still Alive" (RKO) (2d wk). Both at the Orpheum. Good \$3,500. Last week, "Comrade X" (M-G) and "Saint Palm Springs" (RKO), after a week at the Orpheum. Good \$3,000.

Denham (Cochrane) (1:750; \$25-35-40) — "Second Chance" (Par). Fine \$6,500. Last week, "Love Neighbor" (Par) (3d wk), nice \$6,000.

Denver (Fox) (2:525; \$25-40-40) — "Flight Command" (M-G) and "Keeping Company" (M-G). Strong \$10,000. Last week, "Flight" (Par) (RKO) and "Still Alive" (RKO) (2d wk).

Paramount (Fox) (2:000; \$25-40-40) — "Invisible Woman" (U) and "Behind News" (Rep). Acceptable \$5,000. Last week, "Victory" (Par) and "Dancing

week, "East River" (WB) and "Phantom Submarine" (Col). Good \$4,000. Last week, "Aladdin" and "First Round" (M-G). Good enough \$2,400. Last week, "Love Story" (Col) and "Street Memories" (20th), good \$2,300.

'GONE' \$25,000, THING 14G, BUFF

Buffalo, Jan. 21.

"Wind," the big sockeroo of this week's session is ruling the roost on the main stem, and will come in with a bang when it reaches the Lakes. Waiting queues here a block long are on tap daily and the turnstiles are roaring to a peak tally. "That Cold Love" at the Lafayette is also a smash hit, with a crash through with brilliant market.

Estimates for This Week

Buffalo (Shea) (3,500; 35-45-55) — "Victory" (Par) and "Christmas Story" (Par). Last week, "Irene" (Col) and "Anybody But Love" (Col) averaged \$10,000. Last week, "Chad Hanna" (20th) and Will Bradish orchestra slowed up, but drew over \$12,000, very satisfactory.

Capitol (Shea) (3,000; 35-45-55) — "Gone" (M-G). Champ fugger showing top-form, and "em" straining on the ropes for \$25,000. Last week, "Flight Command" (M-G) and "Keeping Company" (M-G). Showed plenty of backbone at over \$15,000.

Hipp (Shea) (2,100; 30-40-40) — "Flight Command" (Par) and "Keeping Company" (M-G) (2d run). Over parlay looks for strong payoff at \$7,500. Last week, "Love Neighbor" (Par) and "Rangers Ride" (Par) (four days) (2d run), okay \$4,200.

Rivoli (Shea) (3,000; 35-45-55) — "Gone" (M-G). Champ fugger

showing top-form, and "em" straining on the ropes for \$25,000.

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Last week, "Flight Command" (M-G) and "Keeping Company" (M-G). Showed plenty of backbone at over \$15,000.

Lafayette (Hayman) (3,300; 30-40-40) — "Go West" (Par) and "Anybody But Love" (Col) and "Phantom Submarine" (Col). Final barrier breaker will trap a wallopin' \$14,000. Last week, "Arizona" (Col) and "Anything But Love" (Col) (2d wk) tapered, but fair enough at \$6,000.

20th Century (Dipson) (3,000; 30-40-40) — "Kitty Foyle" (RKO) (2d wk). Holdover pace good enough at \$6,500. Last week, went into high for bullish.

Strand (Kaufman) (3,000; 30-40-40) — "Go West" (Par) and "Anybody But Love" (Col) and "Phantom Submarine" (Col). Final barrier breaker will trap a wallopin' \$14,000. Last week, "Arizona" (Col) and "Anything But Love" (Col) (2d wk) tapered, but fair enough at \$6,000.

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Mpls. Soggy; 'Nanette' - Calloway \$13,000, 'Romance' - Vaude Mild 9G

Minneapolis, Jan. 21.

There's such an abundance of choice entertainment edibles that the town apparently can't digest the feast properly. As a result, there are numerous boxoffice headaches in the loop.

An array that includes a legitimate standup, two big vaude shows and a pair of outstanding burlesque acts is causing a support, except in the case of the legit offering. Lunt & Fontanne's "There Shall Be No Night" isn't forthcoming, probably because it's like the Cab Calloway and the A. Marcus "Night at the Moulin Rouge" stage shows at the Orpheum and Minnesota, respectively, and the State's "Nightly Movie." The "Night" is also suffering. Total takings for the loop are climbing to respectable proportions—all things considered—but they'll be spread around too thin.

In addition, it's itself into the problem of the Minnesota theatre's re-opening, adding 4,000 more seats and causing a boxoffice clash of extra-strong entertainment, fast deteriorating audiences and increasing the population, transient trade and buying power necessary to spell normal grosses for five super shows simultaneously on present here. Subsidies are being given the works and when the showhouses get the major portion of their boxoffice play, has stimulated the aspirin demand.

Estimates for This Week

Aster (Par-Singer) (900; 15-28)—"Doubtful" (M-G) and "The Mystery" (RKO) dual first-run split with "Dancing Dame" (Par) and "Pier 13" (WB), also dual first-runs. Pretty good, \$1,800 indicated. Last week, "Mondale" (Col) and "Elly Gun" (Col), dual first-runs, split with "Phantom Submarine" (Col) and "Couldn't Say No" (WB), dual first-runs, \$2,000, okay.

Century (Par-Singer) (1,600; 22-41)—"The Pan Alley Girl" (Col) and "Commodore" (Col) should do as most as well as its first week when various circumstances held down takings to \$3,500 after a start which augered much more. Looks like good, \$2,000, okay.

Empire (Berger) (200; 15-20)—"Missing People" and "Chamber Horrors" (Mono) (2d wk). Good showmanship keeping this going at a surprising clip. House unable to obtain ticket and admission depend on ingenious selling. Fair, \$600 in prospect. Last week, \$800, okay.

Gopher (Par-Singer) (998; 28-41)—"Gallant Sons" (M-G). Well-liked in a house that's the younger element. Stretching toward \$1,200. Last week, "Earl Carroll's" (Par), reached light \$2,200 in six days.

Minnesota (Middle States) (4,000; 22-39)—"Four Mothers" (Col) and "Marcus Show" (Night at Moulin Rouge). Low admission prices at these low admission prices (28c to 6 p.m. and 35¢ thereafter). However, tough opposition from extreme cold and other factors making it difficult. Fair, \$1,200. Last week, "Marge" (U) and Lou Holtz "Hollywood Revue," with Wende Barrie, Lola Lane and Arnold Stang on stage, slumped badly after first three days, ending \$7,000, and finished at \$11,000. Big, however, at low scale, for this town and considering weak screen support and other adverse conditions.

Orpheum (Par-Singer) (2,800; 22-44-5)—"Nanette" (RKO) and Cab Calloway band on stage. Good \$13,000. Last week, "Arizona" (Col), \$7,000 in 10 days, mild.

State (Par-Singer) (2,800; 22-39-44)—"Kittie Foyle" (RKO). Matinee trade should help it to stretch to good \$10,000 after cold abates and word-of-mouth praise gets in its licks. Last week, "The Pan Alley" (WB), \$9,500, fine, and still expanding.

Upstairs (Par) (1,200; 28-39)—"Zorro" (20th). First neighborhood showing. Fair \$2,400 indicated. Last week, "Ariane Love" (Par), first neighborhood showing, \$2,000, good.

World (Par-Singer-Steffes) (350; 22-44-5)—"Destry" (WB). Flashy ad of the moment, and these days Monday, "Queen of Destiny" (RKO) being scheduled to open Tuesday. Okay \$1,800 in prospect.

is having trouble getting first look.

Estimates for This Week

Ostensible (Monroe-Noble-Federer) (750; 10-15)—"Beyond Sacramento" (Col) and "One Opry" (Rep), split with "Almost Gentleman" (RKO) and "Border Legion" (Rep). All right, \$1,000. Last week, "Silverspoon" (Mono) and "Plenty Hot" (Rep), split with "Street's Net" (WB) (Mono) and "Durango Kid" (Col), okay \$900.

State (Par-H. C. Cooper-Par) (1,500; 10-25-40)—"Second Chorus" (Par). Won't do more than \$3,000, light. Last week, "Flight Command" (M-G), nice enough \$4,100.

Studio (Par) (1,500; 10-25-40)—"Night Tropics" (U) and "Lucky Devils" (U). Doing very well, but no big figure available at these prices. About \$2,100. Last week, "Munich" (U) and "U" and "Sister" (WB), okay \$2,000.

Stuart (J. H. Cooper-Par) (1,884; 10-25-40)—"Miss Bishop" (UA). Settled to regular run here after a two-week opening. Good, \$1,000. So won't pass \$5,000, but that's good.

Weekend (Par-Federer) (1,100; 10-20-25)—"Barnyard Follies" (Rep) and "Ellery Queen" (Col). Okay \$1,900. Last week, "Hit Parade" (Rep), nice \$1,700.

Varsity (Noble-Federer) (1,100; 10-25-40)—"Thing Called Love" (Col). From the opening (14), it has been going well, to finish with a bang. Last week, "Meet Missus" (Rep) and "Kitty Foyle" (RKO) got \$3,100 on the second stanza after \$3,900 on the first seven days.

Boston, Jan. 21.

"Gone with the Wind" is back in town, whirling the wickets at the Orpheum and State at terrific speed with 44-55 scale. "Kitty Foyle" is the star, with the new film top here.

Empire (Par-Federer) (1,100; 10-20-25)—"Barney Follies" (Rep) and "Ellery Queen" (Col). Okay \$1,900. Last week, "Hit Parade" (Rep), nice \$1,700.

Varsity (Noble-Federer) (1,100; 10-25-40)—"Miss Bishop" (UA). Settled to regular run here after a two-week opening. Good, \$1,000. So won't pass \$5,000, but that's good.

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'Play Girl'-Vanities 23G, Frisco;**'Thing'-Ellery' H. O. Huge \$14,500**

San Francisco, Jan. 21. Biz pretty good, though visitors are still taking somewhat. Golden Gate getting a terrific play with Earl Carroll's "Vanities" at no increase in prices, touching \$3,600 on opening day. Second week of "The Thing" is off, clinching a house afire at the Orpheum. Only new film of importance this week is "Victory" at the Warfield, just doing fair.

In the districts Larkin, theatre was first run for "Mannheim Line" (Artino), 400-seater drawing mob of 2,000 on opening night. Many turned away despite extra late show. At the Clay, "Here We Go Again" 10th, grindings, its fifth week of near-grindency, which is amazing.

Estimates for This Week

Fox (F-W.C.) (5,000; 35-40-50)—"Comrade X" (M-G) and "Rio Grande" (20th) (2d wk). Tapering off, but will get another 10 days. First stanza wound up with \$20,000.

Golden Gate (RKO) (2,850; 39-44-55)—"Play Girl" (RKO) and Earl Carroll Vanities. Pop price break-in getting a capacity play, good for \$2,000. Last week.

"La Vie Musicale" (RKO) and Bob Crosby orchestra, \$14,000, with stage show getting full credit.

Orpheum (F-M) (2,240; 35-40-50)—"Loving You" (Col.) and "Ellery Queen" (Col.) (2d wk). Word-of-mouth has brought holdouts in the second week, phenomenal. Should hit \$14,500. First week \$15,000, swell.

Paramount (F-W.C.) (5,000; 35-40-50)—"We're Neighbors" (Par.) and "Murder in New York" (20th) (3d wk).

This one has nosedived and won't do better than \$7,000. Last (2d) stanza, under expectations at \$8,000.

"The Thin Man" (1940; 35-40-50)—"Santa Fe" (WB) and "Marines March On" (Rep.) (moveover) (2d wk). Probably \$4,000. First move-

over week got \$7,000.

"Stanley" (F-W.C.) (2,680; 35-40-50)—"Victory" (Par.) and "Black Parrot" (WB). Rather mild, not over \$10,000.

Last (2d) week, "Hudson's Bay" (20th) and "Shayne Detective" (20th), n.s.g. \$7,000.

Philly 10-2G, Seattle; Invisible-Vaude \$6,000

Seattle, Jan. 21.

(Best) **Exploitation**—Gloomy weather hit the burg this week but it didn't stay the urge to see the good films, of which the town has a few currently. As "Love Thy Neighbor" and "Second Street" at Paramount top rank goes to "Philadelphia Story," hitting a hot pace at the Fifth.

Exploitation does a nip-up at Blue Moon, which is getting the buildup with spookiness and the weird dominant, Eddie Rivers, H.-S. exploiter had three fellows clad in skeleton suits with "spooky" makeup. A 20-cent black card that says "you dare you to come invites." A gal in a casket, neither alive nor dead, with white, greenish eyes and lights in same hue all about her, in the theatre front where records play "mystery" music. That the horror folks fall for it is shown by indicated near double-up on gross.

Estimates for This Week

Blue Mouse (Hamrick-Evergreen) (850; 30)—"White Zombie" (Ind.) and "Phantom Cliftonav" (Mono). Ex- \$2,800. Last week, "Comrade X" (M-G) and "Kildare Crisis" (M-G) (4th wk) \$2,500, good enough for four days.

Coliseum (Hamrick-Evergreen) (1,900; 35-37)—"Westerner" (UA) and "Big Steal" (WB) (2d run). Good \$3,100. Last week, "Big Sweet" (M-G) and "Seven Sinners" (U) (2d run) \$3,300, good.

Fifth Avenue (Hamrick-Evergreen) (2,340; 30-40-50)—"Philadelphia Story" (Par.) (20th) and "Honeymoon Detective" (20th). Advertising blasts and stories helped in landing anticipated \$10,500, great. Last week, "Marquette" (RKO) and "Romance Rio Grande" (M-G) (2d wk) \$2,100. Last week, same film again, "Romance Rio Grande" (M-G) (2d wk) \$2,900.

Liberty (J-Y-H) (1,650; 30-40-50)—"Cristo" (UA) and "Five Peppers" (Col.) (2d wk). Good \$3,900. Last week, "The Big Steal" (WB) \$4,100.

Music Box (Hamrick-Evergreen) (850; 30-40-50)—"Flight Command" (M-G) and "Keeping Company" (M-G) (2d wk). Good \$2,100. Last week, same film again, "Romance Rio Grande" (M-G) (2d wk) \$2,900.

Orpheum (Hamrick-Evergreen) (2,800; 30-40-50)—"Second Chorus" (Par.) and "Night Train" (WB) (20th). Sales off, \$4,500. Last week, "Saint Fe" (WB) and "Romance Rio Grande" (M-G) (2d wk) \$2,000.

Palomar (Sterling) (1,350; 20-50)—"Friendly Neighbors" (Rep.) and Major Bowes unit on stage. Riding

Key City Grosses

Estimated Total Gross	
Last Week	\$1,664,300
(Based on 25 cities, 101 theaters, chiefly first runs, including M-G)	
Total Gross Same Week	\$1,592,900
(Based on 24 cities, 102 theaters)	

'GONE' 25G BIG BOON TO PITT GROSSES

Pittsburgh, Jan. 21. It's "Gone with the Wind" across the board this week at Penn. Not only is the smash, as all would predict, but it's also blowing overflows into every box in the downtown sector. At Penn, it's getting more than normal capacity of houses, and production of standees, plenty of 'em, for the full length of the film. Stays for second week and then moves to Warner to keep on going ad infinitum.

At Senator, the latest lopnotch comedy by all three dailies, and best thing house has had since "Tin Pan Alley." It also holds. Fulton, closest to Penn, is getting a break on the overflow for "Gone." Last week, "Archie" and "Where Did You Get That Girl" and will wind up all right. Pair of h.o.'s, "Thief of Bagdad" at Warner and "Comrade X" at Penn, likewise holding their own. Stanley is proving disappointing this week, combo of "You'll Find Out" and Singer's Midgets revue going nowhere.

Estimates for This Week

Fulton (Shea) (1,750; 35-40-50)—"Invisible Woman" (U) and "Night Train" (WB). Got away slow and looked like a dud at the start. Then "Gone" opened at Penn two days later and when the crowds got tired of standing in the cold, they moved on.

Fulton, Revue, was around \$3,800, not bad. Last week, around \$3,800. Last week, "Flight Command" (M-G) (2d wk) \$2,000.

"Stanley" (F-W.C.) (2,680; 35-40-50)—"Bagged" (UA) (4th wk). Nudged along by efforts of Charlie Schlizer, should finish around \$5,000, okay. Last (3d) week did all right at \$6,500.

Warner (F-W.C.) (2,680; 35-40-50)—"Victory" (Par.) and "Black Parrot" (WB). Rather mild, not over \$10,000. Last (2d) week, "Hudson's Bay" (20th) and "Shayne Detective" (20th), n.s.g. \$7,000.

Cincinnati, Jan. 21. The town has seen some unfavorable weather this week, but first blizzard of wintry variety hit the week before. The cold has been so severe at this time to interfere with openings. Cleared by weekend but the cold temperatures are remaining. Some of the lethargic attendance can be attributed to the cold, but theatres are not offering vehicles of any particular strength, either.

Still most prominent is "Kitty Foyle" at the Orpheum which closes Saturday. The Palace, which got into the fourth probably giving way next weekend for "Santa Fe Trail." Four Mothers" at the Newman is in the front rank of the mild comedies, and "Second Street" for the Tower and Equinox, giving a fair play. All houses except the Orpheum are back to regular opening days.

Estimates for This Week

Albee (RKO) (3,000; 33-40-50)—"Bagged" (UA). Dandy \$12,000. Last week, "Kitty Foyle" (RKO) and "Second Street" (Par.)

Capitol (RKO) (2,000; 30-55-65)—"Gone with Wind" (M-G) (4th wk). Probable finale for 30-day run. Well \$10,000. Last week (3d) very good.

Fairly (RKO) (1,000; 18-28)—"Invisible Woman" (U) and "Meet Wildcat" (UA), split with "Charter Pilot" (20th) and "Out of Luck" (Mono). Normal \$2,100. Last week, "Plane Robbery" (Col.) and "Misbehaving Husband" (Par.) divided the bill, "Woman Talk" (Col.) and "Double Trouble" (Mono), neat \$2,200.

Grand (RKO) (1,430; 33-40-50)—"Hudson's Bay" (20th). Fair \$4,500. Last week, "Second Street" (Par.) (2d run) \$2,000. Last week (3d) very good.

Kitty (Liberon) (1,500; 33-40-50)—"Kitty Foyle" (RKO). Moveover from Albee for second week. Fair \$4,000. Dido last week on "Love Neighbor" (Par.) (2d run).

Lyric (RKO) (1,430; 33-40-50)—"Flight Command" (M-G). Transferred from Palace for second week. Sluggish \$2,800. Last week, "Son Monte Cristo" (UA) (2d run), sad \$2,200.

Palace (RKO) (2,000; 33-40-50)—"Flight Command" (M-G). Closes Saturday. "Invisible Woman" (U) (2d run) \$11,000. Last week, "Flight Command" (M-G), fairly good \$9,000.

Shubert (RKO) (2,150; 33-44-60)—"Flight Command" (M-G) and "Love Neighbor" (Par.) (2d run) and vaudeville co-headlining. Poor \$9,000. Last week, "Keeping Company" (M-G) and "Santa Rand" (Par.) (2d run) May added, hotsy-totsy \$18,000.

Seattle, Jan. 21. The weather is

still gloomy, but it didn't stop the exploitation of "Gone with the Wind" this week but it didn't stay the urge to see the good films, of which the town has a few currently. As "Love Thy Neighbor" and "Second Street" at Paramount top rank goes to "Philadelphia Story," hitting a hot pace at the Fifth.

Exploitation does a nip-up at Blue Moon, which is getting the buildup with spookiness and the weird dominant, Eddie Rivers, H.-S. exploiter had three fellows clad in skeleton suits with "spooky" makeup. A 20-cent black card that says "you dare you to come invites." A gal in a casket, neither alive nor dead, with white, greenish eyes and lights in same hue all about her, in the theatre front where records play "mystery" music. That the horror folks fall for it is shown by indicated near double-up on gross.

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Liberty (J-Y-H) (1,650; 30-40-50)—"Cristo" (UA) and "Five Peppers" (Col.) (2d wk). Good \$3,900. Last week, "The Big Steal" (WB) \$4,100.

Music Box (Hamrick-Evergreen) (850; 30-40-50)—"Flight Command" (M-G) and "Keeping Company" (M-G) (2d wk). Good \$2,100. Last week, same film again, "Romance Rio Grande" (M-G) (2d wk) \$2,900.

Orpheum (Hamrick-Evergreen) (2,800; 30-40-50)—"Second Chorus" (Par.) and "Night Train" (WB) (20th). Sales off, \$4,500. Last week, "Saint Fe" (WB) and "Romance Rio Grande" (M-G) (2d wk) \$2,000.

Palomar (Sterling) (1,350; 20-50)—"Friendly Neighbors" (Rep.) and Major Bowes unit on stage. Riding

'THING' \$8,700, PORT.

Vigilantes' Tropics Good \$4,600
"Bagdad" H.O. Forte

Portland, Ore., Jan. 21. A little light hit the gloomy picture market this week with "The Thing Called Love" doing a wow biz at the Paramount. "Thief of Bagdad" did a startling first week and makes a good h.o. at the Broadway.

Broadway (Par.) (2,000; 35-40-50)—"Bagdad" (UA) and "Captain Caution" (UA). Second week holding up to high \$6,000. First week went way over the top for good \$8,000.

Paramount (Paramount) (1,500; 35-40-50)—"Flight Command" (M-G) and "Wildcat" (U). Moveover from UA for second week to average \$2,000. Last week, "Flight Command" (M-G) (2d wk) \$1,000.

Orpheum (Hamrick-Evergreen) (1,000; 35-40-50)—"Nonette" (RKO) and "Street Memories" (20th) with vaudeville co-headlining. Last week, "Second Chorus" (Par.) with vaude, unexpectedly good \$5,000.

Paramount (Hamrick-Evergreen) (3,000; 35-40-50)—"Thing Called Love" (Col.) and "Ellery Queen" (Col.). Go over to strong \$8,700 and hold. Last week, "Hudson's Bay" (20th) and "Blonde Cupid" (Col.), closed a second week to satisfactory \$4,000.

United Artists (Parker) (1,000; 35-40-50)—"Vigilantes' Tropics" (U) and "Night Tropics" (U). In line for good \$4,600. Last week, "Flight Command" (M-G) and "Wildcat" (U), okay \$4,200, and moved to Mayfair.

Paramount (Parker) (1,000; 35-40-50)—"Flight Command" (M-G) and "Wildcat" (U), okay \$4,200, and moved to Mayfair.

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7 Film Cos. Grossed \$411,000,000 In '39, Boost of \$1,000,000 Over '38

Washington, Jan. 21. Seven picture companies for the fiscal year ending Dec. 31, 1939, did a combined volume of business of \$411,000,000. This amounted to a \$1,000,000 increase in total business over 1938. Compilation was released (15) by the Securities and Exchange Commission, predicated on corporation reports filed with the Government body. Companies listed in the report included Columbia Pictures, Loew's Inc., Paramount, Fox, Famous Players-Lasky, Century-Fox, Universal (consolidated with Universal Pictures, Inc.) and Warner Bros. Majors not included are RKO and United Artists.

A combined operating profit of \$25,000,000, 6.2% of sales, was reported for all seven enterprises for 1939, compared with \$28,000,000, or 6.7% of sales for 1938. These results were after certain charges due to depreciation, depletion, etc., of \$15,000,000, or 3.6% of sales, for each year. Combined profits after deductions, including non-operating gains and losses, prior claims, interest and income taxes, totaled \$20,000,000 for 1939, compared with \$21,000,000 for 1938.

In a table attached to the report, the names and addresses of the various companies for 1939. Names of individuals were omitted. The totals are: Loew's, Inc., \$2,106,856; Warner Bros., \$1,016,073; 20th Century-Fox, \$853,943; Paramount, \$499,998; Columbia, \$524,048; Universal, \$450,957; and Monogram, \$77,694. Highest compensation paid to individuals by the various companies were Loew's, \$1,000,000; Warner Bros., \$260,000; 20th Century-Fox, \$255,000; Paramount, \$250,000; Columbia, \$206,250; Universal, \$196,000, and Monogram, \$25,000.

Dividends paid out by the seven companies during 1939 totaled \$9,900,000, of which \$3,700,000 were current cash dividends on preferred stock, and the balance on common stock. In the 1938 period, dividends paid out totaled \$2,000,000.

Combined balance sheet assets for all seven companies totaled \$51,000,000 in 1938, and declined slightly to \$52,900,000, in 1939. During this period cash items rose from \$32,000,000 to \$42,000,000. Current assets were \$184,000,000, against \$174,000,000. Land, buildings and equipment, at the end of the year, were \$276,000,000, against \$288,000,000.

Long term debt in 1939 was \$18,000,000, against \$146,000,000, and stockholders' equity as indicated by the total book value of capital stock and surplus rose to \$319,000,000 from \$307,000,000.

\$3,000,000 From Nat'l Theatres May Put 20th In Profit Class for '40

With 20th-Fox expected to receive nearly \$3,000,000 as its share of National Theatres' 10% dividend distribution, Wall Street analysts believe saw possibility of the picture company overcoming the \$1,075,611 deficit shown in the first three quarters and concluding the past year with a profit.

Actual net profit for 20th-Fox may hit \$2,000,000 or exceed it, depending on the exact amount obtained from National. The 10% which would hold a minority interest, and whether or not the special reserve write-off of \$2,200,000 for foreign account again included. The picture company deducted this amount from its three-quarter earnings total, which produced the severe loss. Should part of this amount be adjusted as a result of actual receipts obtained from the foreign market, this of course would materially increase the company's net.

Holt's New Cliffer

Hollywood, Jan. 21. Loring Dartmouth signed Jack Holt to star in "The Man from Coeur d'Alene," release starting in Jan. 15.

Story will be selected from the numerous serial properties held by Dartmouth.

EIS SOFTEN SIDE

Hollywood, Jan. 21. Brian Donlevy, hitherto a rough-neck on the screen, goes romantic in "Pioneer Woman" at Republic.

Barbara Stanwyck and Joel McCrea co-starred.

Filming starts Feb. 1.

E-WC NET EARNINGS IN '40 PASSES \$2,000,000

Los Angeles, Jan. 21.

Fox-West Coast reports net earnings in excess of \$2,000,000 for the calendar year of 1940, one of the best in the history of the studio. Western California Theatres, Inc., National Theatres Corp. has paid a dividend of \$1,000,000 to the parent body and has retained bonds amounting to \$300,000.

From a financial standpoint, E-WC is reported in better shape than at any other time in its existence.

DISTRIBS FIGHT OHIO'S 1% TAX ON RENTALS

Distributors are prepared to put up a stiff fight against efforts of Ohio to impose a 1% sales tax on all film rentals in that state, based on a taxation measure that was placed into effect three years ago but never has been paid by the picture companies.

Decision to resist the collection of the tax came from exhibitors in the theater in the state to the various companies. An agreement was reached at a meeting of attorneys for the major distribs at a meeting in the Hays' office (Motion Picture Producers & Distributors) in New York during the past week.

Because of the fact that a 1% tax on all money taken out of Ohio for the licensing of pictures within the borders would run into hundreds of thousands of dollars, and could no doubt be retroactive to the time three years ago when the sales tax was passed, every effort will be made to prove exemption. It is understood.

Several years ago, when New York City passed a sales tax, the film companies continued to sell film without collecting the levy. After a prolonged fight in the courts, it was ruled that the tax on film sold within the city limits of N.Y. would have to be paid, but not if it was demanded when the film was bought in N.Y., but shipped for exhibition to New Jersey, Westchester County or other points out of N.Y. exchanges. In that case, the matter was ultimately taken to the highest tribunal of the state, the Court of Appeals at Albany. Exhibitors themselves pay the tax, but distributors must collect it.

U Report Delayed

Annual report of Universal for the fiscal year ending last October has been delayed and instead of coming out before Jan. 25 it now is due to be mailed to stockholders early in February. Delay in getting reports from the foreign field, and desire to include a summary of results accomplished with the German market as well as preference stock, has held up the statement. Report will show around \$2,000,000 net profit, after all charges and deductions, the official estimate made early in December of a little more than that amount being slightly changed by later writeoffs and income.

Other than that satisfactory number of tenders for the first preferred had been received, Universal has made no statement regarding the number of shares which have been taken up by the company, the number still outstanding. Company decided to summarize this situation in the annual report.

Landers Reins Autry

Hollywood, Jan. 21. Lew Landers will pilot chore on "Song at Twilight," the next Gene Autry western musical at Republic.

Meanwhile the studio is preparing "Moon Over the Mountains" as the cowboy's next starrer to follow the twilight song.

Blumenfeld-Dickering For F&M Orpheum, S.F.

San Francisco, Jan. 21. Deal is underway here whereby Blumenfeld circuit would take over the Orpheum, 2,440-seat Market street deluxer, now operated by Farnsworth, who holds plays Universal and Columbia products.

Blumenfeld chain recently took over another Market street subsequent, the Esquire (nee Davies).

SAMUELSON AGAIN G. M. OF EASTERN PA. ALLIED

Philadelphia, Jan. 21. Sidney E. Samuelson was re-elected business manager of the Allied Independent Theatre Owners of Eastern Pennsylvania at a meeting of the organization on Friday (17). E. E. Gregory was re-elected secretary, with Miss Sally Fisher again named assistant secretary. Ben Fertel was continued as treasurer. Joseph Conway was named a national Allied director. Members of the finance committee chosen were Conway, Harry Chertoff, David Milgram, Milton Rosenthal and Charles Stroh with Gregory and Fertel members ex-officio.

At a meeting on Tuesday (14) the following members of the board of governors were elected by the general membership: David E. Milgram, Thomas Lazarick and Columbus Stamper, all of Philly; George J. Riester, Shamokin, and Henry Sork, Allentown—all elected for three years. Conway, for one year were re-elected; Brodstein, Roslyn; Melvin Katz, Darby; William Siegel, Philadelphia; Harry Fried, Ardmore.

Abram F. Myers, general Allied counsel and chairman of the board, was main speaker at the meeting, at which general problems confronting the industry this coming season were discussed.

WB'S \$1,276,316 NET IN FIRST QUARTER

Warner Bros. this week reported net profit of \$1,276,316 for the first quarter of the company's fiscal year ending last Nov. 30, as compared with net profit of only \$642,129 in corresponding period of the previous year. Warner's last fiscal year ended on Aug. 31, 1940. Profit is equal to 3 1/2¢ on each of \$37,000,000 share of common outstanding and 10¢ on each of 90,000 shares of preferred outstanding. Earnings are in line with the official forecast at the annual stockholder's meeting last month.

Company showed profit of \$3,033,014 before charges for amortization and depreciation of properties and federal income tax, as against \$2,348,856 under similar conditions in the 13 weeks ended Nov. 25, 1939.

Company had \$8,452,922 cash on hand at the end of the quarter, finished Nov. 30 last, as compared to \$7,098,982 Aug. 31, 1940. Earned surplus at the end of the quarter covered by the report was \$5,733,289. Company reported dividends in arrears on the preferred stock, totaling \$33.66 per share on Dec. 1, 1940.

Warner Bros. Annual Earnings, 1930-40

Net profit, except as noted: (*) deficit

	(1940 by Quarters)		
First Quarter	Second Quarter	Third Quarter	Fourth Quarter
1930			\$7,074,621
1931			7,918,605
1932			14,095,054
1933			6,291,748
1934			2,530,514
1935			674,159
1936			3,177,513
1937			5,876,183
1938			1,929,721
1939			1,740,908
1940			2,747,472
First Quarter	Second Quarter	Third Quarter	Fourth Quarter
\$642,129	\$376,368	\$932,216	\$796,759
1941	\$1,276,316 (first 13 weeks of company's fiscal year, which began Sept. 1, 1940)		
First Quarter	Second Quarter	Third Quarter	Fourth Quarter
\$1,276,316			

Gov't Admish Tax Grab of \$43,483,267 For '40 Doubles Any Previous Year's

PAR PARTNER ALSO RESISTING 'GONE' TERMS

Washington, Jan. 21. Stiffer tax schedule carried the Government grab from boxoffices to an unprecedented \$43,483,267. In 1940, though business tapered off toward the end of the year, Treasury's grab was more than twice the sum ever collected in any prior calendar year, while the haul since the starting point of the 10% levy was lowered in July was more than for any 12-month spell.

President John J. Friedl of the chain hasn't made a deal for the picture yet and is said to be holding out for 40% rental in place of 50%. He is not objecting to other terms, including increased admissions, preferred playing time, reserved seat policy and elimination of children's reduced admissions, which the independent exhibitors are resisting.

Metro here says "Gone" hasn't been offered to exhibitors yet.

NEB. GETTING 1c TAX BILL ON LUXURIES

Lincoln, Jan. 21. Even though faced with extreme coldness in the matter of new taxes of any kind, Sen. E. M. Neubauer is about to launch his "luxury" tax bill in the Nebraska unicameral, a move which will add 1¢ to the price of every film theatre ticket, every gallon of gas, every pack of cigarettes and all comestics. Retiring Governor R. L. Conrad and incoming Governor Dwight Crisler told the speeches before the body, asked that there be no new taxes and submitted new budgets which cut corners on Nebraska's already low rates.

This is not Neubauer's first stab at the industry, having been out with a couple of strong bills two sessions ago, one on theatre districts, another on chain-owned enterprises. Both of those failed at hearing time.

There is no out yet from this present Neubauer bill. It doesn't matter whether the ticket is for 5¢ or for 1¢, the dig is still an extra penny. It will apply to all amusement tickets.

New Wichita House

Wichita, Kas. Jan. 21. New theatre to seat 1,200 to 1,500 will be built on recently purchased land and half acre tract in southeast suburban Wichita, according to Howard E. Jameyson, v.p. and district manager of the Fox-Miller Amusement Co., owner and operator of four other Fox theatres in Wichita.

Land was bought from Schweiter Estate, which is opening large residential addition in that section of city.

Washington, Jan. 21.

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From August, the first time the heavier load was reflected in Treasury statements, through December the Government earned \$30,665,377. Normally, about \$7,000,000 to \$9,000,000 is raked in during this five-month period.

As a result of the law changes, the aggregate collections from admissions was \$23,337,000 fatter than for 1939 and roughly \$22,500 better than any other previous year.

Warning on Regulations

Detailed warning about the admissions tax regulations—with a suggestion that printers discourage orders for ducats on which the price is to be stamped later—was given last week in a Treasury Department memorandum, reminding that the changed law, lowering the starting point of the increased obligations on numerous theaters for those exempt from certain provisions of the statute.

The Internal Revenue Bureau emphasized that the price must be conspicuously and indelibly printed, stamped or written on every pasteboard, regardless of the boxoffice scale, while all taxable ducats must carry the name of the amusement place and either a date or serial number. Stock tickets are permissible only when over-stamped, the circular pointed out.

Other salient reminders were: Any circuit desiring to print tickets with the circuit name, rather than that of the particular theater, must get written permission.

All printers should notify revenue collectors of the name of customers, reporting the number of tickets, serial numbers, etc.

Special D-J Unit

Continued from page 5

its announcement to exhibitors, the department adds:

"While action under Section XI (5) of the decree is limited to acquisitions which are not part of a broad program of expansion, the department is free to proceed under the act itself to enjoin or divest acquisitions which are attempted or made with the purpose and effect of suppressing or eliminating completion, whether made by the consenting defendants or others."

New unit of the D. of J. promises to protect exhibitors complaining of unfair practices, against any reprisals, and no complaint will be disclosed or referred to distributor or others except if legal proceedings figure. The special bureau under Wright also will serve in rendering advice to exhibitors sought with respect to steps that they might take under the decree so that the unit may serve them to the fullest extent.

The unit will attempt to observe and evaluate the effect of the decree on the industry as a whole by a study of the following factors, among others:

"The extent to which arbitration under the decree succeeds in fairly adjusting the specific exhibitor complaints of which the department has knowledge;

"The general effect of the decree, and particularly the new method of selling, on competition between independent theatres, unaffiliated circuits and affiliated circuits;

"The effect of the decree, and particularly the new method of selling, on competition in producing and distributing films."

At the end of the three-year trial period of the decree, the D. of J. unit stated it will attempt to answer whether the decree has achieved competition in the picture industry with the enforcement of the decree; whether it must be modified to create free competition and, if so, what steps should be taken to achieve that end.

Argentina Veers From U.S. Legit By Growing Trend of Nationalism

Buenos Aires, Jan. 21.

Emphasis on nationalism both in theme, production and distribution is to be the chief feature of the 1941 theatre season here. Seasons being those of those in the States, auditors are usually officially opened in April, which makes this the layover and predicting period in show biz.

Growing national trend has many U.S. observers worried, principally because in some South American countries national trends have often turned out to be anti-American trends. Unlike Argentina, and Brazil, which in the past few years have shown a decided shift toward the U.S. South American leg!—and this is the only city on the continent with a theatre comparable to one in New York—has stubbornly resisted much North American influence.

Few from the U.S.

Even in translated plays, which occupy about half of B.A.'s 30 or more legit houses, there have been few from the States, and none from or from Spain, with the rest of the European stuff following. There's been little effort from any source to get across good translations of Broadway hits, and as a result the large playing public here has been getting everything but an U.S. angle in the theatre.

Hollywood influence dominates local films, because everybody has a chance to see the U.S. product. Radio follows the U.S. pattern, discs are mostly American, and cartoon fields get the bulk of their attractions from the States. But not one U.S. theatre star or director of note has done anything in the theatre here or elsewhere on the continent. It's pointed out.

Until the fall of France, French companies among others from all parts of Europe came here, old plays in their original tongue and made plenty of coin. Those who think the U.S. is the only game in town at this point put out the even if it's a circuit is impractical, there's no reason the Good Neighbor policy can't be extended to get local productions of U.S. plays behind S.A. footlights.

There's been only the slightest indication that there's any great chance of a change in this setup, however. Alfred Lunt and Lynn Fontanne were interested in a tour and had the U.S. Chamber of Commerce here do a lot of fact-digging, but now it's feared the deal will not go through.

Caught Shakespeare Go.

Ernest D'Quesada, ace S.A.impresario, was also interested in bringing a top-rank Shakespeare company of the calibre of Maurice Evans to this continent, but the differential between the peso and the dollar has made the margin-of-profit possibility too risky. Said he was most impressed with the way monocled Ruth Draper, working in English exclusively, managed to pack in audiences, many of whom knew little English.

Extension of cooperation between the theatre worlds of the Americas, possibly through some group like the Jock Whitney Committee to Coordinate Cultural Relations, would be highly desirable, official sources here have explained. While not as important in reaching the masses as films or radio, the theatre can be a big help in Inter-American unity, they say.

BLOCKS-OF-10 PLAN ADVANCED FOR CUBA

Plan whereby U.S. pictures would be sold in blocks of 10, with the Cuban Department of Commerce handling the arbitration necessary in disputes between the exhibitor and distributor, has been advanced for Cuba. In place of the pending anti-blockbooking decree, according to word brought to N.Y. last week by A.L. Pfeiffer, Paramount's Central American manager, a plan emerged from confabs between U.S. distributor representatives and Cuban government in Havana.

Anti-blockbooking decree, now being held in abeyance for a period of three months, is much more strict in its stipulation regarding the grouping of pictures in blocks and was described as vague and unsatisfactory to both major exhibitors and distributors. Ten-picture proposition is understood to be workable and might be accepted by American distributors as a compromise.

Prolong Successor To Hanbury Till End of War

With W. S. Dawson, secretary of RKO's British company, and Ernest Simon, art manager, in Great Britain, casting on the horizon of the British Isles for RKO, it now looks as though no new managing director will be named for Britain for the duration of the war. Ralph Hanbury, last manager of RKO's British corporation, was killed by Nazi bombs last September.

Reginald Armour, European sales chief who had been mentioned among others as possible successor, presently is on the Coast with no present assignment for him made thus far.

Tax Increases

A New Fear To Aussie Exhibs

Sydney, Jan. 1.

Taxation in 1941 has become a new headache to Aussie film exhibs. How the new high in wartime taxation will hit the pic biz, especially in the nubes, is best exemplified by a man earning \$20 weekly having to pay almost \$2 weekly in Federal taxes as a wartime measure. This new governmental edict is in force as of today (1). It is from these lower-salaried exhibs that the nubes do their blizzards.

If the exhibs' bid-drop forecast is correct, a try may be made to induce the Motion Picture Distributors Ass. to get its ruling of a 25c minimum admission and permit nubes exhibs to run "family nights" twice-weekly at 25c. Here, however, districts would have to lower their workers' salaries to make the scheme workable, and this is doubted somewhat, owing to the pic business existing presently between Australia, Asia, and U.S. districts.

There are "family nights" in Western Australia, and in New Zealand admissions are scaled down to as low as 25c. The pic screened, however, are older.

The districts, too, are in a spot. That 50% cold freeze is no light load to carry, overhead is bound, topped off by the bugaboo of 25% right of rejection. How, then, many districts ask, can there be a rental lowering in '41?

Roberto Soto, hefty Mexican comic, back in Mexico City for a couple of weeks to recruit players for his Mexican troupe in N.Y. said, he's been invited up to take back with him at least 62 entertainers.

Mar Del Plata, Arg., Jan. 14.

This No. 1 South American resort spot again reports booming biz for current season. All that talk about a war in Europe, no exports of wheat or meat (which controls just about everything), the boom in Argentina, hard times, etc., did not seem to catch on here. Admissions, ticket sales and amusement park operations soy grosses are proportionately greater already than last year and show no sign of a slowdown.

Center of all activity in the Atlantic seacoast resort, located 250 miles from Buenos Aires, is the Casino, only spot in the country with legal gambling. Place has 56 roulette tables, more than Monte Carlo in its heyday, and claims a greater take than the European spin-the-ball gamblerly even in the playboy age.

Not only the current turnover, but the Casino structure itself, built entirely from profits, is an indication of Mar del Plata's biz. For many years the games were run in the old Hotel Bristol, run up in 1888 and keds grosses until the end. Casino

construction started four years ago

Outnumbered

Sydney, Jan. 1.
"Brigham Young" (20th) gave Hoyts' Century its lowest gross in three years.

After floppos, exec said "Brigham Young, his 27 wives and 47 kids outnumbered the audience every session by two to one."

TRANSIT STRIKE HITS MEXICAN AMUS. BIZ

Mexico City, Jan. 21.

While amusement biz has felt but little up to now, the effect of the strike has been stored every time in town, a movement that started Jan. 12 to enforce demands for higher pay, etc., there are fears that the walkout will soon hit amusement biz much harder than presently.

The car strike has cost the biz about 10% of its trade, a considerable nick in a dull month like this, for though private automobiles, hacks and buses bring many customers, not a few patrons depend upon the trans for their amusement shopping.

Coupled with this strike is the wholesale cut-down on public illuminations and the enforced closing at 7 p.m. of all stores, other than those that deal in foodstuffs and prime necessity articles. Even though time here has been advanced an hour, to help along juice conservation, the town is pretty obscure after 7 in the evening. Curiously, however, signs have to be doubed at 10 p.m. ... After than the town is very dark indeed. All this results from the peril of running dry of the great dams at Texcoco near here, which for years have been the chief electricity generation source for this city.

Thus far, the amusement biz has not been ordered to curtail its use of juice, excepting in the general appeal of the government to all industry to conserve the juice-thirst program. This appeal, though, carries the warning that anybody caught consuming more current than the amount to which they are reasonably entitled will have their services suspended starting Feb. 1.

The government has appointed the "grand electric current conservation commission," which every day puts into effect new measures calculated to save juice.

The Law Doubles

Mexico City, Jan. 21.

Novelty in show and police biz doubling is being performed here by Manuel Roig, whose sister, Vicente, is a noted radio warbler.

Roig works nights and Sunday

mats and prompted the Follies Bergere, 1000-seat house. During the day he is a motorcycle cop.

Argentine Casino Makes it Comfy To Lose (There's Even a Nursery)

and our wing was opened last season. Rest, also, will be ready in two or three weeks. When finished, pool will be according to operators the world's greatest such layout. It's ultra-modern, air-conditioned and designed to make loss of your money as painless as possible.

Four City Blocks

Finished structure will run four full city blocks along the beach in back of a trick "boardwalk" known as the Rambla. Will include a nitery with an elevated ice rink, hotel, rock of restaurants and cafes, bars, nightclubs, underground garages, etc.

Present wireless, in addition to gambling rooms, a drink spot, offices, shops and even a place to park the kids while trying to run up a pile of chips. You can bet anything from a peso (two-bits U.S.) up, and while diligent looking failed to produce anything resembling the lush-spending Latinas found in New York after-darkers, there was plenty being wagered.

In fact, thing that strikes a U.S. observer most is that majority of the crowd here just like folks in Miami. Sports outfits similar to those seen in the States are everywhere.

Greater Union in Product Deal

With Par, U; M-G, GB on Fire

Sydney, Jan. 21.

Five-year contracts for product signed by Greater Union Theatres with Paramount and Universal, and the prospect of deals with Metro and Gaumont-British for future product, are further steps taken by the Australian theatre circuit to emphasize more strongly that its offshoot booking arrangement with the Hoyts' circuit has been permanently shelved.

The Hoyts'-Greater Union deal, which was last reported ready to become effective on Jan. 1, would have provided for a joint booking of films through General Theatres, a booking combine that had been organized for some years, but was to be resurrected for the purpose of acting as a clearing house for both circuits.

If the arrangements with Gaumont and Metro are cleared, Greater Union will have access to ace product from Paramount, Metro, Gaumont, Columbia, Universal, Republic and Monogram, as well as with Hoyts'—W.M. Witz, W.M. Fox, RKO, United Artists and lesser firms. Greater Union's deal with Par also sets up a working arrangement with the Birch-Carroll Prince Edward theatre here, wherein the latter will receive certain Par releases. Dan Carroll is a director of Greater Union.

'Grapes' No. 1 U.S. Pic, Say Buenos Aires Crix; Choice Stirs Much Talk

Buenos Aires, Jan. 21.

Film critics in this Andean city of South America have chosen "Grapes of Wrath" (20th) as the best U.S. made film of the past season, and thereby set off considerable talk.

Talk is centered in the Industry, not the public, which, according to letters to eds and other such guides, approved the choice generally. What's making the Hollywood repsonder is how the Steinbeck opus, purely North American in theme, managed to attract so much interest here.

Pix not only got the critics' orange, but contrary to general opinion has, according to local 20th-Fox offices, been doing plenty all right at the boxoffice. In the rural sections—they call them the camps in Argentina—"Grapes" has also reversed the usual trend. U.S. pix are generally better in the cities because of a more literate audience, but this time the down-to-earth appeal has apparently drawn many a farm worker who ordinarily has no time or pesos for films in a foreign language.

Concensus is that most pix with a purely U.S. theme can't be expected to do as well in Argentina or S.A. as those whose sweep of action or interest is more international.

It's conducted by Heraldine Cinemagazine, edited by radiofilm commentator Chas del Cruz, also made these choices:

Best local pix: Argentina. Sono Film's "Heroes sin Fama" ("Heroes Without Fame"), directed by Mario Stoffi with a story by Sixto Ponal-Rios and Carlos Olivari and principal roles by Angel Magana, Elisa Gaine and Jose Olarra.

Best French film: "La Mujer del Paderio," the latter's wife, directed by Georges Lautner. Best foreign pix: "Ninotchka" (M-G) and "Gone With the Wind" (M-G).

EXCLUSIVE SHOWING OF MEX PIX IN GOVT HOUSE

Mexico City, Jan. 21.

As the government is obviously determined to make the pre-election promise of President Manuel Avila Camacho to aid the best of its abilities the local motion picture industry, the administration has decided upon what it considers simple, yet practical way of doing so.

This lift is the proposition to make of the Teatro Hidalgo, historic stage house that has long been used for government-sponsored shows and propaganda pix, a cinema for the exclusive exhibition of Mexican films at pop prices. It is figured that this show windowing at the government-owned theatre will give all domestic pix a big break and stimulate their

THE LAUGH EVENT OF THE YEAR!

SPECTACULAR 32-CITY "HOLLYWOOD" PREVIEW
AS PRESS, TRADE AND PUBLIC GET ADVANCE
LOOK AT ALFRED HITCHCOCK'S BIG COMEDY HIT!

Another big show on the heels of sensational "Kitty Foyle," heralded with pride by RKO RADIO and hailed with joy by all who see it! . . . The first picture for 1941 directed by the man honored for his direction of TWO of the TEN BEST PICTURES OF 1940 — "Rebecca" (topping the list) and "Foreign Correspondent." . . . Opening soon in key cities from Coast to Coast.

CAROLE

ROBERT

*Lombard * Montgomery*

R K O

RADIO

PICTURES



Mr & Mrs Smith

WITH
GENE RAYMOND
JACK CARSON • PHILIP MERIVALE
LUCILE WATSON

Directed by
ALFRED HITCHCOCK
STORY AND SCREEN PLAY BY NORMAN KRASNA



Spread the News Across America!

The results are in!

Amazing news from the first 13 engagements!

(Boston, 2 theatres—Buffalo, Cleveland, Bridgeport, New Haven, Pittsburgh, Washington, Worcester, Hartford, St. Louis, Tulsa, Oklahoma City).

They all played it previously!

And they're now doing 181% of normal biz!

With only 3 performances daily!

And HOLDING OVER in the entire 13 spots!

And in the first 10 small town situations!

Each one has played it before!

It's topping the big towns, doing 220% of normal!

That's positively sensational!

As predicted in nationwide surveys!

Thousands wait for it! Thousands will see it again!

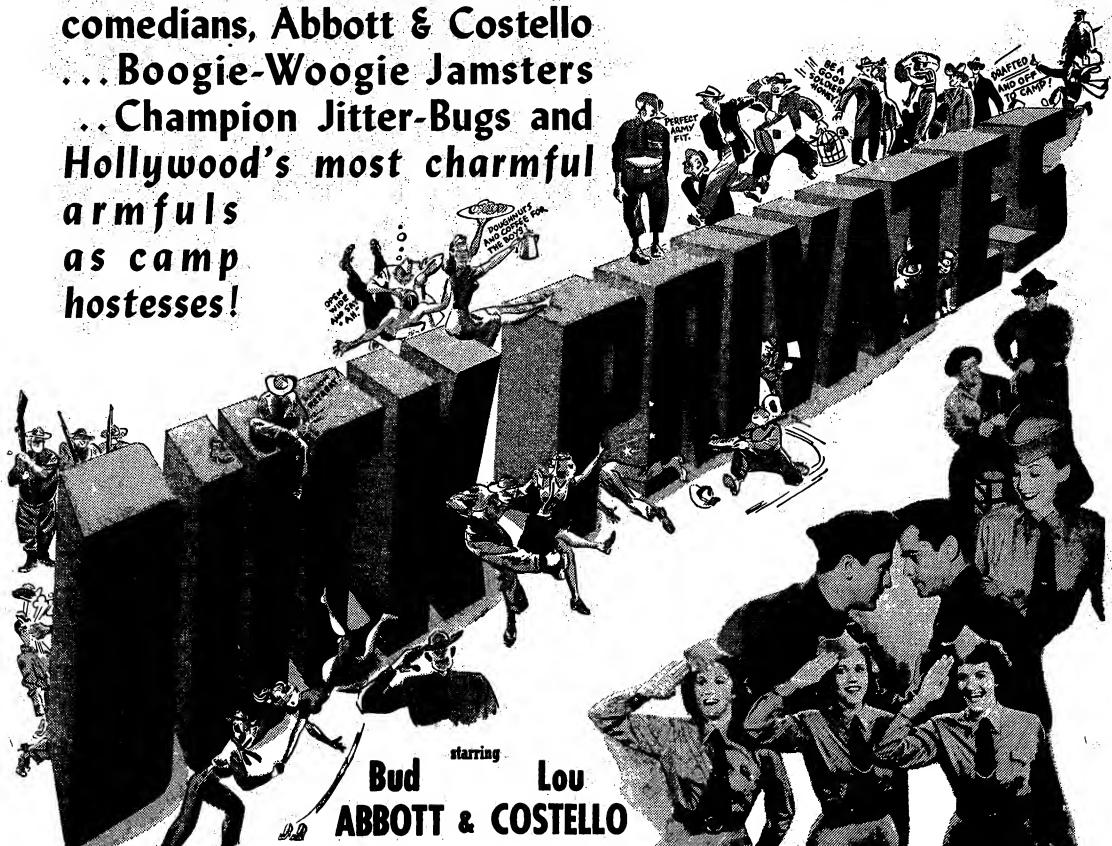
Put "Gone With The Wind" on your marquee!

It's magic!

Here's "No. 158!" -THE FIRST PICTURE ABOUT UNCLE SAM'S MILLIONS OF ROOKIES HEADING FOR ARMY CAMP LIFE!

UNIVERSAL'S SURPRISE COMEDY SMASH...

With the new sensational comedians, Abbott & Costello
...Boogie-Woogie Jamsters
..Champion Jitter-Bugs and
Hollywood's most charming
armfuls
as camp
hostesses!



starring
Bud Abbott & Lou Costello
with
LEE BOWMAN ALAN CURTIS

JANE FRAZEE • NAT PENDLETON • SAMUEL S. HINDS

and

The ANDREWS SISTERS

With the world's champion jitter-bugs
and a bevy of Hollywood's scintillating lovelies

JEANNE KELLY • NELL O'DAY • NINA ORLA • KAY LESLIE
DOROTHY DARRELL • MARIA MONTEZ • NELLA WALKER

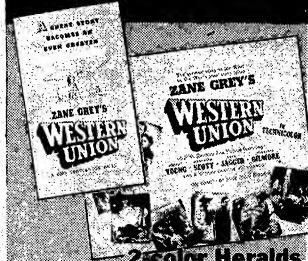
Directed by ARTHUR LUBIN
Associate Producer, ALEX GOTTLIEB

hit numbers? . . . When you hear them sing
"YOU'RE A LUCKY FELLOW, MR. SMITH!" You'll know
you're a lucky fellow, Mr. Exhibitor!

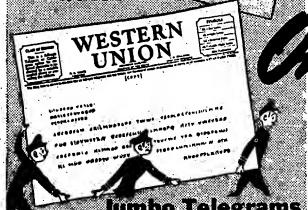
NATIONAL RELEASE JAN. 31

Abbott and Costello, sensational comics
known to millions of radio and stage fans!

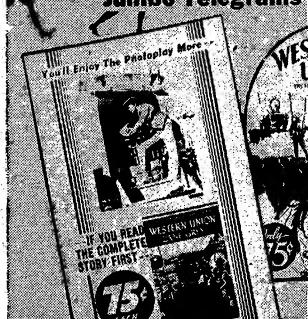
WESTERN UNION'S GREAT NATION-WIDE TIE-UP!



2-color Heralds

Full color
20x24 Posters11x14
Sepia
Photos

Jumbo Telegrams



Book Displays

★The most comprehensive promotion ever made!
UNPRECEDENTED PLAYDATE SUPPORT!
★Building for months to a profit-climax for you!
★**EMBRACING EVERY ONE OF WESTERN UNION'S 45,000 EMPLOYEES!**

When you play Zane Grey's **WESTERN UNION** ... 20th Century-Fox with the full co-operation of The Western Union Telegraph Company... offers you the greatest ready-to-work exploitation set-up you've ever had!

It's a showman's dream...and true! Thousands of Western Union windows from coast to coast flashing selling sock! One million two-color heralds distributed in one million social messages by Western Union throughout the country! Co-operation to the limit by Western Union's thousands of branch offices and 45,000 employees!

See the big **WESTERN UNION** press-book for complete details on how your theatre...your playdate...will get full advantage of cost-free colorful 20 x 24 posters, 11 x 14 sepia photos, book displays, jumbo telegrams and 2-color heralds! It's the most complete tie-up ever made and it's been building for months! Now it's ready to help you grab profits greater than ever before!

On its way... BACKED BY 20TH'S SUPER-SHOWMANSHIP!

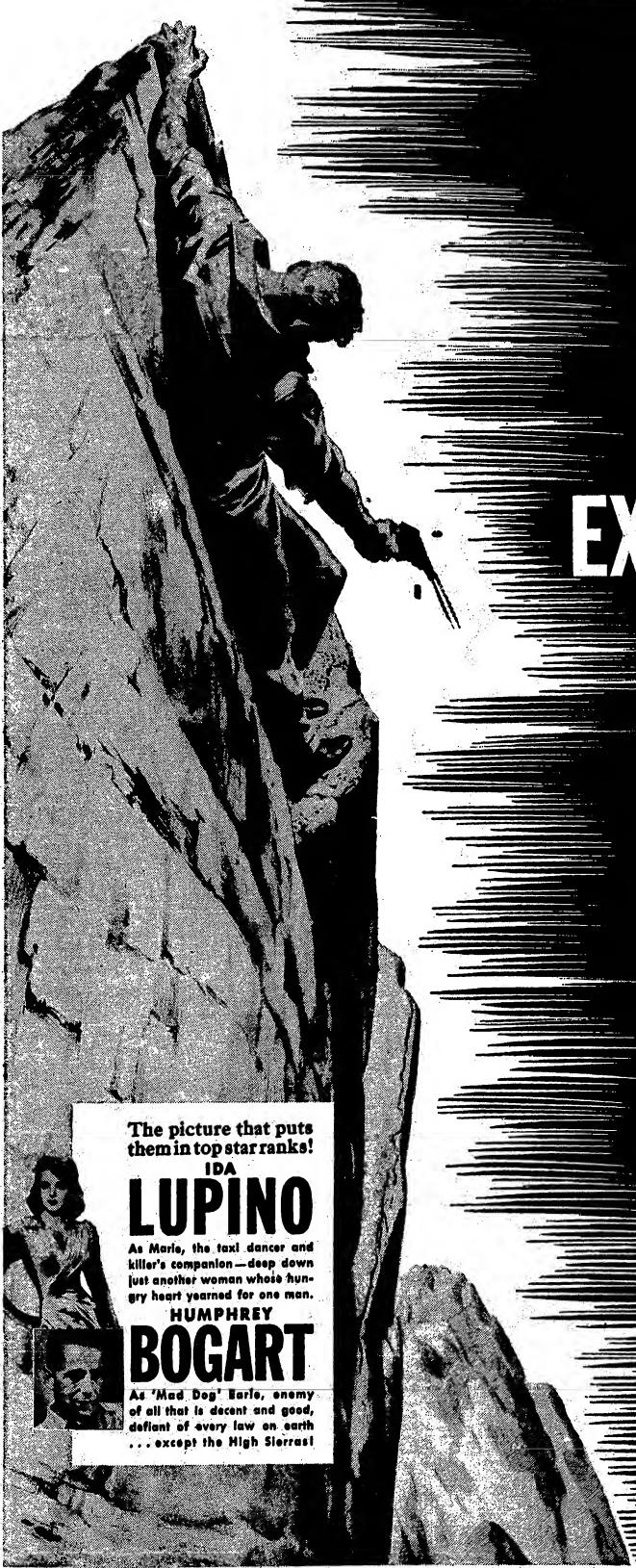
ZANE GREY'S

WESTERN UNION

*IN
TECHNICOLOR*

ROBERT YOUNG • RANDOLPH SCOTT
DEAN JAGGER VIRGINIA GILMORE
and John Carradine • Slim Summerville • Chill
Wills • Barton MacLane Directed by Fritz Lang
Associate Producer Harry Joe Brown • Screen Play by Robert Carson
A TWENTIETH CENTURY-FOX PICTURE

All the above is in addition to tremendous network ballyhoo, nation-wide book exploitation, 5000 library displays in 48 states, etc., etc.



THE
PEAK
OF
EXCITEMENT!

WARNERS'
HIGH
SIERRA
SOON!

The picture that puts
them in top starranks!

IDA

LUPINO

As Marie, the taxi dancer and
killer's companion—deep down
just another woman whose hun-
gry heart yearned for one man.

HUMPHREY

BOGART

As 'Mad Dog' Earle, enemy
of all that is decent and good,
defiant of every law on earth
... except the High Sierras!

Directed by **RAOUL WALSH** with Alan Curtis • Arthur Kennedy • Joan Leslie • Henry Hull • Henry Travers

Screen Play by John Huston and W. R. Burnett • From a Novel by W. R. Burnett

Paramount's GREAT NEW LOVE TEAM

SCORES SMASH HIT WITH THE CRITICS!

"Received a fine reception from our patrons. Children fell in love with it . . . and it made a sincere impression on the older folks. We have plenty of room in our programs for units such as this!"

— ED REED, Strand Theatre,
Providence, R. I.

"This two-reel Fleischer cartoon is exceptionally well done in all departments and should make a distinctive addition to programs everywhere. It takes a place among the better animated cartoons!"

— M. P. Daily

"This cartoon number should appeal. It is sentimental, and the story is nicely worked out!"

— Film Daily

"'Raggedy Ann' delighted audiences at the State. A very entertaining cartoon subject with excellent color, animation and sound. It is an asset to any film program!"

— CHARLES RAYMOND,
Division Manager, Loew's

"A delightfully entertaining novelty reel which will find favor. The color, music and animation are expertly handled!"

— Box Office

"Very good! This two-reel Technicolor cartoon is entertaining... a cute little story!"

— Showmen's
Trade Review



Paramount Pictures Presents

"RAGGEDY ANN

and RAGGEDY ANDY"

Adapted from the works written by Johnny Gruelle • Direction: Dave Fleischer
A Max Fleischer Cartoon in TECHNICOLOR



FIRST C.A.B. REPORT SINCE ASCAP EXIT STARTS SIDE-FIGHT AS TO SIGNIFICANCE

Agency Research Men Detect Errors in N.A.B. Statement — Raise Question That C.A.B. Data Has Been Interpreted Loosely

Don't tell me of facts; I never believe facts; you know something about music was so fallacious as facts, except figures. — Sydney Smith.

The latest, and inevitable, phase of the ASCAP-BMI war was reached last week when the researchers were dragged in to prove, one way or another, what the radio listener at home is doing about the fracas. Here are the figures, cited chapter and verse, from leading research authorities:

1. E. Hooper reported that between December and January, the average number of musical shows declined from 10.8 to 11.1, while variety shows clambered up from 14.3 to 15.1, drama from 11.7 to 12.4, and quizzes steadily sulked at the 10.1 level.

2. The NAB quoted specially provided Cooperative Analysis of Broadcasting material as finding that since ASCAP music was withdrawn from the air Jan. 1, no drop from the seasonal peaks of December has occurred, and the average of 175 programs on the four major networks had occurred and again found substantial gains in average audience over the same month (January) a year ago.

Inquiry among leading research figures employed by agencies and sponsors indicates that this blast of statistics has left the agency-sponsor fraternity in state bordering on real confusion. Confronted with the mathematical labelling of these figures—eaters have been read and re-thumbed all available data, and—strangely enough—have come to the conclusion that listening as a whole is declining.

Variety herewith tabulates, as well as lack of shorthand will allow, some of the questions agency-sponsor execs have posed:

1. Was or was not the C.A.B. misquoted by the N.A.B.? The C.A.B. city handbook contained such a conspicuous error as claiming that the C.A.B. had never given out figures in short form. The C.A.B., of course, does nothing of the kind. It surveys only three networks and four Mutual programs. Furthermore, nowhere in its latest report does the C.A.B. say anything comparable to the quotation attributed to it. The C.A.B. has said nothing at all. Meantime, the quotation has fallen into another mouth, and the figures made on two entirely different sample-sizes, 1940 against 1941, without weighting or adjusting for this difference. A true research man, say agency-sponsor researchers will deprecate such procedure.

2. What do the Hooper figures mean in the absence of a footnote showing either normal or seasonal fluctuation, or both? Lacking this essential information, the agency boys claim they are completely in the dark over the Hooper findings. Then there's that need to key-technically know as "variation"—before the figures mean much.

3. Since the prime requisite is a big enough sample, isn't the current time limit too short to get a real picture of the ratings? This question poses most of all—in a real sense. Other C.A.B. figures not contained in the N.A.B. quotation seem to bear out this question in the affirmative.

4. Isn't it correct to assume that all network listening—no matter why or where—is on the downgrade as compared to other years? Here is the hottest potato. The C.A.B. will not commit itself publicly, but such figures as may be used without violating copyrights do indicate that this phenomenon is true. For the past several years listening in January has been higher than in December. This year, which would have been have been negligible, that a serious question as to the reason therefore is arising. Some researchers point out that people have more money to spend this year, and are absent from home to the extent that listening is suffering. Others say that the warm weather is to blame. Still others say the "flu" is to blame.

5. On the assumption that the C.A.B. figures were either misquoted

Program Ups, Downs

Performance of all major network evening shows, when December and January are compared, shows the following:

		Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	All Days	
	Percent	Increased	Decreased	Increased	Decreased	Increased	Decreased	Increased	Decreased
Increased ratings.....	36	.....	.....	21%	.....	25%	42%	39%	37%
Decreased ratings.....	64	.....	.....	79%	.....	75%	58%	61%	62%
No change.....	0	.....	.....	21%	.....	0	0	0	0
	
Increased ratings.....	25	.....	.....	.....	.....	.....	.....	.....	.....
Decreased ratings.....	67	.....	.....	.....	.....	.....	.....	.....	.....
No change.....	8	.....	.....	.....	.....	.....	.....	.....	.....

or presented why so as to mislead the innocent why did so as to mislead the innocent why did so as to mislead the innocent?" The C.A.B. refuses to answer this way, but admits on the grounds that it does not engage in private fights. The organization says that the figures per se were correct; that they were sold in good faith; that the C.A.B. cannot supervise all personal interpretation on legitimately acquired data; and that everybody knows that the C.A.B. cannot draw any conclusion from the figures at all. In short, the C.A.B. course, does nothing of the kind. It surveys only three networks and four Mutual programs. Furthermore, nowhere in its latest report does the C.A.B. say anything comparable to the quotation attributed to it. The C.A.B. has said nothing at all. Meantime, the quotation has fallen into another mouth, and the figures made on two entirely different sample-sizes, 1940 against 1941, without weighting or adjusting for this difference. A true research man, say agency-sponsor researchers will deprecate such procedure.

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5. On the assumption that the C.A.B. figures were either misquoted

87 and 83
99 and 89
94 and 89

One researcher has summed the whole situation up thus:

1. Too little time has elapsed to get a clear view of anything.

2. Program ratings have dropped between December and January. This is contrary to the experience of the past seven years when January always out-ranked December. Why?

3. Broadcasters are weakening a strong and plausible case by questionable use of data.

Sidney Fishman, formerly connected with researcher Paul Lazarus, died, now research director of NNEW, N.Y.

Music Casualties

[Continued from page 1]

shows went down, 35 moved up and 10 remained as is.

(2) A check of music jobbers suggested that the bottom had dropped out of popular song sheet music sales, although standards and folios continued to sell well. The sharp decline in ASCAP sheet sales was only partly offset by the rising curve of radio-owned and radio-exploited BMI sheet music.

A small side-war immediately developed concerning the meaning or lack of meaning of the program popularity report. Special C.A.B. data was used by the National Association of Broadcasters in a publicity statement intended for newspapers. This seemed to be directly at variance with what non-statisticians took to be the clear sense and meaning of the similar C.A.B. report which is copyrighted and not available for publication.

As regards the fall-off in song sheet sales this is the situation as far as now known:

The popular music business in 1940 accounted for a turnover of 16,000,000 copies of sheet music, or around 300,000 copies a week. From information obtained from a jobbing source it can be estimated that the turnover last week figured far less than 100,000 copies. Jobbers who have a pretty good idea of what percentage of radio-controlled BMI's music they handle estimate that BMI's shipments of the past week fell between 40,000 and 50,000 copies. The jobbers declare that although the radio stations have dug into their overturn they see no immediate need for readjusting their overhead.

Have to Cut

However, quite a number of the music publishers affiliated with ASCAP have already run to cover in their operations, despite the attempt of the industry leaders to get everybody to maintain the status quo for the time being. Comparatively few professional men have so far been let out, but the move to cut down the payroll will be followed by the networks is settled has hit the smaller-salaried element in a number of the publishing houses.

Bookkeepers, typists and clerks have either been dropped temporarily or asked to take 25% to 50% cuts. Latter has occurred particularly among firms whose standard catalogs are not strong enough to give them a steady income. In some of the larger houses with important standard catalog staffs are being kept intact even though sheet music orders have taken a tremendous drop. One top firm last week received total orders on current tunes of so paltry a number as 200 copies but it so far hasn't let out a single person.

Long View Fees

Music publishers as a whole admit that their freezeout from network participation has caused worry with their sheet music industry, because they are most worried about the possible fastening effect that the current situation may have on the consumer. They feel that the class of material being turned out by BMI may serve to destroy the urge to buy sheet music. The publishers are fearful that if BMI maintains its exploitation of the networks too long the public's interest in sheet music as a household article may be seriously depressed and that it would take a long time to recover this market once the regular sources of sheet music get back on the air.

It has taken all original program mentions back to December 1938 and called them—for the last seven days—December and the first seven days January—again. These ratings were then broken into musical and non-musical shows, and stacked against each other as ratios. In other words the C.A.B. has computed the rating-ratio of musical to non-musical shows between December and January. (If this seems complicated, just skip it.) The ratios are:

87 and 83
99 and 89
94 and 89

This is the exact point at which the current statistical warfare has left the agency-sponsor boys. Surprisingly enough, the questions they have asked are of such a technical and cynical nature—that the N.A.B. handbook undoubtedly underrated the abilities of its readers.

Meantime, however, the C.A.B. has re-tabulated a veritable gold mine of data snafu the musical situation. This may cast some light on the struggle, but the light is inconclusive. It simply shows that not enough time has elapsed to gauge what is going on. What the C.A.B. has done is this:

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Three-Year Contract With N. Y. Musicians Union Sought by Stations

For the first time the contract between the New York musicians union and the network key stations in New York (WABC, WEAF, WJZ-TV, WOR) will stipulate the minimum wage of met that they must employ throughout the term of the agreement. Final touches will be put to the new contract by the negotiators for the two camps yesterday afternoon. (Tuesday.)

The broadcasters were asking the union to make this covenant a three-year one and the indications were that the local would consent.

C.A.B. Warnings

C.A.B. has repeatedly warned the trade against making comparisons of figures between 1941 and 1940 periods because of the different basis for popularity ratings which prevailed most of last year.

The new basis went into effect last October (1940).

Duffy's Tavern' May Become Schick Program

Schick razor has about closed a deal to sponsor "Duffy's Tavern," comedy-variety show, in the 8:30-8:55 Saturday night spot on CBS it recently optioned. Program was tried on Columbia's "Forestier" trials last summer, selected a likely bet for male listeners by Vassar's reviewer at that time. Tavern is tentatively scheduled to start Feb. 22.

E. Gardner was producer, m.c. and actor on the stage when it was first tested and apparently he is slated to take on the same assignment and will write the sketches for it through. However, Gardner is currently producer-director of the Rudy Vallee show for Sealtest on the Coast, so he would have to drop that assignment. It is known to be anxious to do, the "Duffy" acting stint, so it's figured may quit the Valley series to accept it. However, Columbia Artists, which is handling the deal, wants him to do both shows, which would mean originating "Duffy" on the Coast.

Mathes agency has the Schick account.

Zachary Heads Ward Wheelock's Radio Programs

George Zachary has been given charge of radio production of the Ward Wheelock agency, effective Monday (20), succeeding Diana Bourbon, who is ill. Zachary was called in late last week to direct Friday night's (17) "Campbell House," with George Ratt and Frances Farmer. His exact status is understood to be indefinite, but for the time being he will supervise the agency's various programs in the east, including "Playhouse" and "Martha Webster" for Campbell and "Hilltop House" for Palmolive.

Wheelock was reported several weeks ago to be angling for someone to take charge of radio production in the New York office, with Zachary to be one of those approached at an early time. In addition to his duties with Wheelock, Zachary will continue as director of the Andre Kostelanetz-Albert Spalding program for Coca-Cola.

American Tobacco Biz Goes to Lord & Thomas And Ruthrauff & Ryan

American Tobacco Co. business which Young & Rubicam dropped last week has been split between Lord & Thomas and Ruthrauff & Ryan. L&T got the half-and-half account and Paul Martin agreed to remain to R&R. Lord & Thomas is also the agency on the Lucky Strike business.

Y&R was gathering program ideas for submission to G. W. Hill within 10 days of the account leaving the house.

VOX POP' PROGRAM AWAY FROM R&R

Ruthrauff & Ryan is releasing the Penn Tobacco account, sponsors of the "Vox Pop" program. Decision was reached Monday night at an agency conference.

R&R recently came into the Pall Mall account from American Tobacco.

Atlanta, Jan. 21.

The United Press, which has just inaugurated a new transcontinental radio trunk line, is establishing intensified radio service from Atlanta in order to service eight southern states. Radio relay station here will open Jan. 27 under E. W. Lewis.

Increased personnel and a feed of state and sectional news will be put into effect.

UP Bears Down on News For 8 Southern States

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Beeman's Gum's Grauer

American Chicle Co. has contracted for three quarter hours on the NBC network, starting Feb. 10. It's 5:30-5:45 p.m. Monday, Wednesday, Friday, with Ben Grauer doing an mc of "Drama Behind the News." Beeman's Gum will be the product plugged and the hookup will consist of 49 stations.

Badger, Browning & Hersey is the agency.

WAYNE KING BACK FOR LUXOR (ARMOUR)

Luxor cosmetics, a subsidiary of Armour & Co., is bringing Wayne King back to the air. Deal was handled through Lord & Thomas. Contract is for four weeks and the only out is a clause in the deal.

He'll do 15 minutes from Monday through Friday and a half hour Saturday night on CBS. Buddy Clark will vocalize.

RADIO CAPITAL AND LABOR

'Home Town' Program of WGN Glorifies Independent Merchants

Chicago, Jan. 21.

On Sunday (19) a special audition of a new show tagged "Home Town" was held for members of the Independent Food Distributors organization, at the WGN studios. Program, if and when, is slated to bring the message to the American public the message of the independent merchant.

Walter Huston, who is to be the voice of "Home Town," was not at the audition but spoke to the assemblage from California. Col. R. R. McCormick, publisher of the Chicago Tribune and head of WGN, participated also by long distance from Palm Beach.

Directing the show was William Bacher, wifey Henry Weber conducting the WGN orchestra. As set up, the show will run 45 minutes and will attempt to present the spirit of independent merchants down the years of American history and to emphasize to what degree this spirit has shaped the destiny of this nation.

Particularly stressed was the showmanship of the presentation, with special invitations delivered to key distributors, a special planned program given to each member of the audience and a "preview card" for marking personal reaction to the show.

Bishop Detours To Keep Faith With Radio Man

Omaha, Jan. 21.

Because he promised WOW announcer Lyle DeMoss he'd speak a few words into the mike at the conclusion of the dedicatory service at the \$250,000 Dow Memorial Chapel at Boys' Town, Bishop Edward J. Flynn had to make a procession of 50 church dignitaries roundabout route to get to the mike. Noting that De Moss was at the end of his line, the bishop dropped the carefully rehearsed processional route and led his group past the mike where he stopped for the words he promised the station.

Chapel is gift of Miss Mary Dowd of New York City, who made the donation after seeing the film "Boys Town."

Stockholder Action Against CBS Board; Ask February Trial

Suit against Columbia Broadcasting System, Inc., by William S. Mason, a stockholder acting for himself and others similarly situated, was revealed in the N. Y. supreme court Friday (17) when a note of issue was filed by the plaintiff seeking a February trial. Suit seeks an accounting by the directors for alleged malfeasance, misfeasance and mismanagement.

Defendants in the action are Dr. George Richard, William S. Paley, Isaac Levy, Leon Levy, Jacob Fader, Samuel Paley, J. A. W. Iguchi, Paul W. Keston, Mefford R. Runyan, Herbert Bayard, Swope, Rita K. Levy, David Richard Levy, Anne Frances Levy, William A. Schnader, Edna Berlin, Stan Lee, Broza, John B. Burns, Prescott S. Bush, Ralph F. Colin and Edward Klauer.

No complaint or answer has been placed on file record although both have been retained by their attorneys for both sides refuse to divulge any further information.

The suit is at least a year old and unresolved to this moment.

Mutual's 174th

KWL, Albany, Ore., joined the Mutual network last week.

Brings total affiliates to 174.

Divorces Galesburg Exec

Chicago, Jan. 21.

Mrs. Virginia Miller last week was divorced from Howard Miller, president and general manager of WGIL, Galesburg (Ill.). She received a \$1,100 settlement.

Mrs. Miller was formerly married to Bob Elson, WGN sports announcer.

Brooklyn Station Corp. Files; Kronberg, Gellard, De Angelo as Directors

Albany, N. Y., Jan. 21.

Unified Broadcasting Corp. of Albany has been chartered to conduct a radio advertising business with principal offices in New York County. Capital stock consists of 1,100 shares, 1,000 preferred at \$100 par value, and 100 common at no par value. Directors are: Aaron Kronberg, head of WARD, Brooklyn; Samuel J. Gellard, chief of WLTH, New York, and Salvatore De Angelo, managing director of WFWF, Brooklyn.

The directors hold one share each, according to papers filed with the Secretary of State by Hays, St. John, Abramson & Schulman, New York City.

NEW KMBC TALENT REP

Now Lyons Agency—Formerly With Columbia Artists

Chicago, Jan. 21.

Arthur Church of KMBC, Kansas City, has resigned representation for the KMBC artists and has appointed A. & S. Lyons as talent representative. This is for all types of appearances, including radio, stage and screen. For the past few years Columbia Artists handled the KMBC talent.

In Chicago and this territory, KMBC shows and talent will continue to be personally repped by Dr. George Hailey.

YEAR-END DATA OUTLINES BOTH

Public Has Huge Cash Investment in 50,000,000 Sets—Plant Values of Manufacturers, Dealers and Broadcasters Large

PAYROLLS

The American public has a \$3,200,000,000 stake in the radio broadcasting industry in the form of some 50,000,000 receiving sets. Dealers and distributors of sets have a plant and inventory investment in the business of \$350,000,000. There is \$60,000,000 of estimated capital in the 882 broadcasting stations of the nation.

These statistics and estimates are provided by Oren H. Goldsmith, publisher of Radio Today, trade paper of the manufacturing end of the industry. Other data at the start of 1941, the 21st year of American broadcasting:

	Gross revenue in millions of dollars	Number of employees
Dealers	\$90	130,000
Manufacturers	\$100	75,000

Caldwell computes the annual radio bill of the U.S.A. for 1940 as follows:

	Sale of time by broadcasters	Station costs	Equipment to operate 50,000,000 receivers	200,000,000 radios in U.S. (re-	35,000,000 replacement tubes	Radio equipment	Servicing radio sets	U.S. public paid for radio in 1940
	\$100,000,000	\$100,000,000	\$100,000,000	200,000,000	\$35,000,000	\$35,000,000	\$35,000,000	\$300,000,000

The directors hold one share each, according to papers filed with the Secretary of State by Hays, St. John, Abramson & Schulman, New York City.

That Domestic Bogey, 'Exclusivity,' May Develop Pan-American Pangs

Washington, Jan. 21.

Intention of Columbia Broadcasting System to launch a hemispheric network, servicing numerous outlets in the Latin-American republics, presents the Federal Communications Commission and State Department with a major policy problem. With dispute over exclusive outlets at home currently troubling the regulators, delicate question of allowing—if not actually encouraging—such a wide network to develop outside the U.S. borders is raised.

In Chicago and this territory, KMBC shows and talent will continue to be personally repped by Dr. George Hailey.

Over-all estimates for the current year paint the following dimensional picture of the total phenomenon of the radio industry, the center of which entertainment and advertising is the central, but broadest outlet remains still but one part of a much larger financial pie. As of Jan. 1, 1941:

	Manufacturers of radio receivers	Manufacturers of radio tubes	Manufacturers of parts	Manufacturers of test equipment	Manufacturers of broadcast and television equipment	Manufacturers of sound equipment	Manufacturers of parts and distributors	Manufacturers' agents
	\$2	\$2	\$2	\$2	\$2	\$2	\$2	\$2

Estimated number of employees in radio manufacturing, 100,000.

Estimated number of employees in television, dealers, etc., 150,000.

Total employees in broadcasting (including artists, part-time, etc.), 45,000.

Comments over the U. S. borders. In the past, though, concern related only to the broad question of public interest, not to the conditions and terms of work and pay. Recently, the FCC has not bothered about the business practices involved in relations with Canadian, Cuban, or Mexican plants, any more than it has—until the last few months—about relations between chains and transmitters both operating within the nation.

Legal Problems.

Several ticklish legal problems are presented. The rules concerning international (short wave) stations specify the amount and type of commercial programs which may be radiated but say nothing about allowing them to be picked up and rebroadcast. Regulations affecting standard domestic stations stipulate that programs may be retransmitted without permission of the originator, but do not give the FCC unlimited veto power.

Question that must be decided first is whether the Commission feels it has authority under the 1934 statute to pass judgment on the business practices of the networks. If it holds that chains must get approval for the terms on which they serve domestic affiliates, then there is the related matter of how far that authority extends.

Chairman James L. Fly never re-

lated the nature of his recent con-

Network Affiliation Changes

Strengthening Blue in Fall; CBS

May Not Renew WEI in Hub

ANNUAL PAYROLL

Dealers	\$225,000,000
Manufacturers	80,000,000
Broadcasters	50,000,000

By the time it gets through making the manifold station switches which are slated for the coming summer, Mutual will have 50 stations that it now owns will be able to provide adequate metropolitan coverage but make the network a much cheaper buy. Among the towns that will have new NBC-blue releases are Boston, Pittsburgh, Baltimore and Cleveland. In the southwest KOB, Albuquerque, New Mexico, will be made a must buy when it goes to 50,000 watts.

Some change in the Cleveland area, although not completed, entails an exchange of affiliations between WTAM and WHK. The 50,000-watt WTAM has held the red franchise from the inception of the network. WTAM is NBC-managed. The switch will affect Mutual in that WHK will have to switch that network's commercials to WCLE, but not, according to Mutual, until WCLE goes full time.

Situations in Boston and Baltimore have not been settled. In the former city it may be either WHDH or WEI. CBS may not renew its lease for WEI but instead resort to WLAW; Lawrence, a potential 50,000-watt, with a studio being established by WLAW in Boston. NBC has yet to receive a downturn in writing, so far as switching to the blue is concerned, from WFBF, Baltimore.

WEI, whose blue outlet will undoubtedly be WWSW, also a potential 50,000-watt, WWSW as a 50-kilowatt will, it has been indicated, be made available to network advertisers at a rate of \$120 a night-time hour compared to KDKA's \$500 rate.

Radio outlets selling radios	57,000
Service men, including dealers' servicemen	22,000
Production employees	67,000
Broadcasting stations (Standard, Broadcast, Experimental)	887
A.M. radio stations authorized	25
NBC Blue Network stations	92
CBS Network stations	128
International broadcasting stations	18
Television transmitters (experimental)	25
Police radio transmitters	6,800
Aviation radio transmitters	1,000
Special emergency stations	450
Commercial radio operators	40,000
Television stations	700
Television transmitters	75,000
Television production, dealers, etc.	150,000
Total employees in broadcasting (including artists, part-time, etc.)	45,000

U. S. Tobacco has bought the "Gay Nineties" show, now on CBS Saturday nights, as a replacement for the Fields and Hall stanza, currently occupying the Monday 8:30-9 p.m. period on the same network. Price for "Nineties," including rebroadcast fees, is around \$4,000. Show built up a high C.A.B. on sustaining.

Switch of programs becomes effective Feb. 24. Kudler is the agency.

ARMY-MADE DISCS

KSTP, Equipment to Facilitate Discs Heard Later on Home Burg

Minneapolis, Jan. 21.

As a service for the folks back home, KSTP is providing portable recording equipment for the 3,000 Minnesota National Guardsmen who have been inducted into service as they move to the west coast for maneuvers this month. Weekly transcribed stories of the work and "personality stuff" are being sent back to KSTP which is putting the platters on the air so that parents, relatives and friends may keep track of the boys.

The 101st is providing engineers, script writers and technicians to handle all phases of the recordings which are strictly army-made.

Robert Stanton Visits Army

Robert Stanton, NBC, New York, staff announcer, is on the road doing spurs on the weekly broadcasts of army camps throughout the nation. He is with the mobile unit.

Local NBC stations cooperate.

"Gang Busters" celebrated the close of fifth year on the air, with Police Commissioner Louis Valentine of New York City giving a sweeping endorsement of program's beneficial effects; young people included.

Columbia's gesture to the high-brows, "Invitation to Learning," is to be published in book form by Random House, for release May 15. Volume will be 22 chapters including the discussion program from late last summer through the fall and winter series.

"Invitation" is an informal ad-lib round-table by various savants on literary classics. It's heard Tuesday nights, with Huntington Cairns, Allen Tate and Mark Van Doren as regular participants. Leon Levine, C. Alan Johnson, educational department, is series director.

According to the network, there have been many requests by educators and ministers for transcripts of the broadcasts.

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BMI 'CONSENT' TO END COURT ACTION RESTS UPON U. S. FORCING ASCAP DITTO?

National Association of Broadcasters May Okay Agreement With Department of Justice—Avoid Stigma of Suit Against Networks and N.A.B.

Washington, Jan. 21.—Negotiations of a consent decree involving a promise that Broadcast Music, Inc., will abstain from any of the practices for which the radio industry has thrown rocks for years at ASCAP was imminent today (Tuesday). Acceptance of a compromise may be ratified before nightfall by directors of the radio industry-owned publishing house.

Both sides backed into the dock during the huddle, highlighted by Justice Deparment acknowledgement that clearance-at-the-source issue cannot be straightened over night. Outcome was departure of radi lawyers for this week's BMI board meeting bearing the tentative peace terms which all factions felt confident will stay off the threat of legal challenge to the settlement with N.A.B. and BMI in Wisconsin.

Nature of the prospective settlement still was partially hidden. Some phraseology had not been finally worked out, although there was supposedly a general meeting of minds. Just how long the Justice Department might be willing to allow for revision of web-affiliate contracts remained problematical, though. Industry leaders understood it should be "more than 60 or 90 days," but not until existing agreements expire normally.

Chief points involve clearance and per-piece royalties. The principles are acceptable to BMI, although radio people do not want to be committed to overhaul their structure so quickly that all related angles cannot be thoroughly worked out.

Escape clause—specifying that BMI is now sewed up until and unless ASCAP either negotiates a similar arrangement or is forced by the courts to change its business method—has been fixed up. This appeases the radio action that objected to making promises while the rival outfit kept on with its traditional practices.

Whether the proposed peace document will wind up the tiff, even if the BMI directorate rubber stamps it, is uncertain. Anti-trust division staff men are satisfied it is the most practicable solution, but the terms yet do not have the formal approval of Assistant Attorney General Thurman Arnold. He hasn't been called in on the most recent parleys, and as far as radio group has heard, hasn't made any commitment. Reportedly, he's waiting to see whether the BMI gang shifts any punctuation or substitutes new verbiage.

ASCAP Stays Pat. ASCAP spokesman stated yesterday (Tuesday) that the deal between BMI and the Department of Justice would not affect ASCAP's present policy in any way. ASCAP, they said, was not inclined as required by a consent decree to admit that it has been violating the law and, in addition, that it would hereafter abide by the laws it would have

ASCAP directors after a lengthy session Monday (5) voted against the adoption of any licensing method that would not apply directly to the source of the broadcasts. It was pointed out that ASCAP is essentially a policing organization and that the only way that it can maintain a check on alleged infringements is by making the source of the performance responsible for taking out the license.

Counsel for the organization was at the same time authorized to file a batch of law suits against stations that have been using ASCAP music without the required license. It was intimated to him that he should not dispossess to bring such suits, but leave for the present against the networks and others in connection with alleged similarity of melodies. The Society's strategists are holding to the viewpoint that the fight with the networks could not be settled on this score because of the lengthy court procedure that such cases entail and that ASCAP must either survive or fall on the value of its material to radio.

Raymond Collinge, whose "Musical Americans" went off the air last week, left with his wife yesterday (Tuesday) by motor for a Florida vacation.

What Music Fight?

Hollywood, Jan. 21.—Local ASCAP gang has found new way to amuse itself. Almost any hour of the night it can dial certain small station committed to non-ASCAP music and hear one of the Society's ditties spinning on the turntable. Dick Powers, head of the ASCAP rep's sales force, says many infringements against the station that he's quit checking. Station's owner expresses surprise when told that his panacea gang just can't be bothered by clearances.

Spiner evidently has a dash for "I'm Wild About Harry," as it has been caught at least dozen times.

Historie Jeanne San Francisco, Jan. 21.

Trade getting a chuckle here out of Jack Kirkwood's "Breakfast at the Big Top." It's never KFRC (IN) "Gas" skip his knockout tuning in such past events as Nero fiddling at Rome, a concert at the Czar's palace, etc.

In every instance tune played was "Jeanne With the Light Brown Hair."

ASCAP Reminds State of Its Lost Music

Hartford, Jan. 21.

ASCAP sent Connecticut radio eds copy of letter to state's new governor, Robert A. Hurley, advising him "A Connecticut Yankee," "Broadway," and "Connecticut March" had been banned by network and therefore deprive listeners of good will assets that "bring reminiscent joy, comfort and inspiration to the natives of Connecticut when they are away from home."

Over signature of John G. Payne, ASCAP's gen'l. m'ter, gave society's side of fight and urged governor's instant behalf of musical freedom.

Understood similar letters have gone to other states.

Collinge's BMI 5

Ernest Collinge, who recently transferred from RCA publicity to the NBC press department in New York, pops out as a songwriter. He has five numbers with BMI.

Four of them are set to poems by Christopher Morley. One, "The March of the Plumputtins," is entirely by Collinge.

Radio Program Men, Fearing Loss Of Jobs, Brutal on Arrangements

Band leaders with network commercials have in several instances developed a strong phobia for web production men since the split between ASCAP and the major part of the radio industry. Leaders charge that these production men have become so scared about possible infringements that they slash a special arrangement to the point where it is hardly recognizable from the original. If say the bandmen, this procedure keeps them up, they might as well stick to lock arrangements and save themselves the expense of spe-

One Churchman's Idea.

Madison, Wis., Jan. 21.—The Rev. A. C. Smith, First Congregational church here, has one of the largest radio audiences in the state is burning because the ASCAP-BMI controversy makes it impossible for him to air the musical portion of his service, but he has notified his flock that he considers it something of a blessing.

The situation, he said in a mailed notice, "may return men to the aborigines of 1920 when there was no radio broadcasting and when the evangelist could, if he wanted to, be uplifted by choir, prayer and sermon on Sunday morning, had actually to go to church. So, Mahomet-wise, if the music will not come to Mr. Churchgoer, Mr. Churchgoer must go to the music."

BOOMISH PHONOGRAPH DISCS DUE TO ASCAP

Milwaukee, Jan. 21.

While the department stores and record shops do not make specific mention in their advertising of the ASCAP-BMI battle, that is responsible for an unprecedented increase in phonograph discs. Label "Babel Bro" in a quarter-page ad in the radio section of the Sunday Milwaukee Journal announces boldly and in large type:

"If you can't hear these on your radio, get them for your Victrola."

Then it proceeds to list about a hundred ASCAP numbers whose popularity has made them standard music, but which have not been heard on the airwaves since Jan. 1.

The Farewell Gulp

Raymond Paige's "Musical America" is coming to a rapid end as he can't be forced out of the ASCAP-BMI fight. So for the concluding number on the last, Thursday night's (16) final program, Paige offered a "balala" by guest-soloist Richard Bonelli.

It was "I Cannot Sing the Old Songs."

Slight Paradox...

Indianapolis, Jan. 21.

Strand, nabe house, has worked out an idea to provide ASCAP music for those who miss the dear old tunes and can't get them any more on the radio. However, it is a recording session each evening before the first show when requests are granted, by wax over the p.a. system. Trouble is, most of the requests being received now are for BMI tunes with "Frenes" topping the list.

Hubbard Sangue Minneapolis, Jan. 21.

Instead of losing listeners as a result of the disappearance of ASCAP tunes from the air, Stan Hubbard, KSTP manager, claims bigger audience for "other" music than ever. He claims, I've been told, from four telephone calls, the last two days there have been no complaints from listeners, while, on the other hand, the station is receiving a large amount of mail praising the music.

Bubba Sangue Minneapolis, Jan. 21.

The peeled maestros declare that it's bad enough to be deprived of ASCAP tunes, but an unlimited catalog without being continually harassed by a production man, is a constant upon saving his job, regardless of what damage he may be doing to a band's individuality. The leaders say that they know the production men have been warned that they will lose their jobs if any infringement slips through; but that, the maestros argue, does not justify the mayhem these employees persist in performing on their special arrangements. The leaders state that they are told

that such-and-such passage sounds familiar, and when they ask familiar to what, they are told it makes no difference and the designated passage must come out.

What some of these leaders fear is that if this sort of procedure continues, will make longer a level, i.e., conces will set in and their music will sound like that of any ordinary aggregation. They also fear that once their music begins to show an appreciable decline in individuality, it will mean no more in air rating or theatre and one-nighter boxoffice than any one of the untold third and fourth-rate dance units that abound in the business.

That's Being Careful

Lynchburg, Jan. 21.—Story from Richmond illustrates to what lengths the BMI-ASCAP feud has gone. During civic club convention last week, WRVA was cutting a word of a speech on democracy. Suddenly, church chimes next door began to play. Music was wafted into the room and into the mixer.

Fearing the notes were ASCAP-banned, station deleted 18 words of the speech, then put in a hurry call for the speaker to come to the studio. Had him repeat his lines for the record. After speech had been broadcast, station found out the song wasn't prohibited after all.

Rush of Hillbillies In Lieu of BMI Records At WINS, New York City

Small stations not using live music and therefore dependent on records and transcriptions are having a hectic time getting along without ASCAP music. Reason is that the supply of recorded BMI or public domain music is limited.

Indication of the spot such stations find themselves in is offered by the case of WINS, New York, which couldn't enough recordings of available music, the station having added seven live musical shows and is hustling to get at least that many more. Now talent is confined to cowboy and hillbilly acts and colored quartets.

SONGWRITERS ON COAST AID ASCAP STATION

Hollywood, Jan. 21.

Advisory board to cooperate with stations using ASCAP music being set up. First group to work with is WMAIS, KFWB manager, in arranging musical programs and providing guest talent from within the ranks of the Society with chairmanship by Sigmund Romberg and comprised L. Wolfe Gilbert, Jimmy McHugh, Ralph Rainger and Harry Carroll.

Other groups will be assigned as the occasion arises but will stand by to be available for any call from sites using ASCAP's music.

LOUIS K. SIDNEY'S SHOW

Metro Exec Produces Greek Relief Program in H'wood

Hollywood, Jan. 21.

Louis K. Sidney once again dons the mantle of a radio producer to sit at the controls of the Greek war relief broadcast Feb. 8. Al Kaye and Harry Maizlish serve as aides. Former head of WHN, New York, has been producing pictures at Metro.

Music will be directed by Mereill Williams, Hubert Stothard and George Gershwin, with a mixed chorus of 35. Radio and film stars will participate in program from Chinese theatre, NBC carries exclusively on the red network.

Fred Coll, Consultant

Fred Coll, ex-Philadelphia, is now consultant to WIBG, Philadelphia, on programs, special events and publicity.

Coll calls his N.Y. firm Voices, Inc.

CANADIANS IN SALUTE TO BMI

Montreal, Jan. 21.—At opening session of the Canadian Broadcasters convention yesterday (Monday) the appointment of a president was discussed. Radio-ASCAP war in the states also received mention.

Lloyd Egner, head of NBC's transcript department, stated that the broadcasters would try to get an equitable deal from ASCAP rather than wage a vilification campaign.

BMI announced yesterday (Tuesday) that it had been advised that the Canadian Association of Broadcasters has passed a resolution pledging their support of BMI in its efforts to get a square deal for broadcasters and the public in musical copyright matters.

IKE LEVY MAY MEET GENE BUCK IN DEBATE

Ike Levy, owner of WCAU, Philadelphia, and stockholder in CBS and NBC, is reported to be in New York to oppose Gene Buck or John G. Paine, executives of ASCAP, in talks before the Philadelphia branch of a nationwide women's club. If the idea of having both sides of the radio-ASCAP question presented to them goes through, the date will be marked down for some time next week.

It all came about this way. ASCAP has been seeking opportunities to address women's clubs in order to expand on its side of the controversy between it and radio. After being approached on the idea the Philly women decided to ask for someone from radio to argue the latter's side. Accordingly, Ike Levy was asked to oppose the ASCAP rep. He said he would be glad to do so. His opponent is either Gene Buck or John G. Paine.

Face Paralysis Strikes WBT Announcer Bivens

Charlotte, N.C., Jan. 21.

Bill Bivens, WBT announcer, is in local hospital suffering from partial paralysis of the face that so far has baffled local doctors. Bivens, was stricken more than a week ago and to date has failed to respond to treatment.

Medical authorities fear that he will not be able to return to the air for at least six months.

Lee Kirby, WBT sports announcer, also is out, recovering from a stomach operation. The condition of Kirby, who has been out for nearly three months, was thought to be critical for a time, but he rallied and appears to be mending slowly. He hopes to return to his announcing duties within the next two weeks.

KCMO REPLACES WREN

Becomes Kansas City Blue Outlet On FCC's Final Refusal

KCMO is slated to replace WREN as Kansas City release for the NBC-blue. WREN had repeatedly sought to get permission from the Federal Communications Commission to move its transmitter away from Lawrence, Kan., and become a Kansas City station and when this station recently got its final turnabout NBC worked out a contract with KCMO.

KCMO is licensed to operate at 5,000 watts day and 1,000 watts nights on 1450 kc. Switchover depends on how soon arrangements can be made with WREN.

Angell's KSTP Speech

Minneapolis, Jan. 21.

A warning that the radio must be kept as free as the press if it is to continue as one of the strongest pillars in the temple of liberty was sounded by Dr. James Rowland Angell, president of the KSTP educational conference here. He also warned radio interests against selfish exploitation.

A government controlled and operated radio, such as that in Europe, is entirely alien to American culture and way of life and the public never would countenance it, asserted Angell. "A free radio is an instrument of men of vision and patriotic dedication."

Among those in attendance at the conference were Gov. H. B. Stassen and the mayors of Minneapolis and St. Paul.

DON SHAW KEPT AS WMCA CHIEF

Edward J. Noble, head of the group which bought WMCA, N.Y., from Donald Flamm, is retaining Donald S. Shaw as president and general manager of the station. Brought in, and back, is Leslie Evan Roberts, program director, who with Shaw were largely instrumental in bringing Noble into the WMCA picture.

Robert will, with John F. Curtiss, a newcomer to the station, act as personal assistants to Shaw. In the announcement sent out by the station Monday (20) Curtiss was described as having many years of advertising, promotion and radio experience. Neither Roberts nor Curtiss now has specific titles.

The radio station withdrew as operator of the station last Thursday (16). After the transfer had been approved by the Federal Communications Commission, Flamm tried to withdraw his application, but the commission announced that its action would have to stand as is.

HUBBARD BULLISH ON YANKEE TELEVISION

Minneapolis, Jan. 21. KSTP has completed a coaxial cable line to Stevens Point, Wis., half-way between the Twin Cities and Chicago, for television, bringing its investment in television equipment to \$50,000; according to Stan Hubbard. KSTP is ready to go ahead with television as soon as the radio commission gives the word for commercial television, he says.

Hubbard anticipates that television will blossom out in the United States within a year.

Monogram Pix Seeks Slim Bryant of KDKA

Pittsburgh, Jan. 21. Slim Bryant and his George Wildcats, KDKA hill-billy act, being played by Monogram pictures for a spot in a new musical western, Bryant and his boys, however, are asking studio to hold off until July because of their heavy schedule of engagements, both personal and on the air, in Pittsburgh area until then. If summer deal is okay, they'll pull out for coast end of June. If not, they will wait for another offer.

Met Opera on WINS

Metropolitan Opera performance of "Daughter of the Regiment," with Lily Pons, will be heard Saturday (22) will be broadcast live on WINS, New York, as a Milk Fund benefit. Hearst station obtained permission from Texaco and NBC, which have the exclusive rights for the operatic broadcasts. Texaco airs the Saturday afternoon performances.

WINS is trying to obtain a sponsor for the program, either Texaco or one or two other companies, and if successful, will donate the proceeds to the fund. Similar arrangement was made on a previous occasion with Adam hats and NBC for a prize fight from Madison Square Garden, N.Y.

Talent Sales By WBEN

Buffalo, Jan. 21. January was boomish for local talent on WBEN.

P. Lorillard Co. through Lennen & Mitchell, ticketed daily "inquiry reporter" shot miked by Jim Wells. Platters are waxed at meetings, street corners, etc., and run off evening at 6:30 p.m.

W. T. Grant stores bought Sunday quarter-hour with Vera Holly and Tiny Schwarz, singers, and studio combo.

Sold Edith Ballachey, singer, and instrumental trio for similar Sunday 15 minutes to Johnson Orange Cars.

Helen Schreiber on KSO

Des Moines, Jan. 21. Mrs. Helen Watts Schreiber, who was "Prudence Penny" with the New York American, has returned to her home in Des Moines, and will begin a series of home making broadcasts over KSO.

For several years Mrs. Schreiber was head of the extension department of the Kroger Food Foundation and in that connection aired regularly over such stations as WINS, WNEW, WOR and WMCA.

Networks Accounts of 1940

Sponsor	CBS	NBC	MBS	Total
1. Procter & Gamble.....	\$2,239,964	\$8,759,452	\$9,999,416	\$10,998,416
2. Sterling Jewelers.....	1,741,674	5,001,680	5,974,399	5,974,399
3. General Foods.....	4,000,519	1,794,830	5,000,000	5,000,000
4. Colgate-Palmolive-Peet.....	3,688,700	865,316	4,334,222	4,334,222
5. Campbell Soup.....	4,044,389	.....	4,044,389	4,044,389
6. Liggett & Myers.....	1,424,327	1,932,386	3,356,713	3,356,713
7. Lever Bros.....	3,056,922	114,152	3,171,074	3,171,074
8. General Mills.....	643,917	2,495,735	3,199,652	3,199,652
9. Brown & Williamson.....	1,158,722	1,814,033	2,972,752	2,972,752
10. American Home Products.....	912,622	1,909,117	2,821,739	2,821,739
11. American Tobacco.....	1,074,751	1,144,570	50,892	2,270,213
12. R. J. Reynolds.....	1,084,619	1,042,990	48,195	2,127,605
13. Philip Morris.....	855,148	704,868	48,195	1,607,201
14. Standard Brands.....	1,000,000	1,504,199	1,424,199	3,924,398
15. Miller Laboratories.....	1,368,224	1,393,362	1,368,224	1,368,224
16. William Wrigley, Jr.....	1,339,299	1,339,299	1,339,299	1,339,299
17. National Dairy Products.....	1,077,176	1,077,176	1,077,176	1,077,176
18. Bristol-Myers.....	911,471	118,238	1,029,709	1,029,709
19. Texaco.....	986,049	1,033,807	986,049	957,354
20. Chrysler.....	944,638	957,354	955,756	955,756
21. Lewis-Howe.....	944,638	957,354	955,756	955,756
22. Quaker Oats.....	944,638	957,354	955,756	955,756
23. Ford Motors.....	944,638	957,354	955,756	955,756
24. Conagra Baking.....	944,638	957,354	955,756	955,756
25. Commercial Insurance.....	944,638	957,354	955,756	955,756
26. Pet Milk Sales.....	713,883	.....	.....	713,883
27. Carnation.....	611,904	98,852	711,756	711,756
28. Sun Oil.....	676,712	.....	676,712	676,712
29. S. C. Johnson.....	633,512	.....	633,512	633,512
30. Cities Service.....	626,104	.....	626,104	626,104
31. Pepso-dent.....	624,910	.....	624,910	624,910
32. B. T. Babbitt.....	618,964	.....	618,964	618,964
33. Geo. A. Hormel.....	305,640	260,880	568,520	568,520
34. Corn Products Refining.....	566,121	.....	566,121	566,121
35. Lady Esther.....	517,795	37,104	517,795	517,795
36. W. W. Dillards.....	32,260	526,026	545,286	545,286
37. P. Lorillard.....	19,008	522,730	545,738	545,738
38. Mars, Inc.....	559,113	544,714	544,714	544,714
39. General Electric.....	264,204	47,850	525,798	525,798
40. F. W. Woolworth.....	415,345	515,393	503,592	503,592
41. Bayuk Cigars.....	503,592	510,949	510,949	510,949
42. Westinghouse.....	492,842	3,320	492,842	492,842
43. Firestone Tire.....	408,237	406,308	402,232	402,232
44. American Oil.....	400,103	201,137	197,888	398,525
45. Gudrid Packing.....	469,393	.....	383,465	383,465
46. Gulf Oil.....	381,198	95,740	371,042	371,042
47. Gillette.....	359,113	.....	364,954	364,954
48. Cossor Broadcast Mfg.....	264,204	47,850	415,345	415,345
49. Penn Tobacco.....	415,345	116,731	408,237	408,237
50. Bell Telephone.....	408,237	406,308	402,232	402,232
51. Gospel Broadcasting.....	406,308	.....	402,232	402,232
52. U. S. Tobacco.....	400,103	.....	400,103	400,103
53. E. Richard Oil.....	400,103	201,137	197,888	398,525
54. Lambert Pharmaceutical.....	383,463	.....	383,465	383,465
55. Campagna Sales.....	371,042	.....	371,042	371,042
56. E. de Pont.....	370,524	.....	370,524	370,524
57. Pure Oil.....	98,024	255,079	357,703	357,703
58. California Fruit Growers.....	346,363	.....	348,363	348,363
59. Imperial Cigars.....	334,836	.....	343,881	343,881
60. Nels Corp.....	328,861	.....	334,838	334,838
61. J. B. Williams.....	319,004	.....	318,096	318,096
62. Baldwin Purins.....	310,933	.....	310,933	310,933
63. Pacific Coast Borax.....	318,098	.....	322,424	322,424
64. Canada Dry Ginger Ale.....	310,933	.....	321,403	321,403
65. International Silver.....	302,000	251,378	217,772	217,772
66. Ethyl Gasoline.....	262,590	240,721	216,754	216,754
67. Shewlin-Williams.....	250,378	240,721	209,067	209,067
68. Welch Grape Juice.....	231,403	231,403	198,094	199,094
69. Eversharp.....	221,424	221,424	188,280	188,280
70. Pillsbury Flour.....	217,772	217,772	185,894	184,221
71. Adams Hat Stores.....	217,772	217,772	184,221	184,221
72. Becker Products.....	216,754	.....	183,828	183,828
73. Commercial Credit.....	209,067	209,034	182,205	182,205
74. Wm. R. Warner.....	209,034	.....	181,278	181,278
75. Macfadden Publications.....	198,094	.....	246,721	246,721
76. Grove Laboratories.....	188,280	.....	231,403	231,403
77. Sinclair Refining.....	185,864	184,221	230,424	230,424
78. General Baking.....	180,628	.....	221,424	221,424
79. Nash-Kelvinator.....	165,212	158,857	158,857	158,857
80. Greyhound Lines.....	165,212	158,857	158,857	158,857
81. Penit. Cola.....	158,857	.....	158,857	158,857
82. American Safety Razor.....	158,340	.....	158,340	158,340
83. Sealab.....	150,149	.....	150,149	150,149
84. Thomas J. Lipton.....	106,010	40,344	146,354	146,354
85. Menken Co.....	136,495	.....	136,495	136,495
86. Hawaiian Pineapple.....	135,567	.....	135,567	135,567
87. Bovey's, Inc.....	135,018	.....	134,221	134,221
88. John Morrell.....	132,153	.....	132,153	132,153
89. Florida Citrus Comm.....	127,468	.....	127,468	127,468
90. Lutheran Laymen's League.....	123,558	.....	123,558	123,558
91. Whiting Steel.....	119,023	.....	119,023	119,023
92. Nestle.....	114,880	.....	114,880	114,880
93. Manhattan Soap.....	111,050	104,982	104,982	104,982
94. Libby-Owens-Ford Glass.....	102,600	94,205	102,600	102,600
95. Emerson Drug.....	99,849	92,566	99,849	99,849
96. Mueller Co.	99,849	82,084	94,205	94,205
97. Los Angeles Soap.....	99,849	82,084	94,205	94,205
98. White Laboratories.....	99,849	82,084	94,205	94,205
99. Food & Beverage Broadcasters.....	99,849	92,566	94,205	94,205
100. Purity Bakeries.....	89,985	92,566	89,985	89,985
101. Gordon Baking.....	89,985	72,415	72,415	72,415
102. Better Speech Institute.....	79,573	79,368	70,560	70,560
103. Canadian Highway Association.....	76,244	75,048	75,048	75,048
104. The Baking Co.....	74,411	74,411	74,411	74,411
105. Fels & Co.	70,560	72,415	70,560	70,560
106. American Economic Association.....	69,887	70,347	70,347	70,347
107. Richardson & Robbins.....	68,940	68,940	68,940	68,940
108. Ohio Oil.....	68,580	68,580	68,580	68,580
109. Air Conditioning Training Corp.....	61,425	61,425	61,425	61,425
110. Standard Oil of California.....	61,212	61,212	61,212	61,212
111. Illinois Meat.....	58,867	58,867	58,867	58,867
112. D. L. & W. Coal.....	58,867	58,867	58,867	58,867
113. Modern Food Process.....	58,867	58,867	58,867	58,867
114. Illinois Meat.....	58,867	58,867	58,867	58,867
115. Standard Oil of California.....	58,867	58,867	58,867	58,867
116. Hall Bros.....	53,867	53,867	53,867	53,867
117. Penit. Fedn.	53,867	53,867	53,867	53,867
118. Signal Oil.....	53,867	53,867	53,867	53,867
119. Chamberlain Labs.....	53,867	53,867	53,867	53,867
120. Stephano Bros.....	53,867	53,867	53,867	53,867
121. C. H. Gulden.....	52,720	52,720	52,720	52,720

(Continued on page 30)

RICHARDS WILL UNLOAD KMPC

Hollywood, Jan. 21. KMPC, one of the three stations owned by G. A. "Dick" Richards, is expected to be put on the market before month's end. Leo Fitzpatrick, WJR, Detroit, headman, and John Patt, WGAR, Cleveland, boss, are here to look after the details. Richards' son, III, has past week been staying with him. His wife, the late Mrs. Richards, died last year.

Richards, a physician, has been forced to give up his practice because of his heart ailment. He is now a patient at the Mayo Clinic.

Richards' wife, Mrs. Alice Scherzer, estate of Fitzpatrick and Patt. The station has not shown a profit since its purchase, which together with Richards' heart ailment is prompting the sale.

Purchaser will be forced to move the studio as the Kerr family, of the Mason Jar fortune and owners of the site, are anxious to close out the project.

Location is on Wilshire boulevard, highly desirable for business.

Although Richards has as partners in KMPC Paul Whiteman, Amos 'n Andy, Bing Crosby, and Harold Lloyd, their holdings are said to be of such minor consequence as to have little influence on its sale. Their interests are inspired largely as a publicity stunt since the station's slogan is "Station of the Stars."

Leo Tyson, for the past four years manager of the station, has tendered his resignation and will go east to make another connection. Bob Reynolds, one-time Stanford All-American footballer and now on the sales staff, takes over.

'EVACUEE KIDS AS AMERICAN AMATEURS'

Buffalo, Jan. 21. Hour-long version of "Goodbye My Chums" aired by WKBE for Bundles for Britain included in cast three young British refugees now living here.

Cast as English school children.

Marvin (Esty) Parsons Talk on Lifebuoy Deal

Richard Marvin, radio head of the Esty agency, has gone to Hollywood to parley with Louella Parsons on a deal for a program for Lifebuoy soap, to be carried by the company's radio stations.

Show would follow the pattern of Miss Parsons' onetime "Hollywood Hotel," with stars doing excerpts from their current releases. It would be a half-hour stanza.

Niles Trammell Feted

Irene Wicker's 10th Anniversary

Niles Trammell telephoned Irene Wicker, Hotel St. Regis, Monday (20) to observe "Daddy's 10th anniversary" in radio. Bright

a lot of ex-Chicagoans together.

Trammell was born in Chicago when he was NBC midwestern v.d.

Gordon Heads WNOE

New Orleans, Jan. 21. Jimmie Gordon has taken over as manager of radio station WNOE, succeeding Raymond Huff, who was called by the United States Army into active service. Huff was a lieutenant in the reserve officers corps.

Gordon takes over as manager coincident with WNOE's joining as New Orleans outlet for Mutual. Gordon has been connected with WLW, Cincinnati.

In other changes Bennett Cain was named assistant manager. Hubert Grant remains as program manager.

Buddy to Coast on Visio

Lewis E. Buddy, formerly Paramount newsreel representative in Europe, is leaving this week for the Coast in his new official capacity as television rep.

Buddy will handle television interests of Par in Hollywood.

NO MONOPOLY SETTLEMENT AS YET

Washington, Feb. 21.

Possibility that the Federal Communications Commission will put an end to radio's edge-of-the-chair worries by the end of this month by making known the decision on the chain-monopoly issue has faded rapidly, it was disclosed yesterday by James L. Fly's optimism that the argument will be ended that soon.

Among rumors that Mutual is trying to get the Justice Department to crack down on its rivals under the anti-trust statutes, Commiss sources doubted that the findings will be ready for several more weeks. It was reported last week that he was optimistic about early action and said he sees no likelihood of a "substantial delay" but also held out hope to critical members of the House Appropriations Committee that everything would be washed up by February.

Although briefs were filed more than a fortnight ago, there has been no attempt up to this week to debate the conflicting arguments of CBS, NBC and IRNA, who are vigorously opposed to Commiss rules dealing with network-affiliate relations, and Mutual, which takes the view that, besides having the power, the regulators are obligated in protecting public interests to exercise jurisdiction over these matters. One of the most important issues to be threshed out is how far the Commiss' power goes.

Growing doubt that the Commiss will take head-on the allegations of unfair competition—through option-time and exclusivity clauses—increased following lead from Capitol Hill. When asked why he had not requested back licenses granted and o. stations of CBS and NBC, if the accusations and criticisms of the chain-monopoly investigators are justified, Fly is reported to have said that such matters involve trade practices over which the Commiss has no jurisdiction. Reputedly passed the buck to the Justice Department, explaining that the Federal Judiciary, not the FCC has the only power to say when monopoly exists.

WHOLE STAFF VOLUNTEERS

Regina, Sask., Jan. 21. Proud of itself these days is CHAB, Moose Jaw, Sask., whose whole male staff volunteered its services to the King's Own Rifles of Canada, machine gun battalion. Only two, announcers Earl Cameron and Joe Lawlor, were rejected on medical grounds.

M. Carson Buchanan, station manager, is a captain and is on the reserve officers' list; sales manager Louis Bourgeois and his assistant, Gordon Walker, are second lieutenants; Sid Boyling, program manager; Charles Witney, engineer; Mervin Pickford, engineer; Louis Lewry, news editor, and Glen Turner, announcer, are all privates, while Robert McLean, announcer, is a corporal.

The gang has put all in its two weeks at camp.

Old Gold's Coast Test

Old Gold will probably test out a program, starting early February, on a west coast regional. If the show clicks it will be put on a cross-country hookup. Okay, this presentation will come through the latter of this week. J. Walter Thompson is the agency.

Account will also go in for much additional spot broadcasting.

Arch Robb's Promotions

Miami, Jan. 18.

Arch Robb is new station manager of WIOD under D. J. Mahoney, president of station. Robb, upped from program director, came to WIOD in September from production post at WHIO, Dayton, Ohio.

Was formerly with WBBF, Rock Island.

Networks Accounts of 1940

Continued from page 23

Sponsor	CBS	NBC	MBS	Total
122. R. B. Semler	.....	49,506	51,395	\$1,395
123. Skelly Oil	.....	48,924	49,506	49,506
124. Wesson Oil & Snowdrift	.....	45,600	46,922	46,922
125. C. F. Mueller	44,510	31,320	.....	44,510
127. Langendorf United Bakeries	11,067	14,084	.....	42,987
128. Pan American Air Lines	.....	27,858	27,858	42,542
130. Howard Clothes	.....	42,150	42,150	42,150
131. Griffin Mfg.	.....	40,664	40,648	40,648
132. Union Oil of California	39,456	40,291	40,291	40,291
133. National Lead	39,129	.....	39,129	39,129
134. Cardinet Candy	.....	36,208	36,208	36,208
135. Benjamin Moore	.....	35,280	35,280	35,280
136. Tidewater Associated Oil	16,080	19,019	19,019	35,099
137. Remington Rand	.....	34,112	34,112	34,112
138. Galenkamp Stores	.....	33,264	33,264	33,264
139. Colgate Recording	32,985	30,727	30,727	30,727
140. Arrow Fishers	.....	29,543	29,543	29,543
141. Vick Chemical	.....	26,975	26,975	26,975
142. National Refining	.....	26,730	26,730	26,730
143. Wheatens	26,600	.....	26,600	26,600
144. Knapp-Monarch	.....	26,054	26,054	26,054
145. V. La Rosa & Sons	.....	26,025	26,025	26,025
146. Bell & Co.	.....	22,376	22,376	22,376
147. U. S. of Brazil	20,735	21,752	21,752	21,752
148. Beneficial Management	19,975	.....	20,735	20,735
149. Union Oil	19,222	.....	19,975	19,975
150. Young People's Church of the A.	.....	19,186	19,186	19,186
152. American Bird Products	.....	18,054	18,054	18,054
153. Wilmington Transportation	17,707	17,403	17,403	17,707
155. Hartz Mountain Products	.....	17,148	17,148	17,148
156. Banks of America	16,844	.....	16,844	16,844
157. Tillamook County Creamery	16,324	.....	16,324	16,324
158. Williamson Candy	16,224	.....	16,224	16,224
159. Lance Packing	16,019	.....	16,019	15,984
160. Consolidated Ref. Chemical	15,984	.....	15,984	15,984
161. Radio Broadcast & Television	14,295	14,370	14,295	14,295
162. Methodist Bible Institute	8,858	8,858	8,858	8,858
163. Alberts Bros. Milling	8,802	8,802	8,802	8,802
164. Paramount Pictures	7,556	7,556	7,556	7,556
165. Atlantic Refining	.....	6,864	6,864	6,864
166. Faust B. Beich	.....	4,788	2,003	6,791
167. Detroit Corp.	12,283	11,310	11,310	11,310
168. Planters Nut & Chocolate	.....	10,847	10,847	10,847
169. Fidelity Brewery	.....	11,880	11,880	11,880
170. Illinois Central R. R.	.....	11,310	11,310	11,310
171. John B. Canape	8,983	.....	8,983	8,983
172. Great Northern & Pacific Tea Co.	8,976	.....	8,976	8,976
173. General Petroleum	8,802	.....	8,802	8,802
174. Smith Bros.	7,556	7,556	7,556	7,556
175. Kroux Gelatine	.....	6,864	6,864	6,864
176. Larus Bro.	.....	4,788	2,003	6,791
177. Swift & Co.	6,026	5,454	5,454	6,026
178. Holland Furnace	.....	5,454	5,454	5,454
179. Griswold Mfg.	5,061	4,890	4,890	5,061
180. E. R. Squibb	4,890	.....	4,890	4,890
182. Wm. Demuth	4,424	4,440	4,440	4,424
184. Nabisco Biscuit	4,424	4,104	4,104	4,104
185. National Conference of Prayer and Evangelism	.....	3,987	3,987	3,987
186. D. Ghiradelli Co.	3,912	.....	3,912	3,912
187. Ludden	3,749	.....	3,749	3,749
188. Rio Grande Oil	3,510	.....	3,510	3,510
189. Chocolate Products	3,278	.....	3,278	3,278
190. Detroit Bible Class	2,208	.....	2,208	2,208
191. H. P. Hood & Sons	1,704	.....	1,704	1,704
192. Neoxema Chemical	.....	2,576	2,576	2,576
194. El Paso County Board of Development	555,406	809,606	293,986	1,638,910
(Political)	.....	410,688	410,688	410,688
Miscellaneous (Cooperative)	.....	.....	.....	.....

Three Year Comparative Standing

Sponsor	1940	1939	1938
1. Procter & Gamble	\$10,999,416	(\$6,769,135)	(\$1,170,862)
2. Sterling Products	5,074,999	(8) 7,755,811	(8) 3,948,430
3. General Foods	5,887,349	(2) 5,269,567	(3) 5,230,606
4. Colgate-Palmolive-Peet	4,334,222	(6) 2,749,733	(9) 1,986,415
5. Campbell Soup	4,044,389	(7) 2,704,331	(8) 2,279,425
6. Liggett & Myers	3,356,713	(12) 1,937,652	(11) 1,689,370
7. Lever Bros.	3,171,074	(4) 3,392,672	(4) 2,790,141
8. General Mills	3,139,652	(10) 2,411,288	(10) 1,695,413
9. Brown & Williamson	2,972,755	(11) 2,047,530	(25) 2,047,530
10. American Home Products	2,821,739	(8) 2,529,553	(7) 2,577,973
11. American Tobacco	2,720,213	(9) 2,506,141	(6) 2,653,576
12. R. J. Reynolds	2,127,609	(13) 1,723,574	(18) 1,000,184
13. Philip Morris	1,608,211	(16) 1,217,166	(15) 1,068,354
14. Standard Brands	1,504,199	(5) 2,686,521	(6) 2,670,467
15. Miller Laboratories	1,393,382	(15) 1,236,254	(13) 1,287,906
16. Wm. Wrigley, Jr.	1,366,224	(14) 1,304,391	(14) 1,241,705
17. National Dairy Products	1,339,299	(18) 1,164,930	(12) 1,466,987
18. Bristol-Myers	1,071,176	(19) 1,141,548	(19) 942,930
19. Andrew Jergens	1,033,807	.....	.....
20. Texas Co.	1,029,709	(23) 875,418	.....
21. Chrysler Corp.	986,049	(20) 950,146	(17) 1,003,612
22. Lewis-Howe	957,354	.....	.....
23. Quaker Oats	955,756	(17) 1,200,947	(20) 876,088
24. Ford Motor	944,638	(21) 949,297	(16) 1,032,895
25. Continental Baking	906,404	.....	.....
Portion of total network gross receipts	\$66,206,338	\$155,292,645	\$146,630,857
	66.6%	66.5%	65.1%

* Not among 25 first spenders.

† Including Lady Esther, Kellogg, P. Lorillard.

‡ Including Lady Esther, RCA, Kellogg, P. Lorillard.

'COOL WEATHER' CONVENTION FOR N.A.B.

Washington, Jan. 21.

Annual get-together of the radio industry will be several weeks earlier than usual, in connection with the 1941 N.A.B. convention, set for St. Louis from May 12 to 15. Recently the festa has been a hot-weather event, with last year's occurring in mid-July.

Instead of trekking to a watering-place, the industry will engage in the usual speech-making and resolutioning at the New Jefferson Hotel in what the special committee recommended as a central spot. Choice sites made available by comprising Hotel Lane, KFWB, WEUB, Reading and Frank M. Russell, NBC, Washington. Directorate agreed at the last meeting of a few days ago.

Jones Hustles Into Action

St. Louis, Jan. 21.

With the N. A. B. convention set for May 12-15 here, Marie S. Jones, gen. mgr. of WOR, Newark, will call a special meeting of all St. Louis stations to make arrangements for the business meetings, entertainment, etc., for the delegates who are expected to be between 600 and 800.

The Hotel Jefferson, downtown, will be the headquarters of the convention and its Gold Room, with a seating capacity of 1,200, will be the convention hall.

IRON OUT PACT FOR MARCH 29

Washington, Jan. 21.

Ironing out of a few conflicts in assignments was undertaken last week by engineers of the North American Regional Broadcasting Agreement in anticipation of the continental reshuffling now scheduled for March 29. Doubt whether the pact can go into effect on that date remained, with all of the technicians hopeful the kinks can be straightened out so a postponement will be unnecessary.

A few shifts of United States transmitters may result in attempts to solve intricate problems, but no very sensational consequences are expected since FCC has formulated elaborate plans for clearing the channels being surrendered and putting into effect the new classifications. Principal trouble is between Mexico, Central America and Canada, where a crop up through comparison of the four countries' notifications have to be reconciled before the agreement can be effective. Some overlapping has been discovered, with improper separation of the chief worry. In order to conform with the power and mileage yardsticks, the engineers must juggle certain allocations.

In event any American plan has to go to great lengths from those tentatively listed several months ago, it is expected the FCC will allow a limited period in which protests can be made and applications filed for some other berth. But there will be no long continuances for hesitant operators, and it is not expected the pact will be deferred for a substantial period because of the possible dissatisfaction with new assignments.

The only likelihood the effective date will be pushed back arises from apprehension about the ability of station managers to get new crystals. While previously officials were inclined to minimize the possibility that the supply would be insufficient, the picture has been changed by the war. With military and naval forces greatly reducing their establishments, there is a run on the market which may subject less foresighted licensees to considerable grief. Possibility is seen, though, that the National Defense Advisory Commission which has general supervision over Army and Navy procurement will intercede so the domestic industry can get preference. Another factor which could aid the situation is that some system can be worked out for trading or swapping crystals, move which would be feasible only when stations are fairly close together and probably when there is a spare kicking around.

CROSLEY'S HISPANIC SURVEY

Mexico Clouded By Politics In 1940

But Outlook for Broadcasting Excellent—CBS Move A Strong Omen of Future

Mexico City, Jan. 21. A large part of 1940 was overshadowed by the political uncertainties which have held back Mexican radio, although XEW had a waiting list of clients. The sponsor was forced to cancel an early broadcast because notice was given six weeks (or two or three to set a substitute). In studios, equipment, and especially in the admitted inferiority of the transmission telephone lines, Mexican radio is behind America, especially in the smaller towns. In Mexico City several stations display considerable modernity.

Very soon now the Emilio Azcárraga syndicate will probably complete blueprints for a new city development scheme, housing XEW and XEQ, together with the shortwave companion of each.

While the United States has been celebrating 20 years of broadcasting it would be fair to say that Mexican radio, commercially speaking, is just half that age. The pioneer, again, was XEW. The government's own stations have been operated perhaps 15 years, but not always successfully as one aspect of a campaign against peasant illiteracy. In Mexico today there are 31 stations in the regular service, at large. Changes are anticipated, notably with regard to the much-coveted border franchises with their opportunity to exploit English-language programs beamed at the southern part of the U. S. A.

Mexican business men are now much more radio-minded. Agents or representatives of Yankee houses were in the early days of radio here (General Electric with the ice-breaker 10 years ago).

The recent activities of Herbert V. Akerberg, vice-president of the Columbia Broadcasting System of the United States, in signing Mexican stations to commercial contracts dated Sept. 1, 1941, speaks for itself as an omen of the new rate of change and progress in radio here.

Meanwhile, XEW, Mexico City, of which Akerberg is managing director, became the first radio station outside the southern borders of the United States to receive a VARIETY showmanagement plaque.

American radio men who visited Mexico during 1940 included Frank Muller, Lloyd Egner, John Royal, Herbert Akerberg, Alan Josephy, C. W. Horn, Tom Lewis, Bill Grauer, Lawrence Lowman, William S. Paley, Robert J. Landry, Joseph H. McCollum.

TRUE OR FALSE? RECORD IN CANADA FOR CJOR

Montreal, Jan. 21. "True or False?" has been recorded for first time in Canada, with 13 half-hour platters scheduled to be aired over CJOR, Vancouver.

Deal was made by J. Walter Thompson agency.

Sevareid in D. C.

Washington, Jan. 21. Eric Sevareid, former Paris representative for CBS, arrived last week at WJWS to be a Washington correspondent.

Sevareid will join up with Al Warner—CBS regular, spiker, who used to head the New York Herald Tribune's Washington bureau—as news commentator. He will handle the early trick with Warner taking over in the late hours.

WTAQ Man to Hawaii

Green Bay, Wis., Jan. 21. Allen Rankin, WTAQ sports and news announcer, has left for a four-week tour of Hawaii, where he will record a series of 15-minute episodes for airing over the station in the spring. The series will be tagged "Vagabond Reporter," and will consist of interviews with unusual people in out-of-the-way places.

Carl Clark is subbing on Franklin's WTAQ commercials.

KGEI HAS TO MOVE

Government Takes Over Frisco's Treasure Island For Military

San Francisco, Jan. 21. KGEI, General Electric's trans-Pacific, will be booted off Treasure Island next month, site having been taken over by the government for military use.

Studios now being constructed in the Fairmount hotel in downtown Frisco while transmitter itself goes to Belmont, G.E. radio centre 25 miles south, which includes KNCB red outlet.

Japs' Jamming Forces Shanghai Power Cures

Shanghai, Dec. 21.

To conclude the Japanese military, who had been jamming them from the Astor House (British) in Hongkew, because their censors could not prevent unwelcome news being broadcast to various parts of China, the international settlement, still under foreign control, has dramatically reduced their power output. Those, operating on long wave, now are barely able to reach the city's environs, unless receivers remove ground connections.

The Japanese began their jamming early last summer, working from one station to another. Nippon efforts were not too effective. XMHD, America's n-owned missionary, but which broadcast North-China Daily News (British) news bulletins, made complete reports of the Japanese advance. Comitate-General, but apparently to no avail, no word being at hand that the U. S. State Department took or would or could take any measures. Originally powered at 1 kw, and heard in New Zealand, wattage has been reduced to a feeble 200.

XMHA, whose vituperative news-caster, Carroll Alcott, delighted in sassing the Nipponese, has modified its longwave power, but on short-wave, gets by with it. The Evening Post and Mercury (American-owned) also took up the matter seriously.

The official German station, being an Axis partner, has had no trouble. France's FFFZ, most powerful in port with its 5 kw, at the moment is being jammed, but continues un-damped.

To make matters perfectly clear, the Japanese never have approached these foreign companies officially, but let it be known that if they complied with their wishes, curbing of power, the jam would be removed. Owing to the fact that, with few exceptions, all Americans and British owners and missionaries have left the interior, this blackmail has had no great consequences, other than loss of face for the foreign powers.

J.H. McGillvra, XEW Sales Rep, Back From Mex. City

Joseph Hershey McGillvra, the station sales representative, has returned to New York from Mexico City where he spent nine days in the capital for the purpose of familiarizing themselves with Mexican radio. McGillvra now reps XEW, Mexico City, one of the Azcaraga syndicate properties.

Also visited Havana while away.

Bulova radio account for Canada has been turned over to MacLaren Advertising Agency, Toronto.

SHOUSE, BRANCH, VILLABA OFF

Cincinnati Shortwave Adjunct to WLW Sends Two Execs on Fact-Finding Tour A la Bill Paley

MEXICO FIRST

Cincinnati, Jan. 21. Establishment of working relations between WLW, Crosley's international short-waver, and a number of Central and South American stations is the principal object of a three-month trip on which G. E. Branch, Antonio Roldan Villaba will embark from here Thursday (23). Branch is technical assistant to James D. Shouse, who will go along for the first two weeks, or as far as Guatemala. Villaba, a Venezuelan and newcomer to WLW, is the station's international network coordinator. The two emissaries were feted and gifted with luggage by execs and members of the WLW staff. WLW and WMCAs friends Friday (24) in the Netherlands Plant.

Traveling chiefly by plane, they will stop first in Mexico City, then visit Guatemala, San Salvador, Honduras, Nicaragua, Costa Rica, Panama, Colombia, Venezuela, Ecuador, Peru, Chile, Argentina, Uruguay, Brazil, Puerto Rico, Dominican Republic, Haiti, Cuba, and return via Miami.

The visit, according to Shouse, will serve as an important "first" for an independent international station. Says Shouse:

"An attempt also will be made to obtain as much information as possible along the lines of programming, listener preferences, technical facilities, short wave receivers, commodity studies, methods of selling the medium, and other pertinent data which will lead to the establishing of stations in South America on a basis similar to those found in this country."

"As the information is compiled, it will be sent back by airmail to Wilfred Guenther, manager of WLW, who, along with his staff, will use it to guide them in establishing strong links in South America and making any improvements deemed advisable by WFO."

It is our intention to make it possible for a South American listener to hear a program either from his own local station in the standard broadcast band, or listen directly to our powerful 75,000 watt shortwave WLW from Cincinnati."

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The Only British News Commentator On an American Station Sounds Off

By SYDNEY A. MOSELEY

(This is the curious story of the former London radio editor and English television pioneer who has been commenting on the news of the day and having odd experiences in the United States in the past year. Now a retired journalist-entrepreneur, Moseley has lived all over the world.—Ed.)

I am told I am the only British subject now commenting upon the international short-waver, to whom an American radio station. I have been doing so daily for some eight months over WMCA, New York.

Do I get abusive mail? Three post cards scribbled in semi-illiterate scillings.

Am I accused of being a British agent? With stinks my American friends say "Oh come off now, why are you in the United States?"

Well, have it your own way,

I've been here a dozen times. And I happen to be here again. I suppose any Englishman is a British agent but I have no news service but common sense, no orders but my own. I am what you would probably call a "gabby guy." I like to talk about myself. Always did. In fact, they can't seem to keep me out. I just naturally seem to find microphones everywhere I go.

At WMCA we seem to enjoy ourselfs. I love the Irish, the Italians and the Germans...but not the Nazis or the Fascists. Thank Heaven, 99% of Americans feel the same way. Anyhow that's my experience.

Nevertheless, there was great timidity a year or so ago to let me risk my position, to let me do my job.

Pickets at the very least were what they told me to watch out for, after I said in one of my broadcasts 'that it used to take less than an aerial bomb to interest an Irishman in a fight.' I mentioned the old Irish salutation, 'Is this a private battle, or can anybody get in on it?' A Belsen talking in New York—to the Irishman.

But there wasn't any mass meeting. There wasn't anything much. It made me self-conscious. After all it might suggest nobody was listening. Oh, dear...what an idea...Something had to be done about it.

Send Boxjies, Please

A test of course. Very American. Towards the end of my broadcast I offered a booklet on the subject of my talk. Immediate result...1,017 replies...Well, what did it mean?

Now, Listen, I'm not a Hitlerite. I'm a strong in these parts...Radio experts.

Some said that a thousand letters represented a hundred thousand listeners; others said a million listeners. You Americans use such big numbers. What greater compensation could one ask?

Station announcers off duty tell me to listen to my talk...Re-scribables. In London they had a paper to listen to broadcasts and executives. Don Shaw listened, too, and liked my best war story of the year in which I told dramatically of Berlin bombed. Since then, I am "Bomb-Berlin Sydney" to Don.

Of course you've guessed it, I am writing a book—a my—2nd book on my adventures in America. Actually had a start almost two years ago, 1938, 1939.

Meant originally for my countrymen, I was going to write a book on the war story of the year in which I told dramatically of Berlin bombed. Since then, I am "Bomb-Berlin Sydney" to Don.

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dramatic story—to late for Britain, become too late for America.

I say that today more than ever this frank exchange of viewpoints is vital. I take my radio work seriously and I declined a thoughtful WMCA offer to take Christmas and New Year's days off...In fact I put over one of my best efforts on Christmas day...and feasted after my usual one o'clock broadcast instead of turkey and gravy sausages like any good Yankee at the Lounge or Cafeteria. A delightful place. You just pick up a tray, and the fresh air is free.

In my talks I run the gamut from diplomatic secrets and battleships to the traffic on Broadway—which carries me from the radio studio to a British room.

Well, I am told, the traffic on Broadway is the inflating traffic permitted to cut around like mad, without stopping to let pedestrians pass as they're entitled to, on the green light?

Turkeys and Dollars

Speaking of turkeys I went to the cinema and came away with a 20-pound turkey...It seems that there was a sort of competition on. I carried the bird triumphantly through the streets over my left shoulder.

Very stimulating, being a British agent in America.

Well, I could go on...but these VARIETY editors are ruthless about space, I hear...You know a chap who is dreaming up his 32nd book is what I said before—gabby. I suppose that's how I got on the Vox Pop show one night. The Overseas Press Club did that to me. I discovered to my taste run away that night. Well, Butterworth discovered too late I was a Hitlerite. I was prodded with questions that were simple and I'm sure on-purpose. Then kind folks provided me with not very subtle hints. Every time I made one of these slightly phonier scores they stuffed dollar bills in my hands.

Oh, you Americans.

U.S. Can't Tax Mexican Air Ads From Here

Washington, Jan. 21.

Over-the-border broadcasters received a staggering blow last week when the Board of Tax Appeals ruled that income of foreign stations received from American sources is not subject to taxation here. Ruling was by a 10 to 8 split.

Decision was handed down in case involving XEPN, Piedras Negras, Mexico. Bill for \$90,036 was filed by the station, excepting Piedras Negras Broadcast Co., from both income and excess profits taxes for 1936 and 1937 traced to earnings from American sponsors.

Income of the Mexican plant does not hinge entirely on transmission of signals which can be picked up in this country, the majority held. Capital and labor, or both, played a part in making the money, and both the two sides agree of the boundary between the two countries.

Decision said the majority cannot discern that either capital or labor was employed in the United States, although the programs may have been received here.

Principles would apply to Canadian plants, such as at Windsor, Ont., which carry advertising for U. S. sponsors as well as to the Mexican border plants.

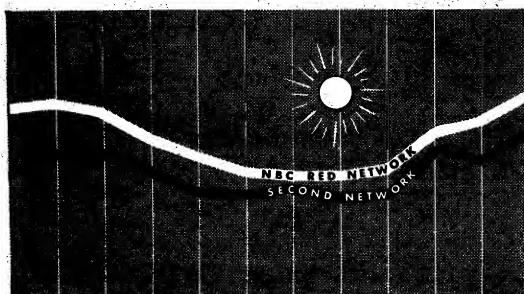
"Message of Israel," NBC blue station, discontinued here at the time of the Palestine controversy, was reinstated over Canadian Marconi network CFCF, Montreal.

Again in 1940 all other [

FOR THE THIRTEENTH

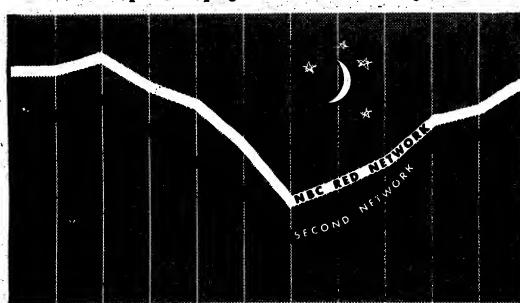
First—IN THE 33 CAB CITIES!

An analysis of CAB ratings for all sponsored network programs for the entire year of 1940 shows that the *average* audience to NBC Red programs, both day and night, exceeded that of any other network *every month throughout the year*.



These charts show the average CAB ratings, per quarter hour unit, of all sponsored programs on the two leading networks.

DAY—During the important daytime hours (from 9:00 A.M. to 6:00 P.M.) NBC Red topped all other networks in average program ratings *every month of 1940*. In *annual average program rating*, NBC Red won a decisive victory with a 19.6% advantage over its nearest competitor.



NIGHT—During the highly competitive evening hours (6:00 P.M. to 12:00 M) NBC Red again topped all other networks in average program ratings *every month of 1940*. Again in *annual average program rating*, NBC Red had an 18.2% lead over Network number two.

BUT THAT'S ONLY ONE-THIRD OF THE STORY

First—IN TOP-RATED PROGRAMS!

Again in 1940, analysis of all sponsored network CAB program ratings shows that, on the average, NBC Red has more of the first ten programs—the first twenty—the first thirty—yes, even the first forty—than any other network.

NBC Red leads Networks!

CONSECUTIVE YEAR

First IN THE NATION!

But NBC Red's leadership among networks is not limited to the one-third of the nation's radio audience measured by the CAB.

In 1940, advertisers and agencies, for the first time in radio history, were able to evaluate network listening audiences on a *nation-wide* basis

through the NBC *All-County* Census of Network Listening Habits.

Here is a complete national comparison of networks—based not alone on evaluation of *program popularity*—but on clarity and dependability of *reception* and *geographical coverage* as well.

Consider These Facts:

Based on the voluntary votes of 166,000 radio families, in every U. S. County—one out of every 168 radio families in the United States—

DURING THE DAY—36.9% more families "Listen Most" to the NBC Red than to any other network.

AT NIGHT—41.7% more families "Listen Most" to the NBC Red than to any other network.

NBC RED

First IN DAYTIME AUDIENCE

First IN NIGHT-TIME AUDIENCE

First IN TOP-RATED PROGRAMS

First IN LISTENERS' VOTES

First IN LEADING ADVERTISERS' DOLLARS

THE NETWORK MOST PEOPLE LISTEN TO MOST

NATIONAL BROADCASTING COMPANY

A Radio Corporation of America Service

First IN LEADING ADVERTISERS' DOLLARS!

An analysis of the network expenditures of the largest radio advertisers definitely shows that more of them invested more dollars in 1940 on the NBC Red than on any other network.

Disagrees With Julian But Thinks Actor Has Stimulated Healthy Trade Discussion

A leading radio actor and director, who has also appeared on the stage and films, was inclined to pooh Julian's views in *Variety*, but preferred not to have his name used, as he doesn't want to engage in a dispute with Julian, who's a friend of mine. In general, his attitude was expressed in the statement that "what Julian says is true enough, but what of it?"—he apparently forgets that as a radio actor he's really just selling soap. All that stuff about artistic integrity is the bunk.

"In the first place," he continues, "Julian sounds much too self-conscious. He's being juvenile about radio as an art form. He misses the whole point. Nobody seriously supports the contention that it is great dramatic art. It's merely a means of livelihood. There's no material there for the actor to create a full characterization.

"He sounds as if he's trying to apply the Stanislavsky method to radio which would be absurd. Julian himself believes something which he says in that article he must be guilty of outrageous overacting on the air. And I don't believe that's so. I know Joe Julian. He's a good actor.

"When he says that most actors were better before doing radio work than after, he's absolutely wrong. Radio has been the making of dozens of actors. With stock no longer in existence, where can an actor get training nowadays except in radio and the fly-by-night

summer theatres? In the course of a year a busy radio actor may play several hundred parts. Maybe he won't play any of them enough to get a full-rounded characterization. But it will give him variation, constant work and much bigger parts than he would get in 20 years on the stage. It isn't necessary to theorize. There are any number of actors who have been made by radio and accepted as such on the stage. Arnold Moss, tremendously improved by radio. So do others. Arlene Francis, Betty Garde, Paul Stewart, Helen Claire and—
[redacted] stand as name as long a list as you want.

Julian is also wrong in saying that radio is a director's, not an actor's, medium. It's true that a few directors do have a deciding hand in what's heard over the air. In most cases, however, particularly in daytime shows, the actors know their business so well that there's little for the director to do. A few of them, anxious not to be thought useless, give a few inconsequential directions, but generally they just hold the watch and let the radio do the work.

Most of the things Julian says are true enough and his article as a whole is thoughtful; if not academic, and much of it may have some helpful effect. Certainly it won't hurt Julian in the radio industry. "No one can resent what he says, and it does show that he's an intelligent, sincere and thoughtful actor. Do I prefer the radio to the stage? Don't be silly. Maybe there's more to what Joe says than I thought."

DIRECTOR AND ACTRESS-WIFE COMMENT

George Zachary, director of the Andre Kostelanetz CBS program, and Campbell Playhouse, generally agrees with Julian's observations—with several reservations. "He's right on most points—as far as he goes," Zachary remarked, but he doesn't reach any conclusions. It isn't enough to say that radio acting lacks the depth and dimension of stage acting. Everyone concedes that. The point is that they're different. Each has its own function and limitations.

"It's perfectly true that the radio actor is limited in his development of characterization, he would have in the theatre. But his whole performance has a different purpose and perspective. There is no continuity to a radio performance. It is rehearsed briefly and then broadcast, and that's the end of it. The actor must therefore give a quick, vital impression of the part.

"I know of no radio actors whose performances improve perceptibly with rehearsal. Talk to any radio actor and he'll sit for a minute after he's off the air and he probably won't even remember the lines. Or take it another way. If an actor (and by all this I mean a regular radio actor) doesn't get a characterization right with the first reading, there's no use trying to change him. You can alter cues, bits of business or the exteriors of the performance, but the characterization will remain the same."

"I get a bad first reading from even the best radio actors I know. I'm in a hole for the actual broadcast—because he won't be able to improve it or change it. But I generally expect a bad first reading from a stage actor, and it doesn't worry me. I know he has to develop the part and grow in it, and that whatever I get in rehearsal I'll get much better in actual performance."

Radio 'Actors Superior'

"But radio actors are vastly superior to stage actors in radio acting technique." The director doesn't have to coach them in all the fundamentals. He can give them a script and get a characterization, or what passes for a characterization in radio, the first time. Radio has developed the most versatile group of actors ever known to the entertainment field. Yourable's radio action can play an extraordinary number of characterizations at a moment's notice. Maybe they haven't full dimension, but that isn't necessary on the air.

"Disagree with Julian that radio is a writer's or director's medium, rather than an actor's. The writer or director is just as limited in scope as is the actor—and if Joe were to try to write or direct he would soon learn that fact. Radio is one-dimensional for everyone, not just for the actor. You could just as easily be one-dimensional. You may be bound to work with. You may be able to use occasional background, such as music, for specific effects,

I THRIVE ON RADIO'S BAD CONDITIONS

By BING CROSBY

Hollywood, Jan. 21.

We have been running the Kraft Music Hall for five years under the radio principles outlined by Mr. Julian, with quick reading, short rehearsals and sketchy suggestions of characters, and I'm usually sorry to say, Julian, old man, that we haven't lost an actor yet through stagnation.

To get back to the sublime, however, I hardly feel qualified to give an opinion on radio drama, which I believe is a subject Mr. Julian is under discussion. I can speak with authority only where a variety show like ours is concerned. We prefer working under the conditions to which Mr. Julian objects because they are the factors that make for spontaneity and informality when the show goes on the air. We want our characters to be bad, otherwise they wouldn't be funny. And we want the audience to be good, otherwise the actors pulling boners. In fact, we pay him a premium for pulling them.

She believes that many actors have been able to obtain parts on the strength only of the obvious, that they can give vivid first readings, but because radio experience has given them deeper conception and increased confidence. According to Miss Shockley, the common belief that a stage actor gives a fuller-dimensional performance is

fallacious. It may seem that way because the radio actor improves little upon his first reading, but that first reading may still be better than the stage actor's ultimate performance, she claims.

No Need For Actor 'Frustration'

By ERIK BARNOUW

Dear Joe Julian:

The artistic frustration of most radio actors I wouldn't want to deny, but I feel you're wrong to blame it on your medium.

You bewail the "cold, unresponsive microphone." Does novelist get peeved at his typewriter for not chuckling at his jokes? It just happens that novelists and radio actors don't have the privilege of witnessing the artistic experiences they provide their audiences. This is part of the reason why radio, like other arts, and simply offers an extra challenge to the imagination. In these fields the artist has to be more, not less, of an artist.

You feel frustrated because you can't do gestures and "bits of business." You feel this makes radio acting "incomplete." But one of the most gratifying of arts is the art of incompleteness. The less it tells and shows, the more it merely suggests, the better we like it. A window-dummy is more "complete," but hardly provides artist or audience with more gratification. Radio acting also works in suggestion, not demonstration; some actors prefer it for this.

You complain having to act by the clock. But radio mechanical structures and the real artist not only accepts, but often welcomes them. For centuries poets have kept

babies at sonnets, with just 14 lines and a torturing rhyme-scheme, when they could just as well write loose odes. Working within imposed limits is part of the gratification of any art. Wordsworth wrote 14 minutes.

You feel it's hard to keep your imagination clear in the presence of mikes, scripts, clocks and directors behind aquarium windows. Is a painter distracted by his easels and his bottles? You seem to miss real tables, chairs, doors and other literal phenomena. Does a poet have to sit in the woods to write about birds? You feel the high-pressure radio acting with painting, poetry, novel-writing. These all bank heavily on the imagination of both artist and audience, and are challenging and gratifying for that reason.

Then why do radio actors feel frustrated? Because, as you say, writers give you their drive to produce, and you're forced to produce buy chiefly drive—which they do because audiences seem to cling to drive—which they do because they've been conditioned, by film, magazines and radio, to drive. That vicious circle, in spite of occasional exciting flurries of better writing, makes for progressive deterioration. In a time of precarious profits, that's not easy of shoes, and shirts and mayonnaise. That's what frustrates you, not your medium. Incidentally, I often hear your excellent

(In last week's *Variety* New York radio actor Joseph Julian frankly set down in print some observations of his own on radio as a medium. The statements provoked by his article, "AN ACTOR ANALYZES RADIO ACTING," follow. They range from psychoanalysis of Julian himself to tangents not directly bearing upon the issue but brought forth by the raising of the whole subject of radio acting.

Julian, in crediting radio as "a director's medium," made the point that the actor on the stage can build and enrich a part, get his teeth into it, and derive artistic satisfactions that radio with its stop-watch, its hurry-up, its art-for-soap's-sake motivation cannot provide. Julian esteemed radio as a business-like, well-organized source of employment. He did not argue with the economics of radio. He simply said a good stage role was usually a lot more fun.—Ed.)

MILDLY THUNDERSTRUCK

Actress Expresses Surprise at Julian Holding Such Views

By CATHERINE McCUNE

Editor, VARIETY

I'm a little weary of the asparagus that's being cast at radio actors and radio acting by our less generous brothers, the films and theatre sympathizers. So I am going to add my article by Joseph Julian, actor and artist par excellence. Being somewhat familiar with Mr. Julian's splendid radio work, I am, to say the least, mildly thunderstruck by his contentions.

Comes the question of Interpretation and Artistry. Mr. Julian believes that radio induces artistic stagnation in its actors. How? Why? If the radio actor must his creation at his fingertips, he must make lightning changes in mood, he can be emotionally lazy and stagnant?

Emotions in real every-day people are turbulent things—else why, for instance, does a man steal a fortune from his best friend and escape with it successfully, only to return of his own volition to confess his crime? (This situation is not stolen from a soap opera; it happens. Consult your local newspaper.) Answer—imagination. Then why is the actor of the theatre finer than an actor in radio? I can't believe that he is. The theatre man must study his character, build it, and then, at a certain point in its emotional development, freeze it. Mustn't go beyond that point because he has to play the part three months—six months—a year maybe. He's constantly pollarding—yes, but that's a technical cramping of the imagination. If his characterization continues to grow (on the basis of EMOTION, mind you) it wouldn't be long before a row of footlights and a back drop couldn't hold him. He would need all the state of Texas in which to do his ranting.

Now, what of the radio actor? He has a microphone before him and a number of printed pages in his hand, (that's all his equipment, mind). But he is emotionally facile beyond question. He's learned to read accurately and to characterize quickly, and when the "mike" light goes on indicating air time, it is as challenging as any first night curtain. And here is where, like the tortoise, he is a little ahead of the hare at the finish line. The radio actor hasn't rehearsed for weeks on end, he's been born to the theatre. His viewpoint is fresh and vital, his characterization is spontaneous, his deliverying more from the heart than the head. Emotion! That is the stuff of which real every day people are made.

Now, what of the radio actor? He

JOE JULIAN'S 'DARING' IS SURPRISE

One established Broadway actress who has done some radio work expressed almost complete agreement with Joseph Julian's views. In *Variety*, although she was surprised at what she regards as his daring in risking the resentment of agency executives and directors by openly stating his criticisms. Explaining that she is anxious to get firmly into radio, she asked that her name be withheld.

"Of course, he's right that all an actor can do in radio is to give a surface impression of a part rather than the full dimension characterizes him on the stage," she said. "However, I didn't realize the successful radio actors felt that way about it. I just thought I wasn't very good at radio, that my inability to give an immediate performance was limiting my viewpoint. It's comforting to know that one of the best radio actors is dissatisfied with the medium.

"How can anyone really believe that radio acting is as satisfying as stage acting? I think it's with the response isn't real, acting at all, regardless of how many dimensions the medium has. It's just the same as writing that's never read. It's the response or the reaction of the audience that gives life to any art. And it's only by long rehearsals and continued performance in a part that an actor achieves understanding of his character he's trying to portray."

Naturally, I am trying to get into the stage. It's hard to do. I think it's almost the only field that offers a certain living to an actor. By working in radio I hope to be able to afford to stay in the theatre. Radio is a job to me—a well-paying job for which I'd be grateful—while the stage is the thing I love. I think almost all actors really feel that way about it."

GET THE SCRIPT AHEAD OF TIME AND STUDY

By IBRENE RICH

Hollywood, Jan. 21.

When Mr. Julian said radio drama may lead the actor to artistic stagnation, I only vaguely spoke of the knowledge of his subject or the experience to back up what he said. The actor who faces the danger of stagnation in radio is only that actor who lacks the imagination to create his own characters. A director, a good director, is absolutely essential to the actor, in any dramatic field, but in no field can or should the director create the character for the actor.

Radio should not stifle the good actor. It should give him an even greater stimulus to development and creative facilities. Because in radio we actors must not only create the character but we must stick to that characterization and maintain it throughout the entire play with no other instrument than the voice. And that, believe me, is a real test of an actor's imagination and creative powers.

I also take issue with Mr. Julian on what he terms quick reading and short rehearsals. The actor who hasn't the foresight to obtain his script in advance, study it, he won't be a player script in scenario, he won't be himself in relation to the other characters. He is not in danger of stagnation.

Funny, the ideas I did have. I had

(Continued on page 39)

Radio Acting Versus All Acting

Some Reactions to Joseph Julian's Previous Article

A Radio Performance Requires Intellectual Totalitarianism — Caster

By ALBERT N. WILLIAMS
Casting Director, NBC, New York

Yes, Joe Julian is right when he states that radio is the director's medium rather than the actor's. He is as right in his statement as a musical might be in its proper place. Symphonica is a conductor's medium rather than an instrumentalist's. To insist that actors and the following remark holds true for radio writers, directors, in fact, most people connected with the industry, radio still appears to be merely broadcast version of theater.

Radio is no more theater than theater is Greek Festive dance—they are successive derivatives of each other. While it can never be denied that the ideal training ground for an actor is the legitimate stage, the actor, once trained, must make the novice "polite" according to different mannerisms when on the air. Acting, in the accepted definition, indicates a three-dimensional combination of personality—height, color, lighting, mannerism, gesture, costume, physical appearance. Perhaps those additional accoutrements are bad training, actually, in that they lead actors to expect fuller personal validity when they are before the microphone.

Radio, in itself, is not an art. The sound of voice is not an art. The sound of street-car is not an art. Radio is only an electrical means of transmission of sound from a studio into the homes of the listeners. The art lies in the neatness to reality of the total sound, as mixed inside a control room. Most artistic effort is based on the assumption that all mental instruments can act simultaneously toward the perception of truth. Only one of these instruments is mentioned in "listens" to radio—the ear. Therefore all adventures before the microphone must be submissive to the entire.

Radio, more than any other of the arts, requires of its citizens an intellectual totalitarianism. Any collaboration requires that one factor serve as a north star for the others. In the theater it is the simulation of living people. In film it is God, seen as being able to oversee all. In radio, since sound can only be real in so far as it has meaning, the words themselves rather than the vibrancy of their delivery will be valid.

Artistic Unhappiness

It is that nature of radio which must be understood, and which understanding will do away with much artistic unhappiness. When actors understand the microphone, they will no longer resent it, and it will not appear brutal to them. True, sound is one dimensional, but good performances can also be one dimensional.

Radio is the art form of intimacy. Into people's homes, not into a theater, is the ultimate direction of a show. Would one increase credibility in a living room with gestures, stage walks, smiles, handkerchief gymnastics? Knowing the average American, it would not.

As for the emotional intensity resulting from radio's rapid scene changes, we sometimes expect our musicians to dive from a ponderous farno into a delicate scherzo in the course of one beat. Keener attention to acting in the future will probably demand the same mental sacrifice from actors as it does from musicians, sound men, engineers, and directors.

And radio will always demand a sacrifice of both effect and effect. Effect is the music of all emotional and intellectual impact, and only by proving that it exerts those impacts does radio justify itself as a cultural factor to modern life.

It all boils down to the fact that while radio is a challenge for actors, radio actually demands very little, adding the Broadway sense of the word.

It demands careful study of the script in order that the meaning of the words may be etched on the listener's mind. It demands personality rather than physical virtuosity, for radio belongs as much to the people who do not care for the

atrical performances as to those who do. The shun, the invalid, the isolated person wants human communication rather than the thrilling dissonance of pent-up artistic ecstasies. The actor who resents radio is unwise, and creates a temporary result, which has a unfortunate result. They will not resent it when they understand more clearly the nature of their medium.

JULIAN TELLS STORY THAT IS OLD STUFF

By H. LESTER TREMAYNE
Editor, VARIETY:

Mr. Julian's article is not new, unusual nor different. It sums up rather disconnectedly the constant griping which I have heard every year or two from radio veterans ten years. For even fault relative to radio acting there is a comparable fault in stage or picture work. There is also an opposite or constructive angle to each of Mr. Julian's list of radio faults.

Radio is a new medium which has its own peculiarities and techniques. Any actor who goes into radio seriously should expect to make the adjustments necessary to the business which in its very mechanics is completely different from any acting form heretofore. If he is not able to make these adjustments, if he feels his artistic integrity will be jeopardized, he should certainly take his integrity, which no doubt of the hot house variety, where conditions will promote its growth.

As for radio being a director's medium, radio is not. The director is in the department of experimentation, the actor follows the director, but in the final analysis the actor gets the bouquets or brickbats.

JULIAN'S ATTITUDE SEEN AS DEFEATISM

By KATHARINE SEYMOUR
Editor, VARIETY:

As a writer who listens to radio drama professionally and critically, I can say all over again that Mr. Julian consistently underrated the excellent performances of radio actors—performances which rarely betray the brief rehearsal periods of which Mr. Julian complains. Perhaps he is overly self-critical and modest. After all, capable artists of integrity in any field are rarely satisfied with their own performances.

As for Julian's conclusion, it seems to me that the tone in Mr. Julian's article is strictly defeatist, and it is this very attitude which has helped retard the growth of radio as an entertainment form. Writers, like actors, are irked at times by the limitations of the medium. We, too, would like to indicate significant bits of business instead of depending entirely upon the imagination of the public. It's time to broad over us radio's limitations. Instead, we face the challenge of the medium and find satisfaction when we succeed in creating a mood through the only props at our disposal, sound effects and music.

And I don't agree with Mr. Julian that radio is a director's medium exclusively. His principle is that the director is the author of radio, but surely the director has no more time to mull over and perfect his production than the actor. Doubtless a talented and conscientious director, in a mood of dejection, would insist that radio is an actor's medium! I've always believed that expert and effective radio drama demands the combined best efforts of director, producer, and actors. In my opinion, radio drama will reach maturity only when we all learn to make the best of our medium, when we concentrate wholly on its potentialities and disavow its limitations and disadvantages.

It all boils down to the fact that while radio is a challenge for actors, radio actually demands very little, adding the Broadway sense of the word.

It demands careful study of the words of the script in order that the meaning of the words may be etched on the listener's mind. It demands personality rather than physical virtuosity, for radio belongs as much to the people who do not care for the

LONG LEGIT RUNS

They Stagnate the Actor as Much as Does Radio

By BETTY WINKLER

Chicago, Jan. 21.

Editor, VARIETY:

I am sure that Mr. Julian is sincere in his convictions, but I am equally certain that the majority of radio actors and actresses will disagree with him. It seems to me that his statement that radio is not an actor's medium is best refuted by the fact that top-flight names of stage and screen are, more and more each year, going into broadcast drama.

It cannot be denied that in radio—with only the voice as a medium of expression—there are artistic limitations. However, the stage, too, offers limitations. In the case of long-run stage play, actors are faced with the dull monotony of constant repetition that presents a constant danger of artistic stagnation.

The 'cold brutality' of the microphone offers a direct and forceful challenge to the artist, a challenge that drives them on to achieve perfection in their efforts to translate human emotions into sound alone. Their efforts are rewarded by the ever-increasing popularity of radio drama.

RADIO TOUGH ON NEWCOMERS

San Francisco, Jan. 21.

Joseph Julian's dictum, expressed in last week's *VARIETY*, that the nature of radio leads actors down the road to artistic stagnation draws a dippy here. Some agree with the New Yorker's contention while others concede the point that either drama is largely a director's medium. Representative comments follow:

Phil Stearns (17 years' experience as actor, director, producer on radio, stage, screen): Julian is half right, although actually the medium hasn't even been scratched as yet. I don't agree with him on characterization—good actor can take a good script and build a character which will be remembered. Orson Welles has proven that.

Trouble is that radio is handicapped by the lack of good scripts.

It's my opinion that the Columbia Workshop never succeeded in entirely breaking away from established methods.

A beautifully written or adapted script in the hands of an intelligent director who can pick good actors, then let them develop their parts within the limits of the characterizations, will produce radio drama comparable to its medium, to a first-rate degree.

Julian is right when he says radio actors tend to drift into artistic stagnation, but it is not the fault of radio acting. A microphone performer who takes his work seriously can make himself stand out on the air just as in the theatre.

Tol Ware (freelance, stage experience): "Artistically speaking, the stage is a natural way to start a career, but it doesn't. In fact, some of the finest characters ever heard have been developed on such strips as 'Scattergood Baines' and 'The Goldbergs.' It's true they are in groove, yet they certainly are memorable characterizations. Take 'Mother Sherwood' of NBC's Hawthorne House (Pearl King Tanner). When she appeared on the air she was real, her character, despite the fact the fans know it is only a radio part."

Helen Morgan (also stage, radio writing, background): "Julian is partly right; not only in acting but in writing and producing, radio is always under the gun, which accounts for a lot of the sloppy drama on radio, but it's not the fault of radio, but rather the system.

When it becomes financially possible to give players sufficient rehearsal time, radio acting will improve. That, however, is only part of it. Someday there must be more

(Continued on page 36)

Indie Stations Need Actors With Zip;

Many Legits Are Slow, Poor Readers

By ROBERT L. COTTON

Production Manager and Director, WINS, New York

I won't comment directly on Joseph Julian's article in last week's *VARIETY* but it does remind me of our independent stations peers-in-chief. I often wonder where the major network producers get their opinions with regard to the caliber of artists used on the local independent stations. For, in my many years of directing dramatic programs for Station WINS of the hundreds of dramatics and action shows which have found their way to my office looking for a job, 50% of their introductory stories start with: 'I have been sent to you by Mr. So and So of this or that network.' Who said I should get my experience with your station before he can possibly give me a break?

So, 'So and So' of this or that network, I would like to point out that although we do not pay as much for our dramatic talent as the networks, an inexperienced actor is less valuable to us than he may be to the webs. I must secure topnotch performers because they are required to do much more for me than they are required to do for the networks and, let me tell you, the web stars, they have much less rehearsal time allotted to them. This is because we lack the studio space for rehearsal. We lack an extensive staff for sound effects and also lack an extensive array of sound effect equipment. Most important of all, we haven't the producing and directing staff that the network has. Here in our small station, one producer and director

is So and So' of this or that network. I would like to point out that although we do not pay as much for our dramatic talent as the networks, an inexperienced actor is less valuable to us than he may be to the webs. I must secure topnotch performers because they are required to do much more for me than they are required to do for the networks and, let me tell you, the web stars, they have much less rehearsal time allotted to them. This is because we lack the studio space for rehearsal. We lack an extensive staff for sound effects and also lack an extensive array of sound effect equipment. Most important of all, we haven't the producing and directing staff that the network has. Here in our small station, one producer and director

RADIO IS BRUTAL BUT A CHALLENGE

By JANET LOGAN

Chicago, Jan. 21.

Editor, VARIETY:

So radio ruins actors—well, perhaps it does, some of them. But radio gives opportunities and offers challenges which no sincere actor can question.

It is true that the greatest actor is one who can work without makeup; if it is true that such a man has good material, if his city was in the order of the day and even the Columbia Workshop never succeeded in entirely breaking away from established methods.

A beautifully written or adapted script in the hands of an intelligent director who can pick good actors, then let them develop their parts within the limits of the characterizations, will produce radio drama comparable to its medium, to a first-rate degree.

The very limitations of radio provides a test. Without makeup—without scenery—without the inspiration of a visible audience, the player must develop a living, breathing character.

Dials can be twisted so easily that the drama wherein the acting consists of a few "milk tricks" would soon be in Limbo. The public's not stupid nor too easily fooled.

The mike is brutal, yes. But that same demanding brutality is a challenge.

Very often, the radio actor is called in to audition a role. He is create, develop and bring to life a completely new character. No time to work out background in advance! No time to decide a method of attack! A script is stuck in his hand, and Bang! There's the "milk in front of him." Either the character rings true and the actor develops versatility, or it doesn't. And, sooner or later, after a certain amount of 'doesn't's' he's out.

The Leader:

True, a good author is vitally necessary. And, true, the director is the dominant figure. But, in what business is a leader not required? However, the best of authors and the greatest of directors cannot produce a first-rate show without competent actors.

"Yes, radio is tough." It doesn't have training miles ahead, mood music any more than the theatre had scenery. Radio actors are forced to depend almost entirely upon the one thing that has kept the drama living and will continue to keep it living throughout the ages—they are forced to depend upon imagination!

Because of short rehearsal period there is naturally a tendency on the part of directors to "type cast". There is also a desire on the part of the producer to build a group of actors about him whom he can depend on, whose work he has tested and found satisfactory. This results in sort of stock company set-up, with the producer having a repertoire of such companies. Of course there are recognized as such, actually, and often there is a lapping-over; that is, one actor may be in several groups. Nevertheless you will find certain actors loyal to certain directors and the other way around.

As for the radio station being bad for actors, well, that's what it makes for visibility and quick publicity. After all, there are limitations in the very best actors from any field, on the radio. They may do other characterizations than those best suited to their types of voice, but when they do, their reviews are invariably, "not his or her best work". Artistic stagnation depends on the individual's imagination. His director will give him as wide a range of characterizations as he is able to play. I believe the radio director is much broader minded in his tendency to "type cast" than the motion picture casting director.

COLLEGE BOY FUN STATIONS ACTUALLY DRAW NATIONAL ADVERTISER ATTENTION

Esso, Beechnut, Stanford Ink, Biltmore Hotel, N. Y., on Williams College Campus 'Wired Radio' Outlet—Collegians Make a 'Survey' of Audience

(VARIETY sent a staff reporter to Williams College to investigate the new phenomenon of amateur stations which have come to the fore in recent months. Reporter spent two days looking the situation over. His story follows—Ed.)

By HERB GOLDEN

MILWAUKEE, Jan. 21.—National advertisers are displaying tentative commercial interest in the college boy fun stations now operating on some 10 American campuses, Marshall & Pratt agency on behalf of Esso news programs (strictly college news in this case) is most prominent interested party. Here at Williams College 'commercials' have included a spot campaign for Esso, or chewing gum and packed candy, and for the Sanford Co. of Chicago. For the week before the Christmas vacation, the Hotel Biltmore of N. Y., put on an extensive plug campaign for its Bowman Roomitory. Purely local accounts include Ski House (hotel and bar annex to the Williamsstown Inn), which sponsors the daily airings of ski conditions with 15 minutes of recordings; flock of local restaurants, couple theaters, men's wear shops, film theaters in Williamsstown and all the neighboring towns, and the record shops.

National rate for spot announcements is the only one officially quoted. It's \$2 for either 100 words or one minute, grading down on a frequency basis to \$1.60 per plug if 140 (one a night for the entire school year) are contracted for. Rates otherwise are pretty much catch as catch can.

No License Needed

Requiring no license from the Federal Communications Commission, the college boy radio stations (by wire) are spreading. They now exist at Brown, Harvard, Wesleyan, Cornell, Penn State, Princeton, Pennbrooke (for females only), University of Connecticut, Rhode Island State and Williams. Dartmouth had one and is now making plans to resuscitate it.

Stations vary from the ordinary commercial outfit, that they actually a series of transmitter units wired together. FCC rules require licensed transmitters to keep below strength of 15 microvolts per meter which—translated into English—means they shouldn't be heard beyond about 200 feet. It's thus necessary, because of this short range, to have more than one transmitter to cover an entire campus.

Detailed view of the setup at Williams College is given by this New York staff reporter of VARIETY. The New York staff reporter of VARIETY gives a pretty good idea of the university units in general, although it's probably better run than most. Head man and one of the founders is George Goldberg, 20-year-old senior and son of cartoonist Rube Goldberg. Altogether, 84 of the college's 800 students take one form or another of active part in operation of the ether.

Co-founders of the station last spring with Goldberg, who takes the production manager title, were Al Euriach, technical director, who took a year off between high school and college to make a trip around the world as radio operator with Capt. Bob Bartlett, and Paul Rishelle, the business manager. Euriach is 20 and a sophomore; Rishelle the same age and a junior.

The Bankroll

Finding the college dubious and unwilling to give any financial support to their idea, the trio lined up 21 fellow-students who emptied pockets and drew on allowances to provide a total capital of \$200. Biggest single loan was \$50. None of the coin has been paid back yet, but with the station making a comparative hand-over-lift profit, all of the proceeds not going into additional equipment are put in a sinking fund. Pay-off, plus interest, will begin shortly.

The \$200 worth of equipment of last April has now grown to \$400 worth. Station started with three transmitter units—dormitory and two fraternity houses—wired to its

central studio. It now has the dormitory and six fraternities. Number of stations close enough to the campus are close enough to the transmitters to get reception.

Euriach designed and built most of the equipment. Then he crawled much of the way on his belly through the college heating conduit stringing his wires. Three of the recently-added fraternities are a mile or more from the studio and are connected by leased telephone wire. Station provides entertainment free, but the fraternities pay about \$4 a month each for the lines.

Each of the units, which are tuned in by the students on ordinary radios, has a power output of between one-half and three-quarters of a kilowatt. Euriach is proud of their reliability—the station has only lost 15 minutes of time and that sustaining, since last September.

First thing that Euriach had to decide on was a wave-length. Fiddling around with a powerful receiver quickly revealed that the space between 520 and 650 kilocycles was the best clear channel. Williamsburg and 615 ke was adopted. Just as it assigns no wavelength to the baby outfits, the FCC assigns no call letters. College newspapers quickly took care of that detail, however, by dubbing it WMS. (Mackay Radio has a commercial station beaming to Buenos Aires with the same call letters, but there seem to have been no complaints of interference from the Argentine yet.)

Euriach's central control panel gives him a microphone channel, a volume control, a volume control and a channel for rebroadcasting from a built-in wave receiver. Central transmitter control, record library, machine to cut discs and the studio are all located in a single room about 10 feet square donated by the college above a four-story squash-court building.

Regular Schedule

Station is on the air five days a week, from 11 P.M. to 1 A.M., announced and engineers taking regular shifts. Program is printed in the twice-a-week college paper, despite its squawks that the station is stealing its advertisers away. Goldberg and Rishelle, knowing that the well-established paper would have the college authorities on its side in a battle over ads, nearly ripped any germ of trouble in the bud—they made the editor an executive of their station.

Program listing, incidentally, now carries this note: "Attention—For the very best in fine music you should tune to WMS. This station is happy and thankful to announce that it is not embroiled in the ASCAP-BMI controversy."

Among WMS' special events have been play-by-play broadcast from the games of the annual frosh-soph fight, which includes 100 pants pulling-off; a play-by-play description from West Point of the Williams-Army football game; a by-period summary of the Williams-Amherst game, and a remote on the Will-Bradley oreb from the junior prom, plus interviews from the floor of the female guests.

Extra-First Quiz

Regular weekly program is "What Do You Know," patterned after "I Want to Learn," but with four members of each fraternity taking their turn as the experts. There will finally be eliminations to choose the best-informed student.

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of straight recorded shows, most of them sponsored.

Many of the discs are lent by the stations, though for a mention on the air, although both local stores and the campus are close enough to the transmitters to get reception.

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As soon as he got back, however,

he devised a real survey, sent the

entire personnel of the station on a tour of the fraternities and dormitories to get answers. Results showed 822 students had radios in their rooms. That's a lot more than one per student. The WMS, at least once a week, lists the stations that were playing, while students 101 said 136 "sometimes." Recorded show with spot announcements of what was playing at the film houses was most popular, Esso Reporter next and the "What Do You Know" third.

Funny angle in the battle for advertising with the college newspaper is the pride of the local merchants—particularly a couple Greek restaurateurs—in their shows. They seem to be doing something else while they're listening and wouldn't know a characterization if they heard it because they aren't paying enough attention. That is reserved for the big programs at night!

Ben Hawkins, KFRC producer-actor (15 years stage, vaude): "Certainly it's possible to build character on the air. The best example I know is Jack Kirkwood. Three years ago he was unknown on the air here; as a result of his work on the 'Broadway Club' he has developed into one of the most alert, distinct characters and is doing well at all stations. Nothing but hard work and experience did that."

Jack Kirkwood (with a lifetime in the theatre, being him): "Yeah, radio work and experience—IN THE THEATRE. This bird Joseph Rishelle knows what he is talking about. Radio hasn't developed 10 real actors in its history—all the good ones came from the stage. Radio is worse than the picture business for new actors; all a guy can do is just what the picture business has done for me my entire career. There isn't a chance for a newcomer to start in radio and get anywhere. Joseph knows his oats!"

Washington, Jan. 21.

Nearly 200 additional jobs will be available after July 1 if Congress grants the Federal Communications Commission the \$4,259,729 requested last week by President Roosevelt. Budget for the next fiscal year includes considerable expansion anticipated on account of the defense program, chiefly in connection with monitoring and inspection work.

Net increase of \$283,389 over the total for this year is provided in the President's appropriation requests. Allotment for regular activities is \$138,889, with the emergency fund \$320,000 bigger. Cut of \$75,000 is made by eliminating last year's surplus application for retaining monitoring stations.

Most of the added help will be clerical, but the budget proposes a few more attorneys, inspectors and engineers. Regular force would comprise 539 in Washington and 239 in the field, up 32, with 663 persons; a gain of 158, on the defense payroll. One more head engineer, two associate engineers, and one assistant attorney are to be added to the permanent staff.

Washington, Jan. 21.

Sunkist, which sponsors Hedda Hopper, has mixed her projected trip to Florida to the premiere of "Back Street."

The junket would necessitate plugging oranges from the show's temporary origination there.

Strictly Campus News is handled nightly on the Esso Reporter show.

There are also sports news airings regularly. In addition, of course, with the time of the radio excess to whip up programs limited by a stiff school curriculum, there are plenty

of closed-door in radio acting. Today anybody who can read writing is considered capable of acting on the air—it's still too much like a great big amateur show. When they do it, it's like real drama, with real microphone ability, things will improve. Radio has been made too easy. As for the characterizations developed in strip shows, that's like a stock company; playing the same character daily is equivalent to a long rehearsal so naturally it can be good. Radio acting is developing a character with each new assignment. It can be done now by hard work but it isn't easy while working under the gun."

Radio Tough

(Continued from page 35)

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Paul Speeley, stage, newspaper background: "You can't build much character when you have to shove all your emotions into a tin box. The whole thing is too mechanical. Take an actor who has been reared on a mike, and put him on the stage and he'd be scared to death."

Zella Layne (Dr. Kate, serial): "It's a matter of becoming a top-flight reader more than anything else. The script writer has the best chance. A radio actor hasn't much chance to do anything but do a good job of reading at sight."

Jeanne Bates (NBC actress): "In most radio shows today you're not acting—you're helping to sell a product. Furthermore, in daytime soap operas, they're doing something else while they're listening and wouldn't know a characterization if they heard it because they aren't paying enough attention. That is reserved for the big programs at night."

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Washington, Jan. 21.

SYMPATHIZES, BUT PICTURE TOO BLACK

By HUGH STUDEBAKER

Chicago, Jan. 21.

Editor, VARIETY:

While I'm inclined to sympathize with Julian's viewpoint, I can not agree that the picture is quite as black as he painted it. This is due perhaps to the mellowness—or resignation—if you like—of the 14 years spent in our puzzling and catch-as-catch-can art form. Those 14 years had their bilge beginnings on the corn belt stations, when my partner and I jangled a chain into a microphone, which sometimes worked, and laughed fit to kill at the notion of stations banding together in what they called a network.

We've gone a long way since, wading, developing, that little bag of tricks which are so necessary, trying to bring life and color to the characters daily, including Sundays and holidays. So now we have come to the days of the Corwins and the Obobers. And we find, strangely enough, that out of the ruck something good has been emerging which I sincerely believe will ultimately bring satisfaction to the groping heart of the actor. Considering the field of experimentation in the field of radio, I can't help thinking that a great deal has been achieved. Whether we shall ever capture the high moments of elation for which we love the theatre, so long as it remains necessary to watch the director, listen for sound, and hope to God our pages aren't mixed, I don't profess to know. At least it's a beginning! So we'll go on, trying sincerely to earn a good performance, hoping the Crossley will go up—and all the while enjoying every decent living.

Then too, Mr. Julian, I owe you an apology for thinking that sound effects were really adequate for helping to create a situation. And I further want you to know that I shall do something about it. Every now and then I do a few lines as an aside, set up in a corner of an old sow, used as a rendezvous for a group of spies. Silly, isn't it? Anyway, heretofore, the sound man has taken care of the waves, and the ship's chains. I want you to know that henceforth, I shall insist on a real boat, and ocean to be set up in the studio, and "blow me down, 1811" really be able to get the mood.

You see, I get the idea quickly. When I think how I've let them Staged my Art for the sake of a little money, I say, "Well, what do they think they are?" Who knows but what the soul of a Booth or Barrymore lies beneath this rugged chest of mine. And to think I have been sacrificing this great talent to satisfy a lot of vultures who thought they could buy me with filthy money.

I apologize, Mr. Julian, I apologize.

NAME ACTORS RITZ THE RADIO AS A MEDIUM

By JEANNE JUVELIER

Chicago, Jan. 21.

Editor, VARIETY:

I find that I have a different view on the subject raised on VARIETY's article by Joseph Julian. It seems to me that a versatile actor should have the ability to create his moods and so a lot of the mechanics of the legitimate stage become less vital. On the stage the mechanics such as scenery, clothes and make-up help the actor, but a good actor can create atmosphere by voice, and Radio's medium is voice. True, the voice is not as good as a voice, but it helps in Radio—but if the actor feels his character, his voice gives characterization with the help of pacing and timing.

It is true that off-times the "mike" becomes brutal. It seems to glare at you in its steely coldness and says, "be honest because I won't be fooled."

The only dissatisfaction an actor feels after a radio broadcast is the silence—no human response, no applause. But a fault that I find in so-called "name actors" is that they act like robots. They act like puppets when you have to shove all your emotions into a tin box.

There are a great many competent stage actors who have left the theater and are giving their undivided attention solely to radio.

It is true that radio is an entirely different medium than the theatre. But a great fallacy lies with directors in typing an actor. A versatile actor can do many types of parts which may especially appeal to him.

A good script can be badly handled by a mediocre actor, but a poorly written script has often been helped by a good actor. We actors must be quick on the "up-take," but without actors where would the stage, films and radio be.

John Daly

(Continued from page 34)

imagined radio acting as a pretty important, and more than that, a damn lucrative field of work. I have tried, in various assignments, to interpret the characters honestly, and without too much overacting. I had a vague idea, that inasmuch as the audience couldn't see the actors, that possibly, if I could make the voice be realized, I confess that I hadn't given a thought to how my artistic ability was being cramped. I guess I just thought myself lucky to have the assignment.

And that horrid thing, the Microphone. What a perfectly ducky idea to have a microphone to follow you around. Just imagine being able to snort and bellow from a squatting position, or better still, to make love with beat of a wavy. Certainly it would be much more realistic. I shudder to think of how, once played an old prospector, without first finding myself a cave to live in, and then having the mike installed there.

Then too, Mr. Julian, I owe you an apology for thinking that sound effects were really adequate for helping to create a situation. And I further want you to know that I shall do something about it. Every now and then I do a few lines as an aside, set up in a corner of an old sow, used as a rendezvous for a group of spies. Silly, isn't it? Anyway, heretofore, the sound man has taken care of the waves, and the ship's chains. I want you to know that henceforth, I shall insist on a real boat, and ocean to be set up in the studio, and "blow me down, 1811" really be able to get the mood.

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Gardner's Stag Beer

St. Louis, Jan. 21.

Gardner Advertising Co., here, has been retained by the Greeley-Western Brewery Co., Belleville, Ill., to handle the advertising for Stag beer. Radio billboard and newspaper will be used.

A. W. Neely, v. p. of the agency, will handle the account.

AN ANNUAL REPORT TO ADVERTISERS FROM THE COLUMBIA BROADCASTING SYSTEM

Advertisers invested
more money for CBS
facilities in 1940 than
for *any* other network
... more than was
ever before invested
in any network!

And in 1940, more of the 100
largest U. S. advertisers chose
CBS than any other network

. for the 7th consecutive year!



a turn of the page tells you why ➤

From the Production Centres

IN NEW YORK CITY

Arlene Francis written out of 'Betty and Bob' for two weeks while she makes a business trip to the Coast...Four actors at Broadcast-Sabre-Human Interest are doing double duty this week...Arnold McCall, 'Our Gal Sunday' and 'Flight to the West'; Grace Valentine, 'Stella Dallas' and 'George Washington Slept Here'; William Post, Jr., 'John's Other Wife' and 'Lady in the Dark'; Macdonald Carey, 'Young Widder Brown' and 'Lady in the Dark'; Tom Powers recuperating from appendectomy in Roosevelt hospital...Philadelphia orchestra broadcasts Friday afternoons over WOR-Mutual extended indefinitely...Lois Hall added to Helen Menken's 'Second Husband' cast...Ed McBride started 'Happy Ranger' song series over WINS this week...Daniel Sadenberg succeeded Ray Noble as batonner of the Alec Templeton series...Nick and Pat will guest on 'Show of the Week' next Sunday (26).

J. Ranson and Al Simon will include inspection visits to Radio studios at Radio City, a transmitter, the Long Lines department of Bell Telephone and a chance to participate in an actual broadcast in their course in radio at Long Island University starting next month...Leolu Ebelow, writer at World Broadcasting, is author of a play about astrology, 'Thank Your Stars,' being tried out this week at the Pasadena playhouse...George Hart planned in from the Coast last week to guest on 'Campbell Playhouse'...John Loder, the Zivling fight and new back again Monday (20)...

Edith Menken, Censor of the Coast, 'The Starry Night' (18)...Don Copas is now directing 'Tunnel Highway'...Ann Sawyer, 'Last Date'; Frank Lovejoy, Jean Alen, Carl Eastman and Frances Oliver in the cast of 'It We Meet Again' (formerly 'One Way Passage') being recorded this week for 'Wheaten Playhouse'...Betty Randall replaced Kenny Gardner as vocalist on 'Easy Does It'.

Roger DeKoven replaced DeWitt McBride as narrator of 'Famous Henry Jury Trials'...Ford Bond, 'Stella Dallas' announcer, has turned over his 80-foot cruiser to the Government for patrol use...Raymond Edward Johnson is m.c. of 'Inner Sanctum Mystery'...Course in radio scripting being offered this year at the Writers School, of the League of American Writers...Helen Bergovoy, formerly associated with CBS and the Federal Theatre radio project, is in charge...Jerry Macy and Helen Warren joined 'Man I Married'.

Florence Malone and Wilda Hinkley joined 'Valiant Lady' troupe...Alfred Dixon has started an Experimental Playhouse of the 'Air' series Saturday nights on WOV, using scripts by tyros and recruit actors from various occupations...WOV is one of the few local outlets not having a contract with AFRA...Helen Shields, of 'Amanda of Honeymoon Hill' cast, collaborating with John Boruff on legit play, 'Bright Boy'...Helen Walpole expects to have her new untitled play dealing with the life of Ned Kelly ready for her first play with the life of Huey Long was held by John Goldfarb, while...she already has a third drama in mind...James Fleming, announced on 'Meet the Artist' series, now writing scripts and doing occasional directing job in his off hours...Richard Keith, of the 'Orphans of Divorce' cast, holds a Boxing Commission license as a second.

Ashley Miller, Sonia Yari, Ruth Wallace, Nikita Saunders and Betty Lomax were professionals on the Scophony television demonstration last week...Miss Wallace provided amusement with her lampooning song on the ASCAP-BMI fight...press agent Irving Mansfield handled the affair and says he only made 40¢ on hat tips...the press is like that...Frank Smith of Transamerican theatre part Jim Moore, brother of operatic Grace...Smiths, who were in trade, and Moores, who were entrepreneurs, were next-door neighbors years back in Jelico, Mississippi...Pete Kast had his son boy, Bob Hanon, on WJZ Tuesday at 10:15 p.m....Lillian Olson took back from Hollaway when she visited...Blanche Yurka and took in Don Lee television...Lillian Olson made stage debut of NBC's Bill Kostka, the heir is now down with snake bite.

Maurice Hart, formerly announcer-record player at WMCA, is m.c. of the Beechnut show at WNEW...Peggy Gould did a one-time-on Alexander Leftwich's 'Musical Mysteries' over WINS...Dave Apollen and Jane Pickett guest on Ted Gott's 'So You Think You Know Music' (WEAF)...Don Sullivan has started an 'Oklahoma Cowboy' series on WINS...Richard Waring, of 'The Corn Is Green' cast, guest-interviewee on Martin Weldon's WINS program...Jerry Lawrence, WOR announcer and poetry spinner, is looking for an unidentified chanteuse who's been impersonating him to crash local studios to present program 'ideas'. Situation has caused Lawrence to leave WOR.

Jean Mac has to bid adieu to Righty's 'Cavalcade of America' because of an attack of grippe...Pete Spivy is in case of 'Gone, Doctor'...Peg La Centra, vocalist on the Gulden's series, need a 'date' or a return date at Spivy's roof...Ralph Edwards took his 'Truth and Consequences' show to the Winter Garden last Saturday night (18) as the main entertainment for the 'Hellzapoppin' 1,000th performance party.

AFRA's second annual ball will be held May 9, at the Waldorf-Astoria hotel, N. Y. Betty Gards is chairman of the committee...Peter Van Steeden bought a 17-acre farm at New Canaan, Conn., and Ken Daigneau has purchased a place at Stamford...Leslon Huntley to remain in New York about remodeling 'This Small Town' show, then returns to Chicago...Wyke Williams, in Philly last night (Tuesday) for a Merchants Assn. banquet, originated his broadcast from WIP there...Jerry Danzig to Trenton for the New Jersey gubernatorial inaugural.

IN HOLLYWOOD

Charlie Vanda having the sawbones at Johns Hopkins look him over before he goes into New York for chinning with W. B. Lewis...Murry Brophy, late Coast head of Columbia Management, passing another month in convalescence on the desert before making a new agency affiliation here...Noted in Tom McAvity's baggage as he headed east to be Lord & Thomas radio biggie was a bag of golf clubs...averaging under 80...Friends warning to N. Y. ...Hal Bock called into New York press dept. for confab with his boss, Bill Kostka...Pete Barnum hiked back to New York with a brief case bulging with scripts and recorded shows for a Ruthrauff & Ryan client buying the Bigelow motors. He kept the sponsor under the rose but admitted he had \$7,500 to spend for his new program...Fred Wile in from New York to pack the bag with the Young & Rubicam home guard...Bill Hatch did his first transcontinental piano recital when Fletcher Wiley became ill five minutes before air time...That Lum and Abner deal is hot again, with Ralph Wonders of the Tommy Rockwell forces moving stealthily toward a dotted line ceremony. It would be a half hour show built around the rustling with a singer, band and choral group...Plane schedules being what they are, Eddie Cantor didn't want to take any chances on missing a broadcast so he passed up the inaugural in Washington...Harrison Hollaway had to postpone 16th district meeting of N.A.B. until Carl Haverlin of BMI couldn't get off the ground in New York...C. E. Arney, Neville Miller lieutenant, in town...Tracy Moore booked him for an Ad Club talk.

IN SAN FRANCISCO

Jack McDermott, NBC page boy, has had his original play, 'In the Spring,' accepted for Blue network dramatization on 'Drama Rehearsal'...Henry Christal of Ed Petty here recently...Eric Smith, KYA sports-caster, vacationing in Mexico City...Eric Boden, KYA producer, seriously ill with pneumonia, while station's keyboarder Lee S. Roberts smashed a finger in an auto accident...The Five Edwards on the KYO-Globe have been shifted from 10 p.m. to an earlier 7:15 spot...Line Dollar distributed

Competitive Inspiration

Philadelphia, Jan. 21.
Upping of the power of KYW from 10,000 to 50,000 watts necessitated the changing of WCAU's slogan which had read: 'WCAU—Philadelphia's only 50,000 watt station.' WCAU legend now reads: 'Philadelphia's most powerful station 50,000 watts in all directions.'

(WCAU engineers contend that KYW's power extends in only two directions with 'blind spots' in areas in which WCAU is heard with clarity.) KYW is outlet for NBC-Red; WCAU is local CBS station.

12 STUDES WIN KFRO PRIZES

Longview, Tex., Jan. 21.

A dozen local public school students were given cash awards in the recent essay contest conducted here by station KFRO. Subject was Radio Riches based upon the bulletin of the same name published by the National Association of Broadcasters. Awards were given to the students in a special presentation which the local school superintendent made the awards.

School authorities were so pleased

over the contest conducted by the station that they have already asked the management of KFRO to conduct a similar contest next year in the local schools.

KMOX Man Handles Biz

Detail of St. Louis Opera

St. Louis, Jan. 21.

James C. Douglas, production manager for KMOX has been named to the newly created post of business manager of the St. Louis Grand Opera Association which is readying for a Spring season of five operas: 'La Traviata'; 'Don Giovanni'; 'Mignon', and the double attraction of 'Cavalleria Rusticana' and 'Puccini's 'Turandot'.

The tentative date, the last two weeks of April, is dependent on the availability of obtaining outstanding New York talent. Laszlo Halasz, artistic director, does the casting.

Schubert Incorporates

Albany, N. Y., Jan. 21.

Bernard L. Schubert, Inc., has been chartered to conduct a business and publishing house in Albany, commercial business but can't get the latter until he's 21. Doug Romine, an announcer, needs only one more hour to get a solo permit, while numerous staff members have as many as eight hours aloft. Femme contingent is just as wing-crazy the men.

Ted Brown, organist of WOAI and KONO, has his own plane. Frank Kasai has a pilot's license, though flying hasn't been his major business, but can't get the latter until he's 21. Doug Romine, an announcer, needs only one more hour to get a solo permit, while numerous staff members have as many as eight hours aloft. Femme contingent is just as wing-crazy the men.

New York—Ted Schneider appointed night manager of WHN, succeeding Russ Clancy, who resigned to join Associated Press. Howard LaNoce continues as assistant night manager. Robert Kornheiser, of the program department, takes over Schneider's former duties as assistant to operations manager and Louie Custer of the music department succeeds Kornheiser.

Wolfgang Grube added to the WHN transcription department as special cutting engineer to handle recordings exclusively.

checks equivalent to a week's pay to KSFO staffers as a New Year's bonus.

KROW and KGO aren't particularly pally, being bitter rivals in the Oakland market, but the fact that it happened to be KGO day at the Oakland ad club didn't keep KROW's Scott Weakley from doing his regular man-in-street interviews. Grabbed, of all people, Milt Samuel, KGO-KPO praiser, who didn't mention KGO more than 14 times while the mike was within range...Occasion was KGO's 17th birthday.

Commander Scott's 'Romance of the Highways' on Don Lee for Pacific Greyhound buses started on its fourth year over the web, making it the most continuous transportation commercial on the air. Actually it's five years old, having been on NBC, shifting to Don Lee without a break. Dick Holman of Beaumont, Tex., Holman produced since inception. Show carries on for another year.

A mixed musical group is the sleepy bunch bated by Cy Trobbs on KFRK's early morning Breakfast Club...Boys all have other jobs in widely varying fields...F. Claudio and Herman Reinberg are with San Francisco Symphony, Harry Carlesio blows sax until 3 a. m. in the 'Streets of Paris' style-styled 'loudest club'...Elmer James, bass player, does darkroom work for the U. S. Forest Service.

IN CHICAGO

Art Peterson, radio strip actor and Radio Theatre director, in the hoop for tonsil-yanking...Charles Pennant back to work after siege of flu...Fritz Blocki, who has been press agent for the Oriental theatre, is giving all press, ageing and will devote himself to radio direction exclusively, and is now producing the 'Your Dream Has Come True' show for Qualities...One-Ruthrauff & Ryan...Buckingham Gunn, J. Walter Thompson radio chief in Chi, due for leave of absence due to illness...Hal Tate back from Baltimore where he married Nicki Kaye, either scripter.

• Radio Daffodils •

Boston—When Georgia Mae, yodeling cowgirl, was presented with a gift horse during a broadcast via WBZ recently horse wouldn't give a neigh about the whole proceedings when brought to the mike. A contest will be conducted later to name the horse.

St. Louis—Charley Stockey, CBS farm reporter originating most of his programs from KMOK, has started a move for dialers to raise cotton in window sill boxes and in backyards throughout the nation. After recent broadcast Stockey received approximately 10,000 letters from every state in the union except Delaware asking for more info and the new acid delinted seed. Stockey claims the new seed will hasten germination. Bizarre slant on the mail received is the number of letters from New York—874.

New York—Included in the publicity blurbs from WOR, New York, recently was the following gem, under the heading of Poet's Corner:

"WOR's signal is broadcast properly

Because of chief engineer J. R. Popple."

Milwaukee—A young bridegroom who had just purchased a three-room furniture layout for \$149 in a local outfitting establishment remarked to the salesman as he handed over the down payment:

"This certainly is a great town to buy furniture in. Why, on the radio last night I heard of a place that gives you a set of car license plates free with every car over a certain value."

"Well, the store is here, here are your license plates," said the salesman as he reached under the counter and handed over a package. "You must have been listening to our Home Harmonizers' program on WTMJ."

Detroit—Radios don't have to be fixed up by repairmen so you can get Hitler. That was the ruling here of Judge John D. Watts in the damage suit brought by Leonard Schwartz against H. H. Richardson, a radio repair mechanic. Schwartz sued for damages contending that he had paid Richardson \$100 to set up my radio to hear broadcasts direct from Germany and hear Hitler speak. It still doesn't work.

There are enough good programs in this country for any man's set," Judge Watts ruled. "I find no cause for action."

Salt Lake City—KDVL special events staff under Emerson Smith disheartened these days. Nothing special ever happens except airplane crashes and snow slide catastrophes, all at elevations nearing 10,000 feet and at temperatures definitely sub zero. And usually in the middle of the night.

Troy, N. Y.—'Bundles From Heaven' is a new 15-minute, thrice-weekly program presented over WTRY, Troy, by Cloverleaf Dairy. New babies, whose names, addresses and dates of birth are listed, receive a salute.

Philadelphia—With half of its staff out with gripe, WCAU cancelled two 15-minute programs on Friday night (18) and substituted a half hour discussion by leading medics on cause and cure of the malady.

Philadelphia—With half of its staff out with gripe, WCAU cancelled

BLOCK FETE ON HIS SIXTH ANNIV.

San Antonio, Jan. 21.

Local broadcasters figure they're the most aviation-minded lot in the country. Reason is that this city is in the midst of four major air fields. When the local mike artists aren't on the air they're in it or talking about it.

Ted Brown, organist of WOAI and KONO, has his own plane. Frank Kasai has a pilot's license, though flying hasn't been his major business, but can't get the latter until he's 21. Doug Romine, an announcer, needs only one more hour to get a solo permit, while numerous staff members have as many as eight hours aloft. Femme contingent is just as wing-crazy the men.

New York—Ted Schneider appointed night manager of WHN, succeeding Russ Clancy, who resigned to join Associated Press. Howard LaNoce continues as assistant night manager. Robert Kornheiser, of the program department, takes over Schneider's former duties as assistant to operations manager and Louie Custer of the music department succeeds Kornheiser.

Spieler did the same thing last year, but in a smaller room. Nineteen forty-one's party will be conducted in the Garden Room, much bigger.

As 50,000-Watter WKBW Is CBS Outlet Alone

Buffalo, Jan. 21.

Buffalo Broadcasting Corp., which alternates CBS and Mutual programs on its stations WGR and WKBW, will assign one chain to each station after July 1, when WKBW's new 50 kw. transmitter is to go into operation.

WKBW will be CBS' outlet with Mutual going over on WGR, with one exception. Sundays from 7 to 10 p. m. will be carried on WGR, since sister-station's time is then allotted to Churchill Tabernacle under a 1937 settlement which ended a long court fight.

Kesten's November Trade

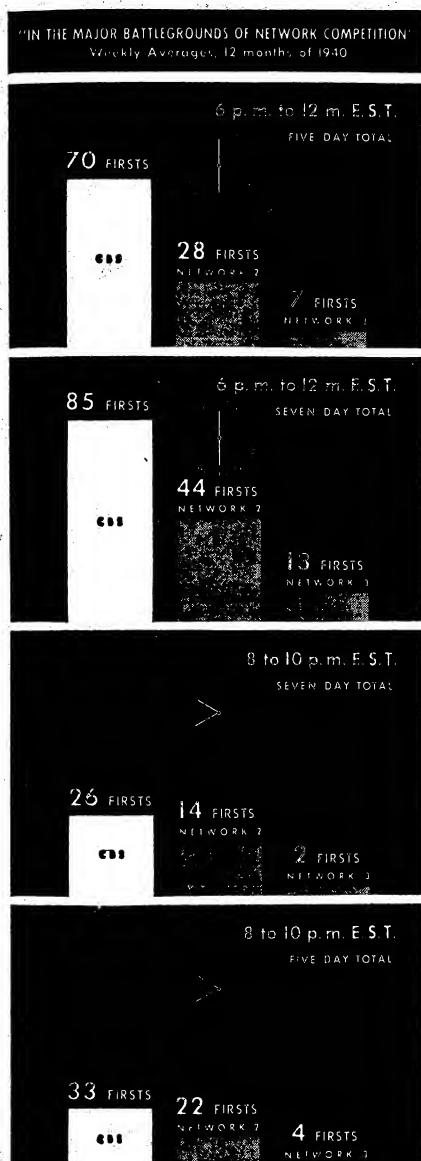
Washington, Jan. 21.

Sizeable chunk of Columbia Broadcasting System \$2.50 per class A common stock was dropped in November by Paul W. Kesten, network vice-pee, and Keewaydin Corp., CBS holding company.

Securities & Exchange Commission's summary of transactions for the month, Kesten sold 700 shares of the papers on Nov. 6, and 57 additional shares two days later. Keewaydin dropped 200 shares on Nov. 1, and 100 shares Nov. 7.

Kesten held 744 shares of the stock at the end of the month, plus 800 shares of \$2.50 per Class B common. The corporation was listed for 4,100 shares Class A, while H. Bayard Swope, New York director, was shown to hold 1,100 shares of the same class papers.

CBS consistently has the strongest schedule in Radio



These charts are based on CAB rated sponsored programs in 1940, and show the average number of quarter hours, each week in 1940, in which each network delivered the largest audience to its clients against all other network competition.

Regular CAB program ratings show CBS with a consistently stronger schedule than any other network in all of 1940. The Columbia Network, against all competition, delivered the largest audiences to its clients, for more program-periods in the entire broadcasting day than any other network. Counting every regularly rated sponsored quarter-hour on all networks, in all of 1940, CBS averaged 161 "firsts" each week against all competition; the next best network had 154; the third network, only 18 "firsts".

CBS leadership is most striking in the major battleground of network competition; in the tensely competitive evening hours. Whether you take the entire evening (6:00 p.m. to 12:00 m.) or just the heart of the evening (8:00 to 10:00 p.m.), CBS wins more "firsts" than the second and third networks combined. The exact evening score is shown in the charts, for all of 1940.

Columbia Broadcasting System
PACE SETTER OF THE NETWORKS



G. E. BUILDING LAVISH TELE LAYOUT

Schenectady, N. Y., Jan. 21. The most completely equipped television unit in the United States is what General Electric Company officials claim the old Edison Club hall, Schenectady, will be when work is completed. It is finished, probably late spring, for W2XBB, John Gilmour, former producer of GE industrial films, has charge of television. Devoted exclusively to telecasting, remodeled structure will embody features not found in any building now used for this purpose, GE men say. A 125-foot antenna, at southwest corner of the property, for relay purposes, is being transmitted from Helldenberg Mountains, will be electrically heated in winter. This is to prevent ice formations which might interfere with perfect operation.

The entire building will be air-conditioned. Main studio will be 72 feet long, 45 feet wide and 18 feet high. All its windows will be blocked off; illumination for the room will be provided by three-phase water-cooled mercury lights. The latter will use the midget cigarette type of lamp recently developed by GE. They will furnish 1,000-foot candle of illumination at any point within the room when televising is under way. This intensity is compared with the 300 to 400 foot of candle power used for modern motion pictures and the 60 to 80 foot of lighted office. A small addition, two stories high on the west side will house the projection and control room. Ground floor will be for staff offices, scenery shop, etc. A large rehearsal room and ample dressing facilities, for both sexes, will be available.

Y. & R's Frisco Office

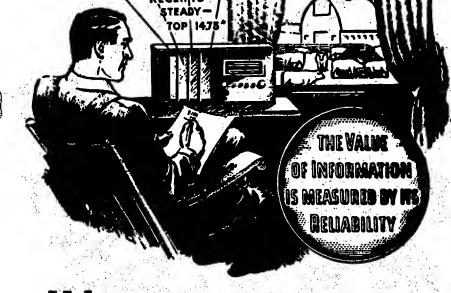
San Francisco, Jan. 21. Young & Rubicam, which had gone as far as taking out a telephone number toward opening an office here, suddenly moved into the Russ building last week, with William Thomas of the New York and Jack Sayers of the Hollywood offices spreading the news.

Desked in the new office here are Robbins Milbank, late of McCann-Erickson, and H. W. von Morpugo, recently director of public relations for the Paraffin Companies, Inc.

Greenwood Acts on 'Cap'

Greenwood, S. C., Jan. 21. Construction starts in 60 days on new station here. Greenwood, Inc., granted FCC permit and spring opening planned. Call letters yet to be assigned.

Power 250 watts, 1,420 k.c.



WHETHER YOU SELL livestock or laundry-soap, it's important to base your marketing decisions on up-to-the-minute information. We consider it our responsibility to see that agencies and advertisers are supplied with the facts that enable them to use spot radio most effectively in any of our markets.

JOHN BLAIR & COMPANY

National Representatives of Radio Stations

NEW YORK • CHICAGO • DETROIT • ST. LOUIS • LOS ANGELES • SAN FRANCISCO

Spots Before Your Ears

Or How to Run a Radio Blurb Factory in the Manner of Alan Kent and Ginger Johnson

Revealed By Their Colleague
EDDIE BIRNBRYER

The Kent-Johnson assembly line of radio one-minute announcements (with music, drama and social form) historically, at the Famous Door, which is 100 W. 52d street, New York City. Austin Johnson of NBC you know, and before that BBM Advertising House. Alan Bradley was with NBC. That large building. Of course you heard:

Pepsi-Cola hits the spot.

Twelve full ounces, that's a lot.

Twice as much for a nickel, too.

Pepsi-Cola is the drink for you.

That's what we mean.

Johnson was, believe it or not, actually attempting to put some personality and verve into remote broadcasts from the garment district about town. He it was who gave the air to "The Music Goes Round and Round" because of which Brothers Riley and Farley are still wandering around in a day asking perfect strangers, "What happened?" Kent was also, at that time, yes-man in an uncommercial capacity. Mister Kent, you will recall, used to kill the people with his perfectly devastating ad lib from the Savoy Ballroom, those golden Saturday afternoons with the late great Chick Webb and his band. He was, and still is, one of the most hep of all the cats and you know in Harlem, at that time, as the Hot Chocolate Club.

Well, Johnson was producing and Kent was managing. There were about to do their first show together. Johnson didn't like the way Kent was preparing to do the show. Kent equally disliked the Johnson method of handling matters. An argument, quite cold and polite in the NBC manner, ensued. By then it was air-time, and well, they tell us that the show was very good. Kent and Johnson each going about things in their own sweet and hot way. It was, they still tell us, a perfect wedding of minds and manners, with the combination masking for a super-show of sorts.

They shook hands after the broadcast, proceeded to a table for a straight seltzer water, a little Scotch on the side, please, and proceeded to talk. By the way, talking is one of their brightest talents, each being vocally equal to most any occasion. The talk turned round to spot broadcasting. In they agreed that spots, as they were presented then, left much to be desired from the standpoint of real entertainment. True, there was only a minute, and any enterprising sponsor liked to hear his product regaled as much as 60 seconds! comfortable, now. But, darn, what did the things have to be so unimaginative? In this they agreed. Well, what to do about it?

Well, one seltzer water led to another, and that last one—isn't it always the case?—led to a firm, staunch partnership. Abercrombie & Fitch, Hammacher & Schlemmer, Lea & Perrin...Kent & Johnson! I have a private hunch they flipped a coin for top billing. Each denies this. The waiter from whom they borrowed the coin affirms, however, "The main thing, though, is that here they were, partners, about to do the same thing upon the unsuspecting one-minute spot business." S.A. It worked.

Of course, that all happened about five years ago. And it only occurred to them about a year and a half ago that maybe they had something there. Since that time they've incorporated and have sold such outstanding accounts as Pepsi-Cola, Ford Used Cars, Ford New Cars, Armour & Co. (the different products, nine), La Palma Cigars, Fuller Paints, Flit, NBC Bread, Bond Bread, My-T-Fine Puddings, General Electric, Esso

Sohio, Beechwood, and, within just the past week, Valpar and O'Sullivan. Oh yes, also that catchy WNEW station-break jingle. So you see, the partnership was hardly a flop. It worked.

And they've worked, too...hard. Using the Kent apartment as their business headquarters, they stage what they call a "blitzkrieg". The word "blitzkrieg" is about the only taint of unoriginality about them, having stemmed from another source. Anyhow, these blitzkriegs consist of getting down to real grim, uncommercial business, knocking out some 50, or maybe 100, one-minute spots a day, doing the whole thing, throwing them away, because they've got up to standard. Kent screaming at Johnson, Johnson screaming at Kent, both screaming at Regina, the corporate hand-maiden. While all this is going on, your humble one with his name at the top of this page, assists, one might even say, insists, on adding to the general din. This he does in view of the fact that he collaborates with Kent and Johnson, both in the dreaming and the screaming. When the stint is finished, come along about three or four in the morning, then it is, one can raise a hand, they have a seltzer water...one double Scotch on the side, please.

Wacky and Incompetent

But it's fun—good fun. Why wouldn't it be fun, the things they do? Refreshing, smart, a different approach on everything they attempt—an unlooked-for twist in spots that has a nation humming and inadvertently singing the praises of practically every product they've undertaken to put to music and words. Some are wacky, others mock serious. Some are downright impertinent...almost all of them have the touch of delightful whimsy about them, putting them way out of this world. Like those Adelphi Armour girls, regarding the slogan of one Peter Pig who can't figure out what to help people until he hears a tenor singing "Armour, Toujours Armour", the answer is obvious. He becomes active vice-president in charge of the excellent Armour & Co. production.

Of course, Kent-Johnson, Inc., hasn't sold everything they've auditioned, but the percentage is high. Don't forget, the boys dip into the realm of comedy, whimsy and what-not, they still pack plenty of good, solid sell into everything they do. Their commercials intelligently condense the process story in a way that not only gets good and commercial balance, but is listenable and powerful, without being super-punchy. Perhaps this is their secret, if they have a secret—the combination of fun and darned good businessmanship—all in one-minute's time. Mention of course should be made of the admirable services of Andrew Jackson Love the third. Oddly enough, his nickname is Andy, and he is laughingly called by his friends, Andy. Mr. Love with this group, the Tune Twisters, and various arguments thereto, sing most of the music at written by the Corporate Body.

So here you have a history of a place that has the radio rogues talking about themselves, this agency. Kent and Johnson do not claim to have originated the musical spot; but, brother, they swung it...they put modern clothes on the kid and made people sit up and listen. Meanwhile, they're at work, writing FDR and Congress regarding a scheme of theirs to add another five seconds to the minute-making 65 in all. Believe me, they could do a half-hour show in that five seconds! Until then, some straight seltzer water, please...and you might take this bottle out and cut it, too.

Frank Jaffe's Ballyhoo For Stepped-Up WIOD

Miami, Jan. 21.

Dedication of WIOD's new 5,000-watt transmitter on Feb. 1 will include a special edition of the Miami Daily News, salutes by transcription made in score of south Florida communities, celebrity programs, newspaper ads, spot announcements, trade paper layouts and mailing to advertisers and agencies.

Each program includes a broadcast of Frank Jaffe, WIOD promotion manager, will culminate with a special dedication ceremony at the transmitter site, on an island in Biscayne Bay.

CHRONICLE EVENS POST

Both Houston Papers Get Boosts for Their Stations

Houston, Jan. 21. KTRH, owned by The Houston Chronicle, has been granted a permit by the Federal Communications Commission to install directional antenna for night use and to increase night power from 1,000 watts to 5,000 watts, on the same wave band, 1290 kilocycles. Construction of a new tower at Deepwater is to be started next week.

KPRC, owned by the Houston same recently increased in power.

TELEVISION SCHOOL IS RAPPED

Washington, Jan. 21.

Another mail-order college specializing in television, radio and motion picture sound equipment maintenance and manufacture, was doghoused recently by the Federal Trade Commission. Respondent—DeFores' Training, Inc., of Chicago—has been making "exaggerated, false and deceptive" representations, Commissar complained, and graduates of the school do not possess "sufficient practical experience to qualify as skilled employees or craftsmen in the radio and television industry."

Promises of "world-wide opportunities" in the electronic field are just a come-on, the FTC pointed out. Frowned on claims of the correspondence school that "scores of men obtain employment through their so-called employment service, or that "because we train men with no previous experience, dealers and distributors are glad to consider advanced students and graduates."

Outfit was given 20 days in which to answer the complaint, before a cease and desist order is issued against them.

Liner on Reef—Rush WJNO

West Palm Beach, Jan. 21.

WJNO took the occasion of the grounding of the liner Manhattan, five miles north of the Palm Beaches, to put on several special event's broadcasts. The station's first move was to charter a boat Sunday night (12) and air an eyewitness description of the big ship. WJNO personnel worked on the job throughout the night, cutting shortwave descriptions of the salvage work being done and these were cleared through quarter-hour broadcast the following morning.

Three additional broadcasts on the event were carried Jan. 13. One broadcast described the first efforts to release the grounded vessel, the second broadcast told of passengers being taken off by Coast Guard life boats. Latter included greetings and comment from some of the passengers. One of these was Mrs. Thomas Meighan anxious to contact her sister, Blanch Ring.

NEW BRIDGEPORT STATION

Bridgeport, Jan. 21.

Harold Thomas and brother Lee Von have bought midtown building to house WNAB, Bridgeport's new independent station due to start puffing in spring.

Having sold its WBRK, Pittsfield, Mass., Harold Thomas will concentrate on WATB, his Shepard affiliate in Waterbury, and WNAB.

Put WUJ at the Top of Your List



Race Hatred-Stirring as Misdemeanor Under Proposed New York State Bill

Albany, N. Y., Jan. 21. An anti-discrimination bill sponsored by Senator Phelps Phelps, Manhattan Democrat, who has done regular stints as a news commentator over WMCA, includes a section making it a misdemeanor to broadcast from any station in New York State or through any transmission mechanism, in any language, statements promoting or advocating hatred, violence or hostility against any group or group of persons because of their race, color or religion. The measure, which also applies to the press, magazines, publications, printed matter, etc., declares the broadcasting of race-religion-inciting material to be a misdemeanor on the part of station or transmitter owners who "knowingly permit the same" as well as on the part of those making it.

Senate Bill 1618 is one of several anti-discrimination bills introduced on the heels of Governor Lehman's recommendation to the Legislature that it prohibit discrimination in employment on account of race, color or creed "in all business affected with a public interest." Last year, the lawmakers passed an act banning discrimination by labor unions and labor organizations. Other bills the state looks for forbid discrimination in civil service, in the public education system and by public utilities.

Seeks Is Aide to Fly

Washington, Jan. 21. Appointment of Robert G. Seeks of Harrisburg, Pa., as assistant to Federal Communications Commission Chairman James Lawrence Fly was announced last Wednesday (15). Was a member of the legal staff of the Tennessee Valley Authority since 1934—except for a period in 1936 and 1937 when he did graduate work at Yale Law School.

Seeks, who assumed his new duties last week, filled a vacancy left by the appointment of Nathan H. David to the FCC's legal staff.

Can't Top Radio

San Antonio, Jan. 21. Welnich Motor Sales, local firm, is bringing Maurice J. Francill, engineer and inventor here for a series of three 30-minute programs to be aired over KABC. Stanzas will be removed from the show windows of the sponsor's establishment.

During the broadcasts, Francill will operate three stock-model Studebakers by radio remote control and "freeze" a man alive in 100° heat and let milk a cow by radio control, operate a miniature magnetic battleship and create cold light by a chemical process.

Public Schools Tie-In With WAKR Kid Quiz

Akron, O., Jan. 21. The quiz kids influence has reached Akron. WAKR, NBC blue outlet, cooperating with public schools, launched a "School Kids Quiz" program here tonight with one of its choice spots given to the effort.

Common Pleas Judge Oscar Hunsicker lined up as master of ceremonies. Four teams of two students each from four schools to make up contestants, with winners entering next week's quiz. Cash prizes of \$25 each week go to teams with \$100 grand prize. Money goes to home and school leagues of winning teams. Youngsters will wear caps and gowns.

Film Hits WKBN, Youngstown

Youngstown, O., Jan. 21. Severely crippled by the flu has been WKBN where announcer Will Douglas is the latest victim to return to work.

Still selling are Pres Warren P. Williamson, Jr., station manager; J. Lothaire Bowden and hostess Theresa Pryor.

Ever-Longer Brief Line

Washington, Jan. 21. Still more radio attorneys were admitted to practice before the Federal Communications Commission recently. With George B. Porter, former assistant general counsel of the Commission, heading the list, six barbers were admitted by the Federal agency. Porter is going into private practice with Andrew G. Haley, who formerly held the same position Porter is leaving.

The other five lawyers are: Corwin R. Lockwood, Washington; Lawrence S. Cos, Rice Lake, Wis.; Saul A. Dumey, Brooklyn, N. Y.; A. Miner, Salt Lake City, and John A. Stobbe, Union, N. J.

WSB FARMER SCHOLARSHIPS

Atlanta, Jan. 21.

Some 20 scholarships to the college of agriculture at the University of Georgia will be given to young farmers of the state under a plan worked out by radio station WSB. In cooperation with the Georgia Bankers Association, two scholarships will be awarded to youthful farmers in each of the state's 10 congressional districts who are unable to finance their way through the specialized short course at the college. Scholarships cover a short farm course in livestock and poultry raising.

Bill France, WSB farm director, is in charge of the awards.

WDBJ's New Tower

Lynchburg, Jan. 21.

Twin transmitting tower to cost \$10,000 will be built by WDBJ, Roanoke. As a result of the power boost to 5 kw. Mast will stand beside one already in use at Colonial Heights, a suburb.

Station is owned and operated by Times-World.

Shepard Promises to End Editorials On Partisan Politics Over WAAB

Embarrassing

Milwaukee, Jan. 21.

Although The Milwaukee Journal has criticized President Roosevelt for his "on order" explanation as to why its commercial FM operations did not start on Jan. 1 as scheduled, the Journal explains that transmitter, tower and other equipment have been ordered, but that it will be several months before its new plant can be completed. Until that time the Federal Communications Commission has given permission for the continuance of the present experimental FM station W9XAO.

Druggists Hoof Under Balloons of WLW-WSAI

Cincinnati, Jan. 21.

WLW-WSAI entertainers and sales promotion men whooped things up at the annual dinner-dance of the Ohio Valley Druggists' Association, Jan. 14 in the Netherland Plaza, attended by more than 400 persons. Guests included other speakers mounted on inflated balloons, ranging from 10 inches to five feet in diameter, and on novelty hats. Four Crosley radios were prizes for a "find your double" contest.

Radio portion of the program was directed by Dick Ruppert, WSAI promotion manager.

Sponsors Margaret Lenhardt

Spokane, Jan. 21.

Two new programs, locally sponsored by Franklin's (apparel) and by Peerless Dentists, released five times a week on station KHQ used Margaret Lenhardt.

She's a recent addition to the KHQ vocal staff. Once with Eddy Duchin.

Washington, Jan. 21. Definite policy that radio stations may not editorialize supports a proposal of legislation laid down Friday (17) by the Federal Communications Commission. Commission renewed the license of WAAB, Yankee Network transmitter at Boston, with a reprimand for political shindig in which the station engaged in 1937 and 1938. Action on the important two-year-old case came after John Shepard, 3rd, web's proxy, promised never again to "edit or editorialize the news received."

Although WAAB is assured of continued operation for the time being, an important hurdle remains before the transmitter can be certain that its privilege will not be yanked permanently. Commission was careful to point out that last week's grant was made without consideration of the question of dual ownership. Fact that Yankee Network, Inc., owns two regional stations in Boston and Worcester (WNAC) raises a serious and troublesome question of policy to which the Commission has given considerable attention and which is presently under consideration in connection with the Commission's investigation into chain broadcasting," it was pointed out. Decision on the point of dual ownership will be reserved by the FCC until such time as it is prepared to consider a more general policy for application on a country-wide basis."

WEBB'S Jaeger Lectures

Buffalo, Jan. 21.

WEBB'S Ellsworth Jaeger going on five-city Canadian lecture tour Feb. 3.

Proceeds will go to Canadian Red Cross.

Dorothy Gardner, formerly employed by WBDM, Chicago, and KMOX, St. Louis, as a press agent is now in New York. Has been in Mexico for past year.

WBT sells from the heart

The very heart of the two Carolinas is the extraordinarily fertile, populated and factored PIEDMONT PLATEAU*. And the heart for selling on this rich 65-county tableland, in turn, is CHARLOTTE—the home of WBT.

Only from Charlotte can you profitably reach and sell this great market of such diversified industry and agriculture that it is named the South's "best balanced" market. Only with WBT, in Charlotte, can you score your best sales results in the Piedmont Plateau. For, right smack in the middle of the Piedmont, for 20 years WBT has been building and maintaining listening audiences with programs that have twice won Variety Showmanship Awards.

As key outlet of CBS in the Carolinas, powered by 50,000 watts, WBT's selling record is so high that 74.5% of its contracts are renewals—signed by spot advertisers who have found that no other single station or group of stations can give them "WBT-coverage-from-within" so necessary to sell the most profitable Carolina market—The Piedmont Plateau.

WBT 50,000 WATTS • CHARLOTTE, PIEDMONT PLATEAU

Owned and operated by the Columbia Broadcasting System.
Represented by Radio Sales, with offices in New York,
Chicago, Detroit, St. Louis, Los Angeles, San Francisco

*The Piedmont Plateau is an unusual tableland comprising 65 of the richest North and South Carolina counties. Here is concentrated Carolina's greatest buying power—over 5,000,000 individuals... including some of the world's largest paying out upwards of \$250,000,000 annually in wages... nearly perfect balance between industry and agriculture. Key Cities: Charlotte, second deal-center of the Piedmont Plateau. Key Radio Stations: 50,000 watt WBT.

Payroll Traffic

Wichita, Kan.—Robert Sullivan, formerly control operator for radio station KFBL, now radio engineer with Continental Airways. Bill Rait, formerly with St. Joseph, Mo., Gaetze, has joined continuity staff of KFBL.

Portland, Ore.—W. Carey Jennings, manager of radio stations KGW, KEX, put through following changes:

Pat Connel, formerly sales manager, becomes national sales manager.

Chester Blomsness, salesman, becomes local sales manager in charge of promoting and servicing local sales. All local salesmen are under his supervision.

H. Q. Cox, production manager, will supervise the script writers, special events and music.

Horace Welch, producer, becomes program director.

Ralph Rogers, formerly, becomes chief announcer.

Saskatoon, Sask.—A. Holmes has taken over publicity for CFQC, Saskatoon.

Marion, O.—Edgar Smith, Upper Sandusky, O., has become radio engineer at WMRN, new Marion, O., station.

Chicago—George Roessler has joined the Chicago office of the Foreman station rep organization. Roessler has been in the national station rep field in Chi for the past seven years.

Pittsburgh—Ray Spencer, from WADC in Akron, O., is the latest addition to WCAE's announcing staff. He replaces Bob Webster, who is assigned to become manager of WCGD, a new radio station in DuBois, Pa.

Youngstown, O.—Annie Lee Stagg has joined WFMJ, Jacksonville, Fla., as director of women's activities. She was formerly with WJAX and WMBR.

New York—Evelyn Lyman, formerly with World Broadcasting System, is now business manager of Sherman & Marquette's radio department.

Salt Lake City—Switches in KSL personnel during past week or so find Earl J. Glade, Jr., former News editor, now taking over responsibilities of chief of the continuity department, and Ted Kimball, former continuity head, assuming newly created post of supervisor. Ruth Clarke has joined KSL staff to handle traffic department, and Ruth Clarke is a newly appointed receptionist.

Ft. Wayne—Vivian Hitchcock has joined WOWO-WGL staff as assistant to Jane Weston, head of WOWO Modern Home Forum.

Regina, Sask.—R. H. Freeland, Winnipeg, has joined the staff of

CGX, Yorkton, Bruce Ogilvie, named secretary to Ruth Lafferty, WCAU assistant manager, replacing Eileen Corr, who moved to Omaha, Neb. Peggy Lowrey, secretary to CKWX, Vancouver. Norman Botterill, assistant manager, CJCA, Edmonton, Alta., has also gone to CKWX.

Philadelphia—Emilie Ruppel, named secretary to Ruth Lafferty, WCAU assistant manager, replacing Eileen Corr, who moved to Omaha, Neb. Peggy Lowrey, secretary to CKWX, Vancouver. Norman Botterill, assistant manager, CJCA, Edmonton, Alta., has also gone to CKWX.

Des Moines, Iowa—Roy Stauffer of the engineering staff of WHIO, 1010, has gone to Wright Field, Dayton, Ohio, as inspector of signal equipment.

New York—Willard Butler, formerly head of local sales traffic for NBC, appointed salesmen in the spot and local sales department.

Peoria, Ill.—Jack Kretzinger, formerly with KGKB, Tyler, Texas, has joined the announcing staff of WMBD, Peoria, Ill.

St. Louis—KMOX has completed a number of personnel shifts. John Harvey of the sales staff appointed St. Louis rep for Radio Sales, Inc., replacing the late John Bohn. Rollie Williams, chief of the production dept., has been shifted to the sales force, filling the position made when Eddie Goldsmith left. Williams is succeeded by James Douglas. J. S. Johnson, promotional director, has been upped to sales service manager.

New Orleans—Walter Williams, news analyst and commentator, left WDSU to join staff of WSMB in similar capacity.

Spartanburg, S. C.—Thad Horton, WBOH-WSFA publicity director.

Detroit—William T. Mishler, who has been with WWJ, Detroit, for the past 13 years, first as an engineer and later as an announcer, has resigned to become the owner of a drug store in Miami Beach.

Regina, Sask.—New addition to the sales staff of CKCK, Regina, is Vic Staples.

Detroit—J. Nelson Stuart has been added to CBS' network sales staff, in this city.

Birmingham—Latest addition to WAPI engineering staff is Dan Hassler, former WPFW city radio station engineer. Bob McGehee, program director of WSGN, has re-

signed to take over station man-

agerial duties at WCBL, Columbus, Miss. Bill Terry moves up to program director and Eugene Plumsted, formerly with WCOV, Montgomery, Ala., joins staff as spiker.

Minneapolis—Brad Robinson, for the past two years Knox-Reeves' N. Y. manager, has become commercial production manager for spot advertising. Pauline Aggett, local office, Russ Neff takes over as production manager for network pro-

grams.

Dallas—Norwell Slater, former radio spiker with KVTO, Tulsa, and WHB, Kansas City, has joined the announcing staff of WFAC-KGKO, Dallas.

Akron—William Egan, former writer man for old Akron Times-Press, has joined staff of WAKR, Akron.

Buffalo—Chet Daly has joined WBEN sales staff. Was with Buffalo Evening News, station's owner, for sales for 15 years.

Longview, Texas—Ted E. Ryan, Jr., has been added to announced staff of KFRO. He comes from KFOM, Temple.

Paul—Long goes from KFRO to KELD, El Dorado, Ark.

Boston—Maury Tompkins, WEI executive, resigned to join 26th Division of Mass. National Guard stationed at Ft. Edwards, Cape Cod, and is now Sergeant Tompkins.

Kansas City—New announcer at KCKN, on the Kansas side, is Glenn Bixby. He replaces Robert Sigh, who resigned to attend the merchandising school of General Motors at Detroit.

Tom Morris goes to the sales staff at KMBC. He's from KMGK, Fort Worth, Texas, and KTUL, Tulsa, Oklahoma.

Boston—J. Bain Thompson leaves WEI as director of food merchandising to become president of Honor Group, Inc., new firm, which will furnish group of wholesale grocers with complete advertising and merchandising program on nationally known brands of foods.

Margaret Kiley, Thompson's former assistant, succeeds.

Little Rock—G. W. Upchurch, engineer at KARK, Little Rock, joins WKPT, Kingsport, Tenn., as chief engineer.

Spartanburg, S. C.—J. W. Kirkpatrick, formerly general manager, WGTC, Greenville, N. C., has joined WORD here as commercial manager.

Louisville—Bob Lehigh and Roy Vogelman, WGRC announcers, have left the station. Lehigh returns to his former position as a WCSC, Charleston, S. C., and Vogelman joining KMBC, Kansas City.

Jack Harrington, WHAS announcer, who left the station for a job in Philadelphia, has returned and joined the WGRC announcing corps.

Lou Reker, for five years salesman at WAVE, has left. Kenneth Meeker takes over job vacated by Harrington.

Pittsburgh—James B. Rock has replaced John A. Holman as manager of KDKA, due to the latter's induction into the U. S. Army, where he holds a major ship. Rock was formerly in charge of technical operations for Westinghouse stations.

Buffalo—Dave Getman exited WBNY spelling staff for publicity job with State Labor Dept.

Boston—Harrison Richmond and Dana Baird have left the WOR sales force to join WLAW, Lawrence, Mass., and are succeeded by Oscar Rusten, formerly with David Mankiel Advertising Agency and previously with Boston American.

New York—Helen Cleaver added to the publicity department of WOR, New York. Formerly with Macfadden.

Saskatoon, Sask.—New members of the CFQC, Saskatoon, staff are Leonard Smith and Del Hansen, announcers and operators. Smith has been a producer at CBL, Toronto, and has toured with a Major Bowes unit in California.

Toledo, O.—Al Ruhfel, assistant continuity writer at WSPD, Toledo, is now producing and writing the script for Jean Bargy's program. They were recently married.

Inside Stuff—Radio

American Federation of Radio Artists has just inaugurated a co-operative plan for optical services similar to the dental plan the union has had in effect for some time. Paid-up members obtaining registration cards at a cost of \$50 may use the service, which involves free optical examination and drastically reduced prices for glasses.

Dental plan established by AFRA some months ago has already been used by several hundred of the union's members. Although no statistics have been compiled as to the exact number using the service, the amounts paid, etc., there have been numerous instances of members being charged amounts under \$20 for extensive dental work, in some cases complicated treatments. Union has also been operating for some months a plan giving its members discounts up to 40% on purchases of many standard articles of merchandise.

Morris Gilbert, of the N. Y. World-Telegram, has resigned to do research for Raymond Gram Swing. He starts his new assignment Monday (27). Stini will not involve any scripting or broadcasting, but be limited entirely to background work. Gilbert is a former foreign correspondent.

Swing, who is currently readying scripts on the commentary for a series of historical shorts of the current world war for Columbia release, recently did the sound track script for a Pathé film review of 1940. Broadcaster has also taken on the assignment of U. S. correspondent for the London Sunday Express and has given up his unsponsored Thursday night WOR-Mutual broadcasts to write the weekly cable.

The National Association of Broadcasters was included by Harriet Elliott, head of the consumer division of the National Defense Advisory Council, among the several groups which have cooperated with the division and have been effective in discouraging the advertising of "junk" food designed to encourage consumers' to make unnecessary or unnecessary heavy purchases. Dean Elliott made this acknowledgement during a broadcast over CBS from a New York hotel where the 41st annual convention of the Consumers' League was being held.

John Reber, while in Hollywood, put a fast quietus on reports that all is not well on the Kraft show. He's here on his first call in two years ostensibly to chin with Danny Danker on a new show for Old Gold. What made it look suspicious to the Music Hall poulvers was the convergence of J. Walter Thompson timbers here simultaneously, which Reber explained could be "accidental." Bing Crosby polished off the rumor by saying that he's as happy on the show as one could be without ASCAP music.

Practically all the theme songs used on daytime commercial serials are in the control of Broadcast Music, Inc., and in making calls called in the India products of such serials and advised them they would not be permitted to make use of original theme music for their shows unless the copyrights were assigned to BMI. BMI's explanation was that so long as BMI controlled the copyright it would assume all obligations in the event of an infringement suit.

Jack Garrison, who has been on the staff of WJR, Detroit, for many years, goes to KMOX, St. Louis, Feb. 1 as the reward for a newscast on which he spent more than 100 hours' research. A pinch-hitter among the newscasters at WJR for some time, Garrison got his big break when he went on the air here Christmas-time with "Words of War," a 15-minute analysis on which he had done plenty. The program attracted wide attention and was instrumental in the receiving of the telephone offer of KMOX.

Pacific Coast is gagging that "monopoly" investigators ought to do something about NBC's Advertising Club landslide on the Coast. Prexy of Seattle Ad club is Hugh Fetis, salesmanager for KOMO-KJR; in Frisco Bill Ryan, KGO-KPO sales chief, is set to become the Club's next president, while in Los Angeles, Tracy Moore, western salesmanager for the Blue, will be new Ad club topper.

Chicago local, AFRA, held a "family party" in Hotel Sherman Saturday night (Jan. 18). Listeners in Chicago area were invited, via Radio Gossip Club (Mutual-WGN), to attend, if they wished to meet their air favorites and spend a pleasant evening, at \$1.10 per ticket. Announced that AFRA local was holding a series of parties and that it was thought one should be open to the public.

Walter Winchell, currently originating from WIOD, Miami, got a scoop last week on grounding of liner Manhattan off Lake Worth, Florida, when captain of U. S. Coast Guard cutter Mojave phoned WIOD studios where Winchell was just winding up his broadcast.

Both WIOD and WQAM broadcast appeal from captain of cutter to his seamen on shore leave to come to vessel at once.

Ed Kobak, v.p. in charge of NBC-blue sales, has designated Saturday morning as meeting time for his sales dept. This replaces the customary Monday morning get-together. New huddle period will make it possible for the sales staff to get going from the start of the new week instead of spending half of that day in mulling problems and prospects.

Young English evacuees broadcasting weekly to their homes in England via WRUL, Boston, are planning to stage a show to raise money for British relief.

Yankee network's giving winter vacances to employees on payroll five years or more. Paid holiday is for a week.

Lively Showmanship Wins Larger Audiences in the INTERMOUNTAIN MARKET FOR KDYL

Representative JOHN BLAIR & COMPANY

The POPULAR Station Salt Lake City

N.B.C. RED NETWORK

THE RADIO WORKSHOP Offers a 15 Week Evening Program of PROFESSIONAL TRAINING FOR

RADIO

REGISTRATIONS NOW BEING ACCEPTED

Classes Begin Week of February 3rd

Professional Working Sections: Radio Writing . . . Radio Production . . . Radio Music . . . Television Programming . . . The Business Side of Radio. Fee: \$30 each class.

The Radio Players: An active production group that affords rehearsal time for radio ideas developed by students, leading to recordings or air time. Fee: \$30. Robert S. Emerson, Dir.

University Broadcasting Studio offers professional control-room practice in direction, use of sound effects, making recordings, etc.

Instructors: EARLE MCGILL, Casting Director, CBS . . . THOMAS H. HUTCHINSON, Television Program Manager, NBC . . . STUART AYERS, staff writer, CBS . . . C. E. MIDGLEY, BBDO . . . H. PHILIP MINIS, YOUNG & RUBICAM . . . RUDOLF SCHRAMM, BMI.

Bulletin V gives full description of above courses. Bulletin B describes weeks intensive Session of 1941 Summer Radio Workshop, July 1-Aug. 1.

Division of General Education

NEW YORK UNIVERSITY

20 Washington Square North New York, N. Y.

Spring 7-2000, Extension 292

Disc Reviews

Johnny Long 'Grew Too Old To Dream'—Shadows on Sand (Decca 8574). "Too Old" is marked as a followup to Long's distinctive arrangement of "Shanty Town." It doesn't lend itself to the band's newly developed style quite so effectively as its predecessor did, but nevertheless it's outstanding. One fault is in including a solo vocal by Bob Houston just prior to band chorals; his deep voice slows it down. Otherwise the tune is briskly played and a good example of what Long is trying to do with a new style. Reverse doesn't quite make up its mind on tempo. A ballad, it's done a bit too fast. It has been cut much better by other bands. Bob Houston vocals.

Bob Chester 'Somebody Stole My Gal'—Chasing Rainbows (Bluebird 10887)

Both sides good. Arrangement of first standard is blessed in its first chorus with exceptionally colored solo and ensemble work, clear trumpet and trombone breaks, two each, riding all around the melody to sock sumptum. Ensemble after Bill Darnell's deep vocal is clean, but a letdown in comparison to the first half. Tempo's medium. Flipover follows almost the same instrumental pattern, but in ballad tempo. Betty Bradley vocals.

Artie Shaw 'YouForgot About Me'—Whispers in Night (Victor 22256).

"Forgot" is best. A good melody it gets benefit of a fine Anita Boyer vocal and clarinet interludes that are outstanding examples of Shaw's ability. Between those points, however, arrangement is simple employing violins, etc. Turnover is similar, too similar in construction though the melody itself rates a nod. Both sides present little to argue with from a critical viewpoint. They're nice, but neither rates raves.

Les Brown 'Let's Be Buddies'—Three at Table for Two (Okeh 8937)

Brown's first sides don't show the band's full capabilities. Both sides could have been better arranged. "Three" in particular. It centers too much around the saxes, throwing the side off balance. Brown uses a curved soprano sax to arrive at a ballad style similar to Glenn Miller's. The section plays as one, but too much is too much. Doris Day's voice is keyed uncomfortably high. "Buddies" is better handled. At medium tempo it rides smoothly and has more color. Miss Day vocals again. Sole solo is on sax.

Eddy Duchin 'Jeannie With the Light Brown Hair'—Did Anyone Call (Columbia 35859)

Profusion of radio plugs on "Jeannie" in the last month or so makes the tune a questionable selection for recording. It's been done under a hundred different disguises. Maybe that was Duchin's reason for cutting. He does it straight, so straight that his band and piano hardly move than background for Tony Leo's vocal, which goes all the way. Very listenless. Flipover is better. Leader's piano gets ample opportunity. Tune is nice. Pickup of June Robbin's vocal is sloppy. She's neat.

Six Hits & Miss 'Ramses'—Karlstad Ball (Okeh 5926).

Clipped phrasing of the Six Hits skipping over "Ramses" results in a pleasurable side. Tune seems to fit group's style perfectly and they make the most of it. Solo midway by the "Miss" backed by vocal ad libbing, is a nice touch. Orchestral background by Perry Botkin band is a great help. Accompanying piece, a polka, is difficult fare for voices which thrive on rhythm. It's not too good although they get away with it without ruining the record as a whole.

Joan Merrill 'Miss Johnson Phoned'—How Did He Look (Bluebird 10896)

Two originals which Miss Merrill has been using on stage and nitery appears for some time stand her in good stead on her record debut. Her voice, full of throaty warmth and an easy style of delivery, interprets the unusual theme of the first tune with ease. Reverse is more melodic. Same comment.

Buddy Clark 'Stars Remain'—Fellow and Girl (Okeh 5938)

Clark is wasting his time on such melodies. He handles both well though neither tune is very melodic or catchy. Comparatively, "Fellow and Girl" is the better fare. "Stars" doesn't show the singer's voice in its best light. Tune is not easy. Reverse is a story in song, an unusual piece.

Toledo.—Louis Emm, recent announcer at WSPD, Toledo, is now on the staff of WLOK, Lima, O., to the 10th Cavalry at Ft. Leavenworth Feb. 4.

Under Cover Airing

Hollywood, Jan. 21. Sneaking a radio show out of town, an offshoot of the film studio practice, may be tried out by J. Walter Thompson agency. Idea, hatched by Scripster Carroll of Kraft Music Hall, is to take the show to a small out-of-town station and have dialects picked at random from a phone book, register their reaction.

John U. Reber, JWT v.p. in charge of radio, is sympathetic to the innovation and may give it a whirl on a show he's now scouting for Old Gold.



By HARRY ZINDER

Jerusalem, Dec. 15. Nazi and Fascist jamming of British foreign language news transmissions directed to this part of the world has put the local Palestine Broadcasting Station in the limelight as the radio broadcasting center of the Near and Middle East. There's French for Syria, Arabic for the Islamic world, Turkish for the Turks, and Greek for the new British allies. Bulletins are scattered throughout six hours of daily broadcasting now put on by the PBS. In addition, an Australian news bulletin run by a young private from down under, gets 15 minutes sandwiched between the children's hours and the Arabic musical programme.

All of these news bulletins have been on the air since given over to actual entertainment broadcasts in Arabic, Hebrew and English, but nobody's squawking because they all realize the importance of getting British news over to the great hinterland of the Middle East to counter Herr Goebbels' and Alifier's German and Italian broadcasts.

Hopes during the last year to put on an extra transmitter to operate parallel with the present one have had to be scrapped because of the war and there doesn't seem much reality before the war's end. Money raised by the British government is being used up on the special news transmissions and for important entertainment broadcasts, such as the month's program for the Arabic Ramadah, holy month for the Moslems, and for the Jewish High Holidays.

Local 'Info, Please'

To an attempt to make the most of what time they have for entertainment, the directors of the PBS have been borrowing ideas from American and British stations. "Info, Please" has its counterpart in a smash 15-minute show called "Who Knows?" with its theme song "You Give Me Ideas." There's no board of experts but guidance called in which tests are played through the pieces by John Riddell, aide-de-camp to the High Commissioner, who is an author, radio dramatist, playwright, photographer and big game hunter. It's caught on quickly and if the PBS went in for commercials that would be the first to be taken up. Then "In Town Tonight" of the BBC is being mimicked with "Around the Town" on the PBS, a special form of interview covering local events and putting on commentaries by such hosts as Lester Pinfar of London, W. Metcalf of Life magazine, and a few of the footloose foreign correspondents coming through.

The Hebrew and Arabic sides have also developed streamlined technique, the former billing a mock "March of Time" show every month and the latter going in for adaptations in their own tongue of classical literature from all countries.

But NEWS with all capitals dominates the scene. PBS officials are tutoring a Persian language announcer for news in Persian and in the backs of their mind they are mulling the idea of a Russian language newcomer in the race of winning Sochi. Local Americans as well are being considered for American news broadcasts when, as and if the Public Information Office here puts out a 15-minute news commentary every Sunday night which

H. Morgan's All-Purpose Form Letter

(The balmy announcer-comedian of WOR, New York, has worked out the following flexible communication to take care of his fan mail, if any.)

February 22d
July 4th
December 25th
WOR
New York City

Friend:
Constant Listener:
Former Friend:
Music Lover:
Faultfinder:

Dear [redacted]

[postcard]
letter

cablegram

carrier-pigeon note

smoke signal

always

never

hardly ever

occasionally

infrequently

entertaining

repulsive

unpardonable

better than dead air

at 71 on the dial

You will be interested to

learn that starting next Monday, the program will not be presented

at 2:30 a.m.

4:00 a.m. Since I do not announce

5:15 a.m.

5:45 a.m.

the titles of the recordings played on the program, I am sending this list of the forthcoming records to a selected group of listeners whom

Monday:

Tuesday:

Wednesday:

Thursday:

Friday:

Henry Ford

Henry Armstrong

Henry VIII

Henry Aldrich

Henry Morgan

WOR
"I'm on the dial"

for brilliant presentation via favorable with Swing, Gunther and Howard Marshall. In addition, special commentators are put on when the news justifies; such as behind the scenes of an American election on the eve of the voting in America; tribute to Neville Chamberlain, the day he died, etc.

New 50,000 Sets

The number of licensed radio sets in the country is reaching the 50,000 mark, which gives the country one radio to every 25 persons and there probably would be a lot more if sets were available. Import of radio machines has been cut down to almost nothing. It's all British and American product. Catering to the owners of the 50,000 sets are two journals, the weekly Jerusalem Radio and the fortnightly Arabic "Hun Al Kuds" (This is Jerusalem).

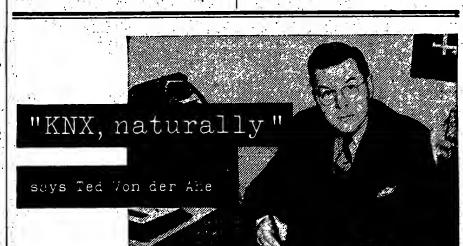
Pledges BMI Aid

Hollywood, Jan. 21. Broadcasters of the 16th NAB district, representing stations in California, Arizona and New Mexico, yesterday (Monday) gave BMI a rousing confidence vote without a dissenting voice among the 100 in attendance. Special meeting was called by district director Harrison Hollaway.

Carl Havelin and C. E. Arney, of BMI and NAB, respectively, left immediately after the session for another meeting in Portland, Ore.

Philadelphia.—Bill Edmonds, formerly of WLIB, Cincinnati, now commanding at WFIL.

Paul Kane has left sales staff of WIP for WFEN.



Everybody in Southern California knows Von's Markets—11 of them with a total of 38 checking stands with 38 registers ringing up California cash in exchange for America's groceries—a jingling robust symphony amplified by what KNX does to food volumes in Southern California and beyond.

"If you were buying a radio program to build your business, which Los Angeles station would you use?"

"KNX, naturally!" was Mr. Von's point-blank reply.

REASONS: Mr. Von der Ahe knows the sales surge that follows the KNX advertising of food products that move onto and off of Von's shelves. Naturally, the station most people listen to in Southern California is the station that does the best selling job.



50,000 WATTS

COLUMBIA STATION FOR ALL SOUTHERN CALIFORNIA

Owned and Operated by the Columbia Broadcasting System • Represented by RADIO SALES

The BASIC

NUED

AND COMPANY

NEW YORK • DETROIT • CHICAGO • SAN FRANCISCO

RADIO STATION REPRESENTATIVES

THE best yardstick for measuring our worth as radio station representatives is the steady progress in the national field of every radio station we represent.

RESULTS COUNT MOST

The average increase during 1939 was 17% over 1938 in business contracted through our office. This year the gain will be even greater.

ASCAP Buys Full-Hr. Parade'

On 2 Outlets; N.Y. Stands Still

Biz around Gotham took a rap last week, with web and national spots remaining at a standstill.

WHN: Zion Kosher Meat Products, "American Jewish Hour," sponsoring quarter-hour period; American Society of Composers, Authors and Publishers, "ASCAP on Parade," one-hour program, once weekly.

WINS: Ward Baking Co., through Sherman K. Ellis & Co., 108 one-minute announcements, two announcements daily, Monday through Saturday; Roxy Theatre and or 20th Century-Fox Film Corp., through Kayton-Spiro Co., "Tall, Dark & Handsome," six 30-word announcements.

WMCA: American Society of Composers, Authors and Publishers, through the Blackstone Co., "ASCAP on Parade," one-hour program weekly, 13-week contract; program to originate at WMCA's Theatre Studio; Music Box-Lyceum Theatres, through Kayton-Spiro Co., spot announcements; Roxy Theatre, through Kayton-Spiro Co., spot announcements; "It Happens on Ice," through Donahue & Co., spot announcements, 13-week contract; Morris Plan Life Insurance Co., through New York Business School, direct, advertising Co., renewal for 50 announcements; Federal Life and Casualty Co., through Huber, Howe & Sons, eight two-minute announcements weekly, 52-week contract; New York Business School, direct, announcements; Committee for Defense of Free Public Education, through Roth Advertising Agency, one 15-minute program weekly, 13-week contract; Ward Baking Co., through Sherman K. Ellis, nine announcements weekly, nine-week contract.

WNEW: Roxy Theatre and or 20th Century-Fox Film Corp., through Kayton-Spiro Co., eight announcements; "It Happens on Ice," through Donahue & Co., Inc., three announcements weekly, 13 weeks; Jewel Incandescent Lamp Co., through Scheck Advertising Agency, 20 announcements weekly for six weeks; Central Dry Cleaning, Inc., (Spokane), through J. M. Morris, Inc., quarter hour on "Make Believe" Ballroom, three times weekly, 13-week contract; Wm. H. Wise Co. ("World's Greatest Books"), through Northwest Radio Advertising, five-minutes E.T. program, six days weekly for one week.

WOR: P. Lorillard Co., through Lennen & Mitchell, renewal, "Lawyer Q," two 15-minute periods weekly, 38-week contract; Philco, Distribu-

tion Co., direct, "Frazier Hunt" quarter hour, three times weekly, 52-week contract; P. Duff & Son, Inc. (cake mixers) through BBDO, participation in "Dear Imogene," one weekly, quarter hour; International Harvester, through Aubrey, Moore & Wallace, 13 one-minute announcements weekly; Adler Shoes for Men, through Consolidated Advertising Agency, Inc., "Hercy Morgan," three announcements weekly; John Wayne, through Wildkirk & Miller, three announcements for one week; Breyer Ice Cream, through McKee & Albright, renewal; Weather Reporters, twice daily, 52-week contract; Foster-Milburn Co., through Street & Finney, Inc., one-minute transcribed announcements, three times weekly, 52-week contract; Kellogg Co., through Kenyon & Eckhardt, daytime station breaks, 13 times weekly, 52-week contract.

Jan. 18 Compared to Jan. 11

Network	Local	National	Total
Units	Units	Spot Units	Units
105	10,610	8,636	19,411
165	10,534	8,641	17,340
	+0.7%	...	+0.4%

* No change.
(Included: WNEW, WXRQ)

BECHNUT CIGARETTE INVades MANHATTAN

Bechnut cigarette (Lorillard) will expand its spot campaign to the New York City area soon. Lennen & Mitchell, agency on the account, is inquiring about program availabilities on N.Y. outlets. The brand was distributed in this area for the first time a couple weeks ago.

Bechnut, the manufacturer's longie, has campaigns running now in Buffalo and Syracuse.

ROCKWOOD CANDY ON WOR

Also: Richmond, Norfolk and Washington Markets

Rockwood Candy has expanded its spot activities to a dozen markets, with WOR, Newark, being the latest buy. Campaign involves the manufacturer's semi-sweet chocolate chunks, "Bits," and the schedule is making a specialty of women's participation programs, although one-minute announcements are being used in a few areas. The WOR contract is for a daily quota of the Martha Deane (Bessie Beatty) program and became effective Jan. 20. Federal is the agency on the account and the other new market is Richmond, Norfolk and Washington.

Another chocolate manuf.: what has gone in for like exposure is Nestle's. The brand is a competitor one to Rockwood's. Cecil & Presbury is the agency.

Gladys Wagstaff Pinney, script writer for KSL, Salt Lake City, had emergency appendectomy.

VARIETY SEATTLE HOLDS ON Local Units Unchanged—Total Shows Fractional Gain

Seattle, Jan. 21. Little change to report here this week. Local units remained at the previous week's level, while other brackets varied only several points. A formal decree filed in Tacoma Friday (17) by Federal Judges Bert E. Haney, Lloyd L. Black and John Bowen, makes official the dismissal, several weeks ago, of the case of ASCAP against the State of Washington.

Jan. 18 Compared to Jan. 11

INFO STANZAS FAVES IN CHI.

Chicago, Jan. 21. Contracts are flowing with good pace across the desks of the local station managers with the trend of the past two years. The new year has brought in factual radio programs continuing undiminished. Especially is this true in the local and spot field which has not yet jumped into the sea of talent expenditures. Price remains such a big factor in this field that programming is restricted almost completely to one-man shows.

WMAA: Richman Bros., renewed 15-minute news period, three times weekly, through McCann-Erickson.

WLS: Duke weather reports and one-minute announcements, five days weekly, through W. M. Esty: Friday Magazine, one-minute announcements five days weekly, through H. C. Morris: Romanoff Caviar Co., series of 26 announcements.

WENR: Williamson and French, 30 minutes; McDonald's, 15 minutes; H. H. & McDonald: Bayuk Cigar Co., announcement twice weekly, through Ivey & Ellington.

WIND: Lewis Motor Sales, one-minute announcement, six times weekly, through Robert Kahn: Windsor Park Laundry, 15 minutes, three times weekly, through Robert Kahn: Dr. Pierce Medicines, 12 announcements per day, seven days weekly, through H. H. & McDonald.

WIS: Consolidated Aircraft Co., six announcements weekly, through E. H. Brown: Indiana State Bottling Co., 42 announcements for Pepsi-Cola, Cousin's, Inc., five-minute news period six days weekly and six 30-word announcements on Sundays.

WLS: P. Lorillard Co., 15-minute news period with Julian Bentley, six days weekly for United Leader and Bechnut tobacco, through Lennen & Mitchell.

WGN: Morris Mills Flour, station break announcement, three times weekly, through Sehl agency; Gordon Baking Co., five-minute paid sit times weekly, through Barton E. Stebbins: Consolidated Cigar Co., four announcements weekly, through H. H. & McDonald: 15 minutes, four times weekly, through Erwin, Wasey: Willard Tablet Co., five-minute period three times weekly, through First United Broadcasters; Dr. W. B. Caldwell Co., extending "Deacon" show to full 15 minutes six days weekly, through Sherman & Marquette.

WWD: General Furniture Co., 60-minute period six days weekly, through Illinois agency; Conti Products Co., 24 announcements weekly, through Birmingham Castlemare & Pierce; Reid, Murdoch Co., two 50-word announcements weekly, through Rogers & Smith.

WBKB: Ward Baking Co., time signal announcements six days weekly, through Sherman K. Ellis: Turner Bros. Cleaning, time signal announcement six days weekly, through Harold Collier: Beatrice Creameries, time signal announcement, three days weekly, through Lord & Thomas; Lever Bros. for Silver Dust, time signal announcement, twice weekly, through BBDO: Willys-Illinois Co., 15-minute period one weekly, through Belmont agency; Morris B. Sachs, 15-minutes period three days weekly, through Wade agency.

Jan. 18 Compared to Jan. 11

NATIONAL SPOT DROPPED 16% IN SAN ANTONIO

San Antonio, Jan. 21. National spot spurted ahead 16.1% during the past week, with other departments either on a slight increase or holding their own. Biggest buyer of local time have been the three local Chevrolet dealers who have joined together and placed a total of 200 spots in announcements each on several of the stations.

WOAL: Texas Builders Service, through J. H. Scholl, one announcement per week for 13 weeks; renewal from Handy-Andy, seven announcements per week for one year; renewal from Frosts Bros. Store, quarter-hour weekly studio show, "So You Think You Know About Fashion," directed by Ruthie Bean, through Ball & Davidson, five announcements per week; Dr. Salisbury's Laboratories, through N. A. Winter Adv. Agency, three announcements per week.

KABC: Dundee Clothiers, 10 spot announcements per day for one year; renewal from San Antonio Health Clinic, three five-minute programs the first two years; S. S. of North Dakota, two spot announcements per week; San Antonio Chevrolet Dealers, 50-word announcements per week; Richbooks Department Store, two daily participating announcements; four additional quarter-hours to the Davila Glass Works for their Mexican Commercial Hour; Ambassador Bill, quarter-hour participating program, with Bill Fields; Millers Cereal, with Bill Fields; Millers Cereal audience giveaway program twice weekly for a quarter-hour.

KMAC: Renewal from the Aztec Furniture Co., for the third year sponsorship of the Amateur Hour, with Tony Besson as m.c.

KONO: Alamo Venetian Blind Co., one spot per day; Nano Drug Stores and Winn Stores, doubling of their present spot announcements for specific days; 15-second ads; Gandy & Carter Printing Co., quarter-hour studio show each Sunday; Aldridge Nursery, three 100-word announcements per day; San Antonio Chevrolet Dealers, a total of 200 spot announcements.

Jan. 18 Compared to Jan. 11

Wednesday, January 22, 1941

LIMA A Fort Industry Market

AN IDEAL "TEST TOWN"

Because

LIMA

is an average American small city. Its capital is diversified, invested in numerous types of industries and businesses. Its transportation facilities are abundant. Agriculture in its county thrives.

It is an ideal "Test Town" for national advertisers seeking a market to try out their new campaign. And

WLOK is an ideal medium, for it is the most-listened-to station in the area; its audience is attentive and loyal. Try it in "Test Town."

San Francisco, Jan. 21. Heaviest day of basketball scheduling in Coast history being undertaken by Tidewater Association, with 109 airings slated. Broadcasts have 45 Friars Bay Region clashes going out over KROW, Oakland, and KQW, San Jose, with Dog Montell and Martin Hill milking. In Southern California, the cagers are underwriting 23 games via KFWB with Frank Brinkley.

Pacific Northwest players go out over KRCG, Seattle, KWJB, Portland; KRLC, Lewiston, and KFIO, Spokane, through the eyes of Ted Bell, Marshall Pengra, Jack Shaw and Rod Kilse.

SPONSOR BASKETBALL ON PACIFIC SLOPE

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WLOK WICHITA, KAN.

The O'NEILLS

By JANE WEST

NOW RADIO'S MOST POPULAR
FAMILY BRINGS YOU MORE

LAUGHTER TEARS AND HEART-THROBS

Presented by Ivory Soap 99¢ 100% pure

LISTEN TWICE DAILY

NBC Red Network, 12:15 to 12:30 P.M., EST

IN 6:30 P.M.—15:30-CBS

COAST TO COAST

DR. COMPTON ADVERTISING AGENCY

MOT. ED. WOLF—RKO BLDG., NEW YORK CITY

Internat'l Harvester Buys Farm Journal on KSFQ; Frisco Good

San Francisco, Jan. 21. KSFQ has snared a couple of commercials for Bill Adams' Farm Journal which opens the station daily at 5:30 a.m. Participations in the rural special placed by Fletcher Udall agency include International Harvester, plugging tractors, and J. R. Rosaling Co., for cattle feed. Both are five-a-week spots. Station also started spinning Fraser Hunt's Philco discs three quarters-hour, with five-minute cutins of local news.

Sale of a sportshow to Buffalo beer last week aroused the interest of Rainier Brewery, which this week picked up "The Almanac" with Eddie King. Six more spots on KOQ at 1 p.m. Gives NBC three new sponsors (other being Regal Amber with Herb Caen), with a fourth nibbling: Buchanan & Co. agent for Rainier.

U. S. Royal Master Tires has bought a Sunday half-hour on KOQ at 4:30 p.m. titled "The Almanac," a Hal Wolf news narration with transcribed music which kicked off Sunday (10).

With four commercials saluted down in a week, NBC sales staff is beginning to believe its own publicity.

KROW turned up a 13-week renewal of thrice-weekly 5-minute discs for North American Accident Insurance, with claim it's due to "program returns at less than the expected cost-per-inquiry." Franklin Bruck agent.

KPO: Buffalo Brewing Co., Sacramento (beer), through Ewing-Kelley, three five-minute sportcasts weekly, 13 weeks; J. C. Penney, N. Y. (department store), through Pedlar & Ryan, five quarter-hours weekly, one year. Adopted Daughter agency, W. H. H. & Co. & Co., N. Y. (books), through North-West Radio, six participations. Musical Clock: Friday Magazine, through H. C. Morris, 15 spots; Arthur S. Clippinger (English course), through Fletcher S. Udall, one quarter-hour; National Funding Corp. (loans), through Smith & Bull, L. A. 209, 10 spots; newscasts, The Thursday Kilpatrick, Salter, through Emil Reinhard, 91 spots (reduced); Campbell's Cereal (Malted Meal), through H. W. Kastor, 65 spots.

KGO: Rainier Brewing Co. (beer), through Buchanan & Co., L. A. six quarters-hour weekly, six weeks (news); Friday Magazine, through H. C. Morris, 18, nine spots; Cook Products Corp. (salad dressing) through Ruffo, Rizzo, three quarter-hours weekly, 13 weeks; Twinwood Headliners' E. Fogura & Co. (Vapex), through Small & Seiffer, 39 spots.

Jan. 18 Compared to Jan. 11

Network	Local	National	Total
Units	Units	Spots	Units
Network	6,691	3,216	1,974
Units	10,761	11,113	1,894
-0.7%	+1.4%	+4.2%	+0.7%
(Included):	KFRC, KGO, KJBC, KFO		

Mahdeen Hair Tonic
Has Dallas Quizzer

Dallas, Jan. 21. Three Strikes and You're Out, new quiz show with a baseball format, was inaugurated last week on KGKO. Program is sponsored by the Mahdeen Hair Tonic & Shampoo, the program is broadcast from Dallas auditorium.

Uses two teams of five persons each with a pitcher asking the questions and Larry Rhodes as umpire. Winning team receives \$20 in cash and the privilege to appear on each successive show until it loses.

DES MOINES FEEBLE

All Categories Anemic—Local Blis
Or 10%

Des Moines, Jan. 21. Business was generally slow here the past week, with local units suffering the most severe trimming.

Jan. 18 Compared to Jan. 11

Network	Local	National	Total
Units	Units	Spots	Units
Network	6,677	2,557	2,844
Units	6,696	2,865	2,921
-0.6%	-10.8%	-2.6%	-2.4%
(Included):	KERN, KSO, WHO		

WDYX, Minneapolis, has exclusive weather bureau pick-up with M. R. Hovey, U.S. weather forecaster, broadcasting daily for five minutes at 10:40 a.m.

WINTER TIME MEDICALS AT WLAC, NASHVILLE

Nashville, Tenn., Jan. 21. Renewals and spot business signed recently by WLAC here include a Broma Solzter contract with time not set. Other contracts include the following:

Dr. Caldwell's Syrup—Three daily one-minute spots, through Sherman & Marquette, Chicago.

Ex-Lax—One-minute daily spot through Joseph Katz agency, Baltimore.

Dr. Peter's Little Liver Pill—One-minute daily spots through Street & Finney.

Four-Way Tablets—One or two spots daily, through the Kastor agency.

Smith Brothers Cough Drops—Half-minute spots daily through the J. D. Tarcher agency.

Snowdrop—Four daily half-minute spots through the Farmer agency.

Vicks Vapo-Cold—Three days a week of the Old 'Dirt Doctor' program, through Tarcher.

Hudepohl Harmonies—Six-weekly 15-minute musical show, has been renewed for four more weeks by Hudepohl Brewing.

Denver National Spot

Sprints Ahead 15%

Denver, Jan. 21. The American National Bank has renewed the sponsorship of the Fulton Lewis, Jr. news by signing for another year, five times a week.

KFEL: American National Bank, through Raymond Keane agency, 260 quarter-hours; Antlers' Athletic Association, 20 announcements; Brookside Park, Daingerfield, 13 spots; Broyles agency, 52 spots; Willard B. Johnson, half-hour religious program, every Sunday, six months; announcement service to Advance Vulcanizing Equipment Co., Insul-Fluff Insulation Co., Utah Loan Office, Bulova Hardware Co., Teljon Store, Palmer Bedding Co., Ray's Market, Vans' Service Station, W. E. Ivens' Service Station, W. E. Ivenshart Fun Co., D. B. Barnett Co., Airport Cafe, Harsell's Grocery and Market, Telephone Secretarial Service, and the Derby Lumber Co.

KLZ: Frumes Jewelry Co., through Robertson agency, five announcements each weekday and two every Sunday; one year. Kellogg Co., through Mayron Dickerson agency, 130 spots; Blue Club, 13 spots; Korts-Lee, through Ted Levy agency, two time signals Sundays and three weekdays; one year. File Service Station, 26 announcements.

KOA: Martin Bros., through R. Y. Reaves agency, three announcements weekly, one year. Morton's Apparel Shop, through Alberta Pike agency, three—minutes weekly, 26 weeks; Optical Co., through George W. International, seven announcements weekly, 13 weeks; Red Dot Oil Co., through Ted Levy agency.

Jan. 18 Compared to Jan. 11

Network	Local	National	Total
Units	Units	Spots	Units
Network	10,691	3,216	1,974
Units	10,761	11,113	1,894
-0.7%	+1.4%	+4.2%	+0.7%
(Included):	KFRC, KGO, KJBC, KFO		

Fireman vs. Cops Twist

Tire Firm Sponsors Quiz Stunt On WWSW, Pittsburgh

Pittsburgh, Jan. 21. New quiz show has just been sold to U. S. Rubber Co. by WWSW through company's local distributor, McFarland & Co. Called "Fireman vs. Cops," it will be aired for half hour every Friday night for next 13 weeks from stage of Warner's Enright theatre in East Liberty. Show is to be produced and directed by Edwin Brown and will be handled by two of WWSW's announcers, Walt Fraher and Johnny Davis, as m.c.'s.

Idea of program is "competition with a civic flavor." First show paired off teams of police officers with group of firemen and succeeded in pulling all square off other natural rivals in public service, business and civic life. "Put and Take" label refers to which in sponsor will put and take so much dough from each team according to ability to answer questions submitted by listeners, for which cash prizes will be given.

KDKA Local % Up

Pittsburgh, Jan. 21. Local biz was responsible for more than half of the total sales increase which made 1940 biggest year in Westinghouse station KDKA's history, W. E. Jackson, sales manager, announced here last week.

At present the station has normally derived only about one-fourth of its income from local sales.

USUAL JANUARY SLUMP GRIPS BALTO

Baltimore, Jan. 21. Traditional January drop still being felt here in network and national spot count. Although noted by all stations, contrasting figures point to some improvement over same period last year.

WBAL: International Harvester, through Aubrey, Moore & Wallace, 260 half-hour spots; Englehardt Inc., 90 one-minute announcements via H. W. Kastor; Maryland Pharmaceutical Co., through Jos. Katz, 22 spots; Carnation Co., through Ervin, Wasey, 156 quarter-hour programs (Arthur Godfrey); White Laboratories (Chooz), through Wm. Esty, 52 100-word spots.

WCBS: Rev. Otis B. Read, evangelist, bought half-hour Sat. nights till

list, bought 100-word Sat. nights till

WBBM: WBBM-TV (Chicago's NBC-TV)

Jan. 18 Compared to Jan. 11

Network	Local	National	Total
Units	Units	Spots	Units
Network	8,595	4,429	1,289
Units	8,960	4,350	1,398
-4.1%	+1.8%	+7.8%	+2.7%
(Included):	WBAL, WCAO, WCBM		

Little Crow On

Minneapolis, Jan. 21. Little Crow Milling company of Wasey, Ind., has renewed its contract with WDGY. Program is Unusual Animal Pictures' on the station's "Farmyard Follies." It is placed by the Rogers & Smith agency, Chicago.

H. C. Mavis, New York, has contracted with the same station for "Princes Pat Lipstone" announcements on newscasting two days a week.

Active National Spot Accounts

(According to Reports from VARIETY'S 'Radio

Market Cities')

Account

Agency

Time Purchases

American Chicle (Dentyne), Badger & Browning, Announcements

Air Metal Works (Ronson), Lighters, Cecil & Presby, Announcements

Blue Ribbon Books, Northwest Radio, Participations

Bulova Watch Co., Blow Co., Time Signals

Bunco Bros. (candy), Presba, Fellers & Presba, Announcements

Calvo Growers, Lord & Thomas, Participations

Carnation Co., Erwin, Wasey, 1/4 Hours

Chrysler Corp. (Plymouth), Stirling Getchell, Spots

Clicquot Club Beverages, Schwimmer & Scott, Announcements

Denial Dental Plate Cleanser, Rufus Rhoades, Spots

Ex-Lax, Joseph Katz, Announcements

Flemex Cough Remedy, Klinger Adv., Announcements

Friday Magazine, H. C. Morris, Announcements

Industrial Training Institute, James R. Lunke, 4 Hours

Lever Bros., Young & Rubicam, Announcements

Lever Bros. (Spry), Josephine & Ryan, Time Signals

McNeil-Rogow, Nell Rogow, 1/4 Hour News

Marin Firearms (motor cycles), Craven & Hedrick, Announcements

North American American Insurance, Franklin Bruck, 1/4 Hours

Presba, Fellers & Presba, Participations

Oison Rug Co., Hays MacFarland, Announcements

Omar, Inc., E. T. Howard, Participations

P.O.N. Bee, Brischer, Davis, News & Jingles

Phillips Petroleum Co., Newell-Emmett, Announcements

Lambert & Feasley, Erwin, Wasey, Announcements

Lydia Pinkham Medicine Co., Joseph Katz, Announcements

Popular Science Magazine, Blow Co., Announcements

Postal Telegraph, Jonathan K. Ellis, 5-Mins.

Quaker Oats Co., Feder, Adv., Participations

Sonotone (hearing aid), M. E. Harlan, Announcements

Southern Pacific RR, Rufus Rhoades, Spots

Standard Oil of Calif., Stack-Goble, Time Signals

Tums, Calkins & Holden, Participations

Van Camp's, Inc., H. W. Kastor, Announcements

White Labs (Chooz), White Labs, Announcements

DEPARTMENT STORES BUYING RADIO TIME LAST WEEK

Store

City

Time Purchases

Broadway Dept. Store, Denver, Announcements

City of Paris Dept. Store, San Francisco, 10-Mins.

Hearst Dept. Store, New York City, Full Hours

O'Connor-Moffatt, Dept. Store, San Francisco, Announcements

L.A. Brackets Suffer Hard Body

Blows; National Spot Drops 12%

FARM SHOW OF WXYZ SOLD TO LORILLARD

Detroit, Jan. 21.

The Farm Market Reporter, 15 minutes daily of farm news, market reports and appropriate matter, has been sold to Lorillard Tobacco Co. by the Michigan Radio Network under sponsorship of P. Lorillard & Son.

The program goes five days a week, Monday through Friday, from 12:15 to 12:30, with George Bouteille, manager of the Michigan Livestock Association, a market specialist and John Slagle, announcer on WXYZ, where the program originates. The Haylett Syndicate, under direction of Pete Angel, Contact, runs through April 4.

Dealer Serenading

Minneapolis, Jan. 21.

In a campaign to generate good will among Minneapolis grocers and sell them on WCCO talent and programs, the station put on a promotion stunt last Wednesday, which proved successful; that's due to become an annual affair. It was called "The WCCO Gourmet Party," and drew an audience of 450 members of the Minneapolis Retail Grocers' Association and their wives.

Studio tours opened the show, followed by a manual of sound effects demonstration, 15 minutes of gagging and comedy by Cleelan Card, the announcer, and a half-hour broadcast in WCCO's auditorium studio. Part of the show aired was music by the WCCO star orchestra, chorus and vocalists and special Kit Kat Quiz conducted by Harry Cavarino, Saturday morning Open House (WCCO 9:15-10 a.m., Saturday).

A similar party for Twin City Retail Druggists association is scheduled for Jan. 22. St. Paul grocers will be guests at a broadcast and party next month. Grocers especially liked the chance to speak into the mike during the quiz.

Jan. 18 Compared to Jan. 11

Network	Local	National	Total
Units	Units	Spots	Units
Network	13,071	8,524	1,508
Units	13,200	8,762	1,722
-1.0%	+2.7%	+12.4%	+2.8%
(Included):	KEGA, WFB, WWD, WJBK, KNX		

WRIGLEY BUYS 2,100 BLURBS

Wrigley Gum rates so far as the No. 1 buyer of spot announcements for 1941. It's buying a package of 2,100 announcements on stations in the Midwest, the plan calling for over 52 weeks, the rate of five to eight a day. Vanderbeek & Rubens, of Chicago, is the agency.

Gum manufacturer is also considering expanding the Gene Autry program on CBS Sunday nights from a half to three-quarters of an hour.

DETROIT SEEWS

Losses Cancel Gains—Defense Dough Liffs Local

Detroit, Jan. 21.

Network time continued to show an impressive skid here, although odd enough that eight of the four stations in this category held their own, while one marked up the decided drop.

Picture is also muddied up on the local units, which reflects a standstill, although three of the six stations showed healthy gains, offset by the sluggishness elsewhere. Local business still continues to line up well, indicative of the growing boom in advertising, which is starting to reflect the early benefits of the heavy defense spending in these parts. National spot began to edge upward again, showing its greater pace in two of the stations, but with only one exception, all benefiting.

Jan. 18 Compared to Jan. 11

Network	Local	National	Total
Units	Units	Spots	Units
Network	9,440	11,597	4,003
Units	9,780	11,583	4,060
-3.5%	+0.1%	+0.8%	-1.2%
(Included):	CKLW, WJBK, WJR, WNBC, WXYZ		

N.Y. Public Library in Possession Of Rare Mapelson Discs of 1890's

For the past two years some of the rarest records in the world have been in the possession of Philip Miller of the N.Y. Public Library, with the understanding that the recordings will eventually be released commercially, but thus far nothing has been done with them. The records are part of a famous collection, recorded in the late 1890's by Lionel Mapelson, former librarian of the Met, during actual performances at the house.

Among the recordings are the duet finale from "Tristan and Isolde" sung by Jean De Reszke and Lillian Nordica. The first named is considered by many to have been the greatest tenor who ever lived, and he never recorded commercially. Only De Reszke's record in existence is a poor reproduction from the Mapelson collection which leaves the actual voice mostly to the imagination. This record is sufficiently good to let anyone hear the voice.

Other recordings are understood to include "Pol Plancon," Edouard De Reszke, Sophie Scalzi, Lilli Lehmann etc. The records were given to the Library with the understanding that they were to be re-recorded ("They are cylinders"), and to be issued at a price to make them available to anyone desirous of owning them.

PHIL SPITALNY'S BUFF PARADE PARTICIPATION

Buffalo, Jan. 21. Musicians' local band, under 40 crews, including Phil Spitalny here for theater date, for annual "parade of bands" Feb. 4 in Memorial Aud. Benefit of sick fund.

PLAY

The First 1941 Hits From Hollywood!

WISHFUL THINKING • HELLO MA! I DONE IT AGAIN

both songs by Leo Robin and Ralph Rainger from the 20th Century-Fox film "Tall, Dark And Handsome."

Released This Week On All Records!

ROBBINS MUSIC CORPORATION 799 Seventh Ave., New York

MURRAY BAKER, Gen. Pres., Mgr.
LEO TALENT, Prof. Mgr.

ALTERNATE ORCHESTRAS

Divide: Grind, Spread The Work At Burlesque House

Philadelphia, Jan. 21.

The Musicians Union here is experimenting with a "share-the-work" plan at the Troc, a burlesque house. If it works out, the idea may be applied to other spots.

Because playing the five hour double matinees and night shows is a killing grind, the union has placed two orchestras in the house instead of the single outfit that played both shows.

The crews play the night and afternoon shows on alternate weeks and split the pay checks. In this way 14 men have been put to work instead of seven.

Oberstein Disc Maze Looks Likely to Come Out Via Reorganization

U.S. Record Corp., which fled a petition for reorganization in the N.Y. federal court Sept. 5, 1940, finally looks like it will come out of the maze it has been in since that date.

At a hearing before referee Irvin Lurie, the court's receiver, yesterday (12), the court was told that the difficulties with the Scranton Record Corp., manufacturers of the masters from which the records were pressed, are finally being solved.

On Friday (24) a plan of reorganization will be submitted to the referee which will consist of either having a new company take over all the assets of U.S. Record Corp., or the expense of reorganization, and a percentage of the new company's capital will be brought into the present company and a similar offer will be made to creditors. Eli E. Oberstein, president of U.S. Record Corp., has agreed to stand by and to stay with the company.

Referee Kurtz stated that if he considers the plan submitted a good one, he will approve it, and send it to Judge Vincent L. Leibell, who will call a meeting of creditors to consider it. These creditors will then decide on it before the referee, and it will then go back to the judge for his approval.

U.S. Record Corp., in its settlement with the Scranton Record plant, to create a new pressing plant in N.Y. or in the nearby vicinity and to dispense with using Scranton altogether. It is also planned to abandon the names of "Varsity" and "Royale," which are being used by U.S. Record and to adopt new names for the recording released.

It was also learned that U.S. Record is experimenting with a new plastic material for recordings which would make them unbreakable and long life. It would be totally dissimilar from anything ever placed on the market before.

MILT GABLER'S CONCERTS

Milt Gabler, operator of the Commodore Music Shops, New York, began a weekly series of jazz concerts Sunday (1) at 6 p.m. admission: \$1. He's using the former Club Trocadero on 53rd street opposite one of the branches of his record and music shops. Concerts last three hours, beginning at 5 p.m.

First session had Eddie Condon, guitar; Joe Sullivan, piano; Bobby Hackett, trumpet; Zutty Singleton, drummer; Hot Lips Paige, trumpet; Sandy Williams, trombone, and the Spuds of Rhythm, five group, and vocalists Billie Holiday, Dinah, others. Most of those musicians Gabler uses at various times to turn out hot jazz albums for sale under his Commodore label.

Herbert Stoithart assigned as musical director of "Smilin' Through" at Metro.

Heidt Re-Biltmoring

Horace Heidt's orchestra is headed for its third shot at location in the Bowman Room of the Biltmore hotel, New York. Outfit starts Feb. 26, following the current Orrin Tucker-Bonnie Baker group.

Heidt is still on the Coast completing work on his "Pot o' Gold" film for James Roosevelt, which will be released by United Artists.

MORRIS AGENCY CLARIFIES ITS EXECS

The William Morris agency is re-shuffling the executives of its band department, effective this week. Ed Kremish, who has been working out of the agency's New York headquarters since it went into the band field, shifts to the Los Angeles office as top man there and will function in establishing branch offices in the northwest. Willard Alexander, who shifted to the Morris agency from Music Corp., of America a year and a half ago, is to assume supervision of the band effort remaining in N.Y. Morris is in line with the agency's usual policy of rotating executives.

In addition, Jack Flynn, up to now working the midwest territory out of the Chicago office, comes to N.Y. Courtney, one-night booking in Chicago, will henceforth split his time between single dates and hotels and locations, the latter end partly filling the gap left by Flynn. Courtney is to get an assistant, not yet named, who will assume the one-night work. Courtney will forego. Lastly Dick Dorso, now in the coast office, will also shift to N.Y.

Ira Steiner, press agent who had been publicizing Bill Bradley, a Morris band, and Woody Herman, gives up those accounts and takes a newly created press department post. His work will not conflict with that of Kay Hansen and Ned Williams, who have been doing Mervin's press work right along. H & W will continue to handle institutional advertising, publicity and promotion.

Harry Squires' post as one-night booker in N.Y. remains as is. Nat Kalichman was named last week to split his time between vaudeville and the booking of bands into theaters.

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Regent (Benny Goodman) Joins Broadcast Music Via Performance Grant

Regent Music Corp., which is owned by Benny and Harry Goodman, have guaranteed a \$10,000 performance grant for the performing rights of its works. Catalog includes originals by Goodman, Count Basie, Eddie Sauter and Fletcher Henderson.

Among the numbers are "AC-D-C Current" by Goodman, Lionel Hampton and Charlie Christians, "Easy Rhythm" by Jimmy Mundy, "Gift for Christmas" by Lionel Hampton, "Jivin'" by Jarvis by Hampton and King Cole, "Levee Lullaby" by Cab Calloway, "Edgar Bear" by Eddie Keegan, "Minnie Doctorin" by Eddie Matthews, "Benny's Bugle" by Goodman and Count Basie, "Can't You Tell" by Goodman and Fletcher Henderson, and "Superman" by Eddie Sauter.

Special mention due Wilson Lewis on piano, ready for any emergency, especially on theatrical guest nights which most singers fear but return to again and again for his piano accompaniment. Fine solos by Silvio Scalfi on trumpet and Tony Vitello with clarinet, alto and baritone saxes.

Special mention due Wilson Lewis on piano, ready for any emergency,

especially on theatrical guest nights

which most singers fear but return to again and again for his piano accompaniment.

Fine solos by Silvio Scalfi on trumpet and Tony Vitello with clarinet, alto and baritone saxes.

In only one type of music does the outfit hold its own, those periods

in which full steam is on, all instruments in, and a swing tempo maintained.

Unfortunately, many of the band's numbers are not built for

shining, during which time most of

the band lays out. Result is stuff so thin it discourages, rather than enlivens dancers.

The shining is off the caliber to hold an audience.

Roster includes Larry Melchison, Kent Britton, and Bob Fisher, brasses; Carroll Fuller, John Birrell, Turnpike and Kirkpatrick voices; Lincoln, Chaynes, piano; Arnold Sackner, drums, and Joe Ferguson, bass.

Vocal department is very weak, a few of the tries by John Britton, but not of the character of the singing, and abused by George Lane. She makes an old favorite sound like a new song without a chance.

Probably okay for college joes and

Band Reviews

EDDIE YOUNG'S ORCHESTRA (11)

With Florence Davis, Benny Keeler Turnpike Casino, Lincoln, Neb.

Eddie Young's is a bunch of sophisticated arrangements, nice packing, handed out by neatly dressed and youthful musicals. Bolstered by the recent addition of brass, a couple of new faces in the rhythm department, and a strong show generally, the band has strength enough to reach to all corners of the room being played, regardless of size, without being too heavy on the volume.

Heavy with brass trills, red trills, shining rhythm stuff, and a list of semi-classical tunes, including "Young" himself: Benny Keeler, from the brasses; Florence Davis, a blonde looker, and a threesome, Les Bowen, Art Kremerish, and Keeler. All of these range from creditable to good. When the girls get on stage, the band stops trying for the vocal department, Young has another idea—he uses vocals to make the whole outfit of his group all the more pleasant to the ear, not to stop the tenor for first date, etc.

Hisses are Kremish, Bowen, and Herb Schuman; bass, Eddie Blue; and drums, George Laing.

Full big possibilities of Young were realized on this date, first in this style and then in a more refined, more polished, with a hefty, frigid blow of weather. Style of his music, however, indicates he'd be a cinch over a long stand, once the girls get on stage, and the band gets on its feet. Young is a nice personality to front a little plumpish, young, and affable.

Art.

Bill Stone, piano; Jim Featherstone, drums; Paul Sims, and George Schumacher, trumpets; Hurby, trombone; Steve Schmidt, and Eddie Wiggin, and Eddie Baskin, reeds.

This was a ballroom date, and the heavy music was of the ballroom type, being stressed. Music is pleasant to the ear, and the girls get on stage, the saxels are a highlight. Show off the instrumental versatility of the orchestra with a show number, running down the list of pop band styles, in which various groupings of musicians are used.

Essentially a pleasing combo. Art.

Music Notes

Helz Roemheld assigned to scoring "Strawberry Blonde" at Warners.

Ralph Rainger and Leo Robin writing songs for "Miami" at 20th-Fox.

Frank Skinner finished musical score for "Back Street" at Universal.

Nat Freyer appointed Southern California rep for Southern Music.

Max Steiner doing the musical score for "The Great Lie" at Warners.

W. Franke Harling turned over his musical backgrounds on "Adam Had Four Sons" at Columbia, and Constantin Bakaleinikoff is conducting the recording.

Merry Macs made a Decca record of the title song in "You'll Never Get Rich" at Republic.

Ray Whitley sold two songs for use in "Robbers of the Range" at RKO.

Morris Stoloff wound up his musical scoring score on "Blondie Goes Latin" at Columbia.

Mark Gordon and Harry Warren are writing songs for "Sun Valley" at 20th-Fox.

Sam Cahn and Saul Chaplin completed their quota of songs for "You'll Never Get Rich" at Republic and moved to Columbia to write numbers for "Time Out of Music."

Saul Chaplin and Sammy Cahn wrote six songs for Republic's "You'll Never Get Rich." Nine are the title song, "The Army Builds Men," "My Mother Never Said Me Why I Love You More," "My Kind's Music" and "What More Do You Want?"

Re-Elect Hahn in Toledo

Toledo, O. Jan. 21. John C. Hahn has been re-elected president of the Toledo Federation of Musicians, Local 15, American Federation of Musicians.

Officers re-elected are: R. E. Bruning, vice president; Hal Carr, secretary-treasurer and business agent, and Raymond, Welch, sergeant-at-arms. Kyle Gaffield and Lester Kachmeister were named new members to the executive board. Those elected to the board are: Bruno Paul Gallager and William Shire.

Carr was named delegate to the national convention and Bruning, alternate. They also were named to attend the Ohio-Kentucky-West Virginia Musicians Conference in April. Whiteley Gobrecht presided at the installation.

Spaeth Aware ASCAP Improvements Possible, But: Is It Radio's Biz?

Sigmund Spaeth has taken the National Association of Broadcasters to task for the letter which is circularized among ASCAP members several weeks ago. Spaeth, an ASCAP writer member, termed the letter a "bold and scurilous attack upon a reputable business organization" and "against all fundamentals of business ethics."

Spaeth's letter states that ASCAP members are entirely aware of their organization's weakness and some feel that certain improvements are quite possible, but that they also realize that without ASCAP to protect them they would get nothing for the public performances of profit of their works. He said that he did not think there was any of radio's business how ASCAP conducts its internal affairs.

Spaeth wrote that ASCAP members don't think it any of their business how much is paid to broadcasting executives. It all comes down to a question of how much radio should legitimately pay ASCAP for its music. It should be radio's business to decide how this sum can be collected and it is ASCAP's business

to distribute it to the composers, authors and publishers concerned. Spaeth added that while ASCAP's asking price was by no means unreasonable, a compromise could have been arrived if radio had been willing to offer a per-program-position and enter into discussions of it. He termed the talk about paying on a per-program basis as mere invective and said that the blanket method was the most practicable, economical and convenient way of arriving at a fair financial return in conformity with the law.

The Great McGillicuddy

Boston, Jan. 21.

By night, it's Gene Buck, guitarist for Roy Rogers' orchestra; formerly with Jack Renard and Lee Shelly.

By day, he becomes Joseph B. McGillicuddy, accountant and income tax expert.

Gene or Joseph is also the inventor of the double-neck guitar.

Duke Ellington opened at the Casa Manana in Culver City, Cal. Jan Garber follows Feb. 14.

What may prove a deterrent in the matter of ASCAP publishers letting their members off their professional staffs is a statement from men on BMI's exploitation staff that they will in a way be taken care of by the latter organization.

The contractors still on the payroll of ASCAP pubs are being told that if they do lose their jobs all they have to do is get a couple manuscripts, hang out a business shingle and BMI will see that their songs get plugged, so long as the writers are not affiliated with ASCAP.

Fletcher Henderson Primes For Band Leadership

Fletcher Henderson, who gave up his band to become an arranger exclusively for Benny Goodman's band, is to return as a leader.

He is currently rehearsing a band of 14 pieces which is scheduled for an opening at New York Roseland Ballroom soon.

ASCAP FEARS BMI SEEKS ITS MEN

N.Y., B'klyn Hotels, As Employers, Decline to Permit Masters, Ayres To Assume Infringement Liability

Bands of Frankie Masters at the Tafit hotel, New York, and Mitchell Ayres at the St. George hotel, Brooklyn, both stopped playing the same country music, called off NBC studio broadcasts last week, but for a reason others have been blacked out. Instead of NBC demanding indemnification against slips in playing, which would result in ASCAP infringement suits, bands' employers, the hotels, demanded that NBC indemnify them against such retaliation, figuring that if any suits were brought, because either one of the bands or NBC would be defendants.

Masters had been all set to sign

NBC's agreement to accept responsibility for any infringements, but only after it was modified. In rewritten state the papers called for Masters to be responsible for any extraneous encroachment on ASCAP copyrights (CBS is the only net forcing instrumental solos to be

written out and filed in advance) and the network to be liable for suits resulting from the playing of music which had cleared as okay to play. Ayres had already signed NBC's agreement.

Before the situation was settled in that manner, however, the hotels stepped in with their ultimatum and both outfits ceased broadcasting.

Lewis Due in Frisco

San Francisco, Jan. 21.

Ted Lewis, who went to Florida after being penciled into the Big Band here, probably will play the nitery after all. Tentatively set to open Feb. 20 now.

Richard Himber goes into the St. Francis hotel Mural Room Tuesday (28), spot currently occupied by Berrie Cummings and Giovanni.

Leo Reisman opened Thursday (16) at the Palace, minus Carmen Miranda, reportedly canceled due to illness.

AN AMAZING ACHIEVEMENT IN PERFORMANCES SINCE JANUARY 1ST

100 STANDARD MARKS TUNES HEARD REPEATEDLY ON THE MOST IMPORTANT PROGRAMS
Selected from THOUSANDS and THOUSANDS of EDWARD B. MARKS World-Famous Copyrights

NOW AVAILABLE FOR ALL LICENCIENCEES OF B.M.I.

STANDARD FOX TROTS

SONG OF THE ISLANDS
THERELL BE SOME CHANGES
MADE
AMAPOLA
BLUES MY NAUGHTY SWEETIE
LOVE TO ME
EL BANCHO GRANDE
JAZZ ME BLUES
MANHATTAN (Rodgers & Hart)
SENTIMENTAL ME (Rodgers & Hart)
ORIGINAL DIXIELAND ONE-STEP
YOURS
LET'S DANCE
FINE AND MELLOW
MARINES' HYMN
BAKIN' THE JACK
LITTLE CALL ME
MY CYPRESS RHAPSODY
STORY OF A HORN
SUGAR FOOT STRUT

STANDARD WALTZES

PLAY FIDDLE PLAY
SONG OF THE ISLANDS
CHAPANECAS
(Mexican "Clap Hands" Song)
KING'S SERENADE
GOLD AND SILVER (From Lehrer)
MY RIVAL
A WALTZ DREAM (Oscar Straus)
L'AMOUR DE L'APACHE
VIENI SU (Sky High)

MISCELLANEOUS NOVELTIES
BY HECK
COCKEYED MAYOR OF KAUNAKAKAI
SALUD DINERO Y AMOR
I'M LOOKING FOR A GUY WHO PLAYS ALTO AND BARITONE AND DOUBLES ON A CLARINET AND WEARS A SIZE 37 SUIT ARGENTINES, THE PORTUGUESE AND THE GREEKS
BOLITCHKI
MEXICAN HAT DANCE (Peculiar Jarabe Tapatio)
JOLLY PETER
SUPPING CIDER THROUGH A STRAW
and hundreds more.

And in Addition NEW POPULAR HITS Just Released

TWO HEARTS THAT PASS IN THE NIGHT (Lecuona)
FOR WANT OF A STAR (Lecuona)
I'LL SING FOR YOU
MADAM CAN YOU STILL REMEMBER
THAT FEELING I GET IN THE RAIN
IT WAS WONDERFUL THEN (And It's Wonderful Now)
LILY FROM CHILE
WHY CRY BABY
SILHOUETTE IN THE EVENING
RIDIN' ON A RAINBOW
LEARNIN' TO LOVE
WILL THE WHIPPORWILL WHISTLE TODAY
MY ONE ROMANCE
MEM'RIES AND OLD REFRAINS

UNFORGETTABLE OLD-TIMERS

IDA, SWEET AS APPLE CIDER
HOT TIME IN THE OLD TOWN
TONIGHT
MY MOTHER WAS A LADY
IN THE BAGGAGE COACH AHEAD
UNDER THE BANJO TREE
FADE INTO YOUR GOLD
OH DADDY, HE RAMBLE
TA-HA-RA-BOOM-DE-R-E
LITTLE LOST CHILD
WHERE THE SUNSET TURNS THE OCEAN'S BLUE TO GOLD
YOU TELL ME YOUR DREAM,
I'LL TELL YOU MINE
WHERE DID YOU GET THAT HAT
TWO LITTLE GIRLS IN BLUE

CHILDREN'S FAVORITES

IN THE LITTLE RED SCHOOLHOUSE
I'VE GOT A PAIN IN MY SAWDUST

TOYMAKER'S DREAM
FRAIDY CAT

THERE ARE MARKS TUNES FOR EVERY PROGRAM

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AL SALOMON
637 N. La Jolla Ave., Hollywood, Cal.

FRANCIS MAGUIRE
Tuller Hotel, Detroit, Mich.

Band Grosses on One-Nighters

Bob Chester (Lyric theatre, Bridgeport, Conn., Jan. 12). Chester band, coupled to the Three Stooges vaude turn, got good \$3,000 out of approximately 7,000 subholders who paid from 4c. to 8c.

Bennie Childs (Maryland theatre, Cumberland, Md., Jan. 14-15). In two days Childs got average \$398 with an attendance of 1,975. Okay in view of 15c-25c and 25c-35c mat and evening prices.

Jimmie Dorsey (Town Hall, Philadelphia, Jan. 18). Dorsey trained in front of York, Pa., on the date at 12:30 Saturday morning. He grossed heavy \$4,800 at \$1.50 a head. Drew 3,024 dancers (Ritz Ballroom, Bridgeport, Conn., Jan. 19). Dorsey hit another high mark here with 2,062 steppers at \$1.10. Very good.

Johnny McGee (Ritz Ballroom, Bridgeport, Conn., Jan. 19). McGee's 850 steppers was nice at 75c, skidding some \$650 into the bo. Other bands have done better, but were higher iiced.

Joe Venuti (Trianon Ballroom, Toledo, O., Jan. 16). Venuti got slapped around by bad weather and wound up with meagre 200 who paid 55c in advance and 75c at door.

Charlie Barnett (Lyric theatre, Bridgeport, Conn., Jan. 19). Barnett rounded up average \$2,663 from 3,960 payees at 44c and 55c admish.

Ted Lewis (Coliseum, St. Petersburg, Fla., Jan. 16). Lewis' 1,087 draw increased the Coliseum balance by \$1,630, nice. Tax \$1.50 a head.

Teddy Powell (Actor theatre, Reading, Pa., Jan. 17-18). Powell's new band did very nice \$4,000 in two days at 45c top. Attendance reached approximately 11,000.

On the Upbeat

Armando Castro's Latin-American combination opening Jan. 21 at Ben Marden's Colonial Inn, Hialeahland, Fla. Repayed by Jack Lavin and booked by William Morris. Another deal involving latter pair is spotting of Charles Baum in the Baker Hotel Dallas, starting Feb. 28. Baum will play one-nighters en route from Buffalo where he will close 17 weeks at the Statler Feb. 20.

Hal Howard from the Rainbow ballroom in Denver to Jerry Jones' Rainbow Randevu, Salt Lake, for a four-week engagement.

Everett Hoogland is swapping drummers with Claude Thorntill-Gene Lemmer for Sandy Graff. Hoogland currently on tour, while Thorntill is on one-nighters.

Bernie Sandler orch exited Williamsburg, N.Y., (13) for two-week stretch at Arcadia Ballroom, N.Y.

Larry Catan's band, with Ronnie Davis as vocalist, is now playing at Barry's Inn on Albany-Schenectady Road. The Five Continentals are in the floor show.

Ship o' Joy opened as an Albany night club, with Billy Harris' orchestra furnishing the music.

Vaughn Monroe band has added a girl singer, Marilyn Duke, and Al Dietrich, a trombonist.

Andy Kirk heads westward late this month for dates on the west coast; the band's first tour in that territory. It goes into the Paramount theatre, Los Angeles, Feb. 7.

Boy Eldridge h.o. at Capitol Cock-tail Lounge, Chicago.

Earl Hines' band, handled by Wm. Morris agency henceforth. It has booked into a short stretch at the Fiesta Danceteria, New York, opening Jan. 30.

Grand Tennesse, colored belt nitery in Chicago, has changed ownership. Ed Fox out and P. M. Fitzgerald in. It will try name band policy.

Dick Rogers band, taken over from Will Osborne last week, is a cooperative outfit. It has been booked into the Roseland Ballroom, New York, for three weeks beginning Feb. 6.

Herbie Fields' sax and clarinet, changed his name to Raines, and has joined Raymond Scott's band.

Dave Tough back in Benny Goodman's band. He replaced Harry Jaeger. Tough had been with Joe Marsala's small combo at the Hickory House, New York.

Bo Fox, English bandleader who debuted a new band at Le Martinique, New York, has had a six-week option picked up and may stay at the spot for the full season.

Mary Ann Sims is the new vocalist with the Paul Spar band now playing in the Willard Hotel Grill, Toledo, O.

Billy Arnold's orchestra from the Waldorf-Astoria hotel in New York has supplanted Chauncey Crownell.

VARIETY

RIVAL MEMORIALS

Two Hal Kemp Record Volumes—
His Band Still Plays On

Victor Records is also scheduling a package of Hal Kemp recordings for release as a Memorial Album. It will hit the dispensing stands about the same time as will Columbia's Record's Memorial Album. Only way the two books will conflict, from the angle of the numbers selected as representative of Kemp is on "Got a Date with an Angel." Both companies are using it. It was Kemp's theme.

Victor's release will contain "Angel," "Remember Me," "Whispers in Dark," "Lamplight," "Love for Sale," "Speak Your Heart," "18th Century Drawing Room," "In Dutch" with Duchess. Columbia's will consist of "Angel," "Dinner for One," "Please James," "You're the Top," "Lullaby of Broadway," "I've Got You Under My Skin," "Gentlemen Obviously Doesn't Believe," "Where or When," "There's a Small Hotel."

Kemp's band is still at the Mark Hopkins hotel, San Francisco, where it was established by John Koenig and it is led by Bob Allen, vocalist, and Kemp alumni John Scott Trotter and Skinny Ennis, who travel from Los Angeles several times a week. From the San Francisco end, it is claimed the outfit will break up when it closes the Hopkins Feb. 1. New York office of Alec Holden, Kemp's former personal manager, says the group will take a vacation while a new leader is being discussed. Ennis may be the appointee if he can get released from his commitments as bandleader on the Bob Hope-Despot radio show.

Baron Elliott opens indefinite engagement Jan. 30 at Hotel William Penn's Chatterbox, Pittsburgh, replacing Lang Thompson outfit.

Mauret Shilay band goes into Gray Wolf Tavern, Sharon, Pa., for four-week stay Saturday (25).

Brad Hunt opened Monday (20) at Merry-Go-Round, Pittsburgh, for limited run, succeeding Al Fremont crew.

Billy Catkine reorganized挣扎者's tour some in Pittsburgh following short tenure as a dance band maestro there and is now at the Broadmoor hotel in Colorado Springs with his quartet for four weeks.

The Ragoon's orchestra playing at Trocadero Wichita, Kans.

Henry Busse's orchestra and Belle Baker are among those soon to play the Rainbow Room of the New Yorker hotel, Albany.

Johnny Messner's orchestra has been booked for the Siena College Sophomore Soiree at the Edgewood, East Greenwich, N.Y., Feb. 11.

Belle Baker and Johnny Hamp's orchestra open an engagement in the Rainbow Room of New Kenmore Hotel, Albany, Jan. 23. Henry Busse's band follows on Feb. 1.

Lee Shelley into Chez Ami, Buffalo, succeeding Tommy Flynn who moves back into Dellwood Ballroom.

George Saperstein combo into Buffalo Athletic Club (28) from Sagamore Hotel, Rochester.

Arnold Tenglund exiting Harold Austin band, Buffalo, for trombone chair with Everett Hoogland.

Dick Kuhn moving back to Hotel Statler, Buffalo, about May 15 from Hotel Astor, New York.

Count Basie one-nighting (26) in Memorial Aud., Buffalo.

Sophisticated Ladies, vocal trio, bowed off A Boy, a Girl's Band series, NBC program originating from WCAE, Pittsburgh.

Harry Butler succeeds Let Aloha and her Hawaiians at the Paddock, Youngstown, O., beginning Jan. 13.

Paul Brown (brother of Joe E. Brown) left his Toledo band and has gone with his wife to Sun Valley, Idaho, where he will be an organist at the Christiansen Club.

Terry Allen has left Larry Clinton's orchestra to join Will Bradley.

Jimmy Richards orch into Ionian Room of Deaderl Wallack hotel, Columbus, Jan. 24, replacing Dick Sheldren.

George Duffy opens Thursday (23) at Hotel Biltmore, Dayton, O., for indefinite engagement.

Del Courtney, Jan. 31, Turnpike Casino, Lincoln, Neb.; Feb. 17, three weeks at the Kenmore hotel, Albany.

Ted Lewis, Feb. 4, Aud., Kansas City, Mo.; 7, Shrine Mosque, Springfield, Mo.; 8, Blossom Heat Inn, Oklahoma City.

Pinky Tomlin, Jan. 27, week, Palomar theatre, Seattle; Feb. 3, Orpheum theatre, Portland, Ore.

Inside Stuff—Music

Hardly any of the ASCAP publishers are releasing new tunes even for phonograph record cutting. The pub. in general figure that until we become satisfied that the break with the networks will run for many months the publication of new material would be pretty much of a wasted effort. In many cases the publishers will be in the event of peace return to plugging the tunes they had just got started when the break occurred. Some leaders have been furnished with new material for recording purposes and their publishing sources regard such releases as giving them something with which to get started when radio has got together with ASCAP.

Biography of Johann Sebastian Bach by Hendrik Willem Van Loon, which Simon & Schuster published last week, is sold in combination with recordings specially needed and labeled for the publisher.

Eight sides of piano work by Grace Castagnetti to illustrate the volume were made by RCA-Victor for S. & S. They carry the imprint of the publishing outfit, which holds sole distribution rights to them.

Books and discs are boxed together in a \$5 package, or separately at \$2.50 for the tome and \$3 for the waxings.

Raymond Paige, through his attorney Phil Frank Sherman, has requested Max Prupas, a bandleader currently at the Palm Beach cafe, Detroit, to stop using the name Michael Paige and His Paiges of Music. He notified Prupas that in his opinion the similarity of names tends to create confusion in the minds of the public.

Conductor of the "Musical America" program explains that Paige is his real family name and that he has established it with the public as a result of many years of hard and earnest endeavor in the musical field.

Peer International, stated yesterday (Tuesday) that the melody of "Frenesi" is not in the public domain but is protected by U.S. copyright. Ralph Peer, head of Peer International and its sister, Peerless Music, had given Connie Boswell the right to make a special lyric for "Frenesi" and this grant led to the impression that the melody, written by a Mexican, was in the public domain as far as this country is concerned.

A "stun" topper at Coin Machine Operators' convention in Chicago last week was the booth for and by Abe Lyman. It was the only display booth in the entire convention devoted to any performer or band-leader. Lyman's personal rep., Harry Weinstein, was present and distributed big buttons with Lyman's mug like a political candidate. There was also plenty of campaign literature on all the Lyman orchestra disc releases.

Sammy Kaye claims that VANTAGE was all wrong when it said last week in a selected, via mail, show at the Strand theatre, New York, that he pre-selected, via mailed applications, contestants for his "So You Want to Lead a Band." Leader explains this is his method on sustaining broadcasts, but on stage appearances the persons selected are taken at random from the audience.

Stations outside of the key cities which feed sustaining programs to the networks report that Broadcast Music, Inc., is reimbursing them for the expense entailed in making out an extra manuscript of a special arrangement of a BMI tune for infringement checking purposes. The set reimbursement is \$10.

Abner Silver and Mann Curtis, writers of "Let's Stand Behind Great Britain," will turn over the royalties of the song to Bundles for Britain, Inc., Lincoln Music Co., which Silver owns, is doing the publishing.

BMI ENCOURAGEMENT OF INDIAN MUSIC

Latest twist to the music publishing business is a firm which restricts itself to the works of native American Indians. It's the Redskin Publishing Co., describing its purpose as that of glorifying the American redskin.

"Allegheny Mountain Swing" and "Skin-Ga-Wa-Gi" are two of the numbers it has dance band arrangements for it already put out. The composer of this two-some signs himself the "Supreme Prince of the Sun" and claims descent from an Inc. emperor.

The firm's manager, Chief True Heart, stated last week that his entry into the field has received much encouragement from Merritt Tompkins, general manager of Broadcast Music, Inc.

Band Bookings

Blue Barron, Feb. 12, four weeks, Peabody hotel, Memphis.

Sonny James, Jan. 25, indef, El Rancho, Chester, Pa.

Henry Goodman, Jan. 24-25, State theater, Elgin, Pa.; Jan. 31-Feb. 1, Washington & Lee U., Lexington, Va.

Raymond Scott, Jan. 24-25, Ann Arbor, Michigan; 26-28, Michigan Cats & Fiddle, Feb. 23-24, Rockbridge theatre, Buena Vista, Va.; 25, Liberty theatre, Bedford, Va.

Red West, Jan. 24-25, Totem Pole, Will Osborne's orchestra directed by Dick Rogers, Jan. 24-25, Raynor B., Boston.

Dean Hudson, Jan. 24-25, Playmor, B., Boston.

Ray Noble, Jan. 31, one day, Palace theatre, Peoria, Ill.

Boyd Raeburn, Feb. 5, 9, Century Club, Falls City, Neb.; 8-9, Peony Park, Omaha.

Graig Gordon, Jan. 31, Lyric theatre, Indianapolis; Feb. 7, Penn State C. State College, Pa.; 9, Polish People's Home, Passaic, N.J.

Ralph Barlow, Jan. 25, week, Aragon B., Cleveland.

Will Bradley, Feb. 17, Cotillion Club, Salisbury, Md.; March 21, Palace theatre, Cleveland.

Henry Busse, Feb. 7, 10 days, New Kenmore hotel, Albany.

Del Courtney, Jan. 31, Turnpike Casino, Lincoln, Neb.; Feb. 17, three weeks at the Kenmore hotel, Albany.

Al Donahue, Jan. 26, Rich B., Bridgeport, Conn.

Ted Lewis, Feb. 4, Aud., Kansas City, Mo.

Ella Fitzgerald, Feb. 8, Blossom Heat Inn, Oklahoma City.

Pinky Tomlin, Jan. 27, week, Palomar theatre, Seattle.

George Duffy, Feb. 3, Orpheum theatre, Portland, Ore.

10 Best Sellers on Coin-Machines

(Records below are grabbing most nickels this week in jukeboxes throughout the country, as reported by operators to VARIETY. Names of more than one band or vocalist after the title indicates, in order of popularity, whose recordings are being played. Figures and names in parentheses indicate the number of weeks each song has been in the listings and respective publishers.)

1. Frenesi (3) (Southern).....Artie Shaw.....Victor

2. There I Go (7) (BMI).....Woody Herman.....Decca

3. I Give My Word (6) (BMI).....Benny Goodman.....Columbia

4. Nightingale Sang (5) (S-B).....Sammy Kaye.....Bluebird

5. Yes, Darling Daughter (2) (Feist).....Dinah Shore.....Bluebird

6. I Hear Rhapsody (2) (BMI).....Eddy Duchin.....Columbia

7. Last Time I Saw Paris (2) (Chappell).....Tommy Dorsey.....Victor

8. Santa Fe Trail (2) (Harms).....Al Kavulin.....Okeh

9. Stardust (1) (Mills).....Dinah Shore.....Bluebird

10. So You're the One (1) (BMI).....Sammy Kaye.....Victor

DISKS GAINING FAVOR

(These recordings are directly below the first 10 in popularity, but growing in demand on the coin machines.)

One I Love (Forster).....Tommy Dorsey.....Victor

Let's Be Buddies (Chappell).....Leo Reisman.....Victor

Five O'Clock Whistle (Advance).....Connie Boswell.....Decca

You're In the Army Now.....Ella Fitzgerald.....Decca

Scrub Me Mamma (Leeds).....Abe Lyman.....Bluebird

Swanee RiverTommy Dorsey.....Victor

Mpls. Central Labor Union Enters Fight In Behalf of Indie House vs. Majors

Minneapolis, Jan. 21.

The Central Labor Union, comprising all of the American Federation of Labor locals here, has taken up its cudgels on behalf of the 4,000-seat Minnesota theatre, being operated with a vaudflim policy by the Middle States Corporation. In behalf of operators, who claim they're handicapped by inability to obtain major screen product, the CLU adopted a resolution protesting against "unfair practices regarding moving pictures for the Minnesota theatre and calling for investigation by the authorities." A mass meeting at the municipal Auditorium to plan a fight in behalf of the showhouse is being considered.

Speakers at the regular CLU meeting urged patronage of the Minnesota and other theatres. It was declared that erection of new theatres also has been blocked and suspicion was voiced as to motives that prevent licensing of some theatres.

The Minnesota Amus. Co. (Paramount Northwest circuit) Mort H. Singer pool has practically closed the Minneapolis loop and even has contracted for some of the Republic releases. With double features twice a week at the downtown Astor, however, there is no overburdening film men point out. When the Middle States corporation took over the Minnesota it knew what the situation here was in regard to pictures, they also state.

A recent unsuccessful 25-week operation of the Minnesota theatre by the Benz brothers of St. Paul for the owners of the house was followed by a petition of voluntary bankruptcy for the theatre and it is now insolvent. Trustees appointed by the U. S. referee in bankruptcy leased the house to Middle States on a basis of free rent for the first five months and a privilege to the lessors to cancel on two weeks' notice.

The policy used during the ownership of the theatre was vaudeville and Republic and Paramount pictures were used. The operation's failure was attributed to the major film exchanges to service the house, which was abandoned by the Paramount circuit two years ago. A threat by the Benz brothers to bring suit against the Minnesota Amus. Co. and the major film exchanges, charging conspiracy, was dropped when the Paramount circuit leased the Benz Palace here on terms advantageous to the owners.

Herman Berne Would Quiz Givot in Pact Suit

Herman Berne applied to the N.Y. supreme court yesterday (Tues.) to examine George Givot before trial in connection with his \$60,000 breach of contract suit against him.

Agent claims his client signed a contract with him in March, 1933, and broke it in March, 1937, and after a renewal broke it again in May, 1938.

Kaplan's Pauper Plea To Dodge Jail Term

Milwaukee, Jan. 21.

Jules I. Kaplan, former manager of the Federal Theatre Project here, imprisoned in the House of Correction for defaulting on a \$200 fine he had been sentenced to pay when accused in Federal court of embezzeling \$138 of project funds, has obtained his release from custody by taking a pauper's oath before Court Commissioner Floyd E. Jenkins. He had already served 30 days. The court ordered, however, does not release him from paying the balance of his fine still due the Government on the fine which he had agreed to liquidate at the rate of \$5 per week.

Kaplan was assistant manager of L. K. Brit's Garden for a number of years before it closed.

Miller Quits Marcus

Minneapolis, Jan. 21.

After 14 years with the Marcus Show as producer and feature dancer, Leon Miller has quit, following a disagreement with A. B. Marcus.

No successor has been appointed yet.

Green Pays \$600 Fine

Pittsburgh, Jan. 21.

Bill Green decided over the weekend to pay the state liquor control board a fine of \$600 rather than suspend the sale of alcoholic drinks over the bar of his Big Road 51 roadhouse. The fine amounts to \$10 a day for the 60 days his license would have been revoked.

It was the second such fine paid by Green on charges of permitting minors to frequent his club, and his third citation before liquor board. First was on a charge of having slot machines in his establishment. In 1939 he paid \$900 in lieu of a 90-day license suspension.

Stage Show War Means Bargains For Mpls. Public

Minneapolis, Jan. 21.

Getting more vaude and at bargain prices, along with a greater array of films, the public here is benefitting from the stage show provoked by the Minnesota theatre.

The Orpheum (Paramount-Singer),

had been playing only occasional stage shows, but now that the Minnesota has reopened, it is putting one in every week, although it missed last week.

Before last week it had Gertrude Niesen, Ada Leonardi, Eddie Dowling, with Simon, Isabel Jewell and Frank Gabby come in next week.

Scheduled to follow on successive weeks are the Andrews Sisters,

Three Stooges and Joe Venuti's orchestra in one show, Earl Carroll's "Vanities," then Billy Rose's "Diamond Horse" show, Wayne King, Orrin Tucker and Eddy Duchin bands.

It is playing such pictures as "No, No, Nanette," "Four Mothers"

and such shows and it has reduced its 11 a.m. to 1 p.m. price from 39 to 26¢.

The Minnesota opened with Ken Murray, Dixie Dunbar and Ruth Petty, etc., followed with Lou Holtz, Wendy Barrie, Lola Lane and Arlene Judge, has the Marcus Show currently, while Sally Rand comes in next week. It is using independent pictures with its stage shows, but had "Marge" (U), sluey by Minnesota Amus. Co., last week. Its admission is 15¢ to 25¢ and 35¢ at night for stage shows.

The Minnesota opened with Ken Murray, Dixie Dunbar and Ruth Petty, etc., followed with Lou Holtz, Wendy Barrie, Lola Lane and Arlene Judge, has the Marcus Show currently, while Sally Rand comes in next week. It is using independent pictures with its stage shows, but had "Marge" (U), sluey by Minnesota Amus. Co., last week. Its admission is 15¢ to 25¢ and 35¢ at night for stage shows.

An unwritten agreement among all the independents and the Paramount circuit is to use low matinee price only to 5 p.m. and to change to night admission at that time, as well as to charge 55¢ at nights for stage shows.

Cady Gives Up

St. Louis, Jan. 21.

After eight years as an operator of theaters, including the 1,000-seat St. Louis to one of the best patronized in midtown, Steve Cady, recently hailed before the State Liquor Control Supervisor for making Sunday liquor sales, has tossed up the sponge.

Declaring that he was, smothered out of stock New Year's Eve, b.

Cady is prepping for a Florida vacation and he doubts whether he'll ever reopen in this burg.

6 M.C.s for Fotos

Six m.c.s have been lined up by the New York Press Photographer's Assn. to handle the show at the organization's annual ball on Feb. 14. Sextet includes Harry Herschfeld, Milton Berle, Henry Youngman, Ole Olsen and Chic Johnson and Ed Sullivan.

Lensers expect 3,500 guests at the Hotel Astor shindig, with wide representation in the show of stage

screen and radio names.

Henie Draws \$106,326 In 6-Day Det. Date

Detroit, Jan. 21.

Sonja Henie's ice show drew 72,000 spectators and \$106,326 in receipts during its six days at the Olympia here. Show's share was \$97,000.

Because of the heavy attendance here the troupe was asked to stage a special matinee, which would take care of the youngsters, but Miss Henie turned it down pointing out that the performance was so strenuous the skaters could not be asked to do two-a-day.

S. F. AGVA SETS NEW NITERY SCALES

San Francisco, Jan. 21.

A new Code of Fair Practice raising night club minimum wage as much as \$90 in San Fran. A spots and agents fees deductions, going into effect here Sunday (28), according to Vic Connors, local executive secretary of the American Guild of Variety Artists.

Night clubs, formerly divided only into A and B classifications with \$45 and \$35 scales respectively, are now split into four brackets \$10 apart, ranging from \$90 for Club A to \$90 for Club C. This is up the scale, but keeps some of the bigger spots, but helps at the other end of the scale.

In addition, the new code requires that payments be net, performers receiving full amount of the scale with any agency commissions extra. Guild officials point out that if an act is booked into Club A spot at \$60, there is no reason why any portion of the fee should be kicked back, since that scale was negotiated by AGVA rather than the agent.

Under the new code, the scale for chorines, which formerly ran from \$22.50 to \$25, has been extended to \$35.

BOOZE RAPS HIT 3 PHILLY SPOTS

Philadelphia, Jan. 21.

The State Liquor Control Board on Saturday (18) cracked down again on three of the city's leading spots found guilty of violating the law forbidding the sale of liquor after the Saturday night curfew. Those caught in the net were Jack Lynch's "Sun Room," the Embassy and the Blue Diamond, both in the El Chico Club. The board ordered the barroom licenses of these three spots suspended for 90 days.

Lynch paid \$900 fine in lieu of suspension, and operators of the other places indicated they would follow suit. The fine is levied at the rate of \$10 a day. This is the fourth time Lynch's spot has been cited; the third for the Embassy, while it was the first citation for Benny-the-Bum at his new spot. The place had been under fire by the liquor board three times under its previous management.

The board revoked the license of the Arena Log Cabin, a small nitery adjacent to the Arena sports center, scene of ice shows, boxing matches and other sporting events. The revocation, most drastic penalty in the book, was made on the grounds that the Log Cabin had a door connecting directly with the Arena.

Fay's, Prov., Can't Get 1st Run Pix, Back to Vaude

Providence, Jan. 21.

Vaudeville, bid a sad farewell and temporarily buried in so far as Fay's was concerned eight months ago, will be given a new lease of life by the Fay brothers at the old stand on Friday (24). Apparent shortage of first-run pictures has brought about a change of heart.

Orpheum, with John: Paty and Donald O'Connor, John Gallus and his Puppet Show, Wally Ward and Mitzi Muñford, the Three Sparks and the Mayfair Trio.

Lensers expect 3,500 guests at the

Hotel Astor shindig, with wide representation in the show of stage

screen and radio names.

Kelly in Nat'l Appeal to Actors To Break Away From AGVA and Set Up Organization Independent of AA's

Expo Show in Red

Milwaukee, Jan. 21.

"World's Fair Highlights," which with Frank (Bring 'Em Back Alive') Buck, Jack Sheridan's "Living Magazine Covers," the Deep Sea Divers "Frozen Alive" show and "Artists Colony" models, came into the Auditorium for a week's stay, ended up \$4,300 in the red.

Veterans of Foreign Wars, under whose auspices the show was promoted, has appealed for rebate of \$6,000 rent, or enough of it to cover the loss.

Nitery Ops Open Drive Against Pa. Blue Laws

Philadelphia, Jan. 21.

More than 500 persons attended the first annual dinner of the Pennsylvania Cabaret-Restaurant Owners Assn. at the Broadwood Hotel Sunday (19) as an opening gun in the cabarets' drive for the liberalization of the Saturday night curfew law.

The proceeds of the dinner and the ad work will be used as a war chest toward a campaign to get public and legislative support to a bill that would allow the nitery owners to keep their spots open at least until 2 a.m. Sunday morning. Under the present blue laws, all spots must shutter at midnight sharp Saturday.

William M. Hopkins, owner of Hopkins' Restaurants and president of the association, announced that the members would start a campaign to get 50,000 signatures to a petition to ask the state to ease up on its curfew law.

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Hopkins said that more than 80% of all owners in the eastern section of Pennsylvania are in favor of the association, which has the backing of the hotelmen of the state in its fight against the blue laws.

Other officers of the group are Clarence Billman, vice-president; Howard Bell, secretary; M. H. Kaliner, treasurer, and Charles Solit, counsel. Members of the board of directors are Pat Patterson, B. D. Smith, Frank Palumbo, Irvin Wolf, Harry Weinberg, Sam Silvers and Johnny McGee.

VAUDEVILLE PLAYS 2,000-SEAT ARMY CAMP THEATRE

Seattle, Jan. 21.

Fort Lewis and Camp Murray, where Uncle Sam is keeping 40,000 men in the growing army, now has vaudeville at the army theatre gymnasium, which seats 2,000 doughboys. On Sunday matinees, with eight acts the usual bill. Joe Daniels is booker. He reports attendance has jumped from 400 at the first stage show to 2,000 last Sunday. Admission 10¢, with no tax. Each show runs from 90 minutes to two hours.

The single show each day fills the boards, set 20¢ stumps admission, but scrap books are sold bringing the price down to 14¢. For Feb. 9, Daniels reports, a Major Bowes show is booked for the army theatre.

Who Gets May?

Minneapolis, Jan. 21.

Local public here is speculating as to whether Bobby May, the Juggler, will play next week. He's being advertised on screen trailers at both the Orpheum and the other two opposition houses to open Friday.

At Orpheum, he's included with Simone Simon, Isabel Jewell and other acts. The Minnesota is advertising him as part of the Sally Rand unit.

Copies of the pamphlet have been mailed to actors in all parts of the U. S. and elsewhere. Cards are being sent out. As soon as signal cards are returned Kelly says he will begin organization of a national union as a rival organization to AGVA. He claims a large following in Philly and adjacent areas.

Philadelphia, Jan. 21.

Thomas E. Kelly, business agent of the United Entertainers Assn., indie performers union, and ousted executive secretary of the Philly local of American Guild of Variety Artists, is on tour today (22) expected to visit variety artists all over the country to withdraw from AGVA and set up their own organization independent of the Associated Actors and Artists of America.

In a four-page pamphlet, titled "Actors Views," Kelly set forth what he called a "solution for your future benefit," an outline of an organization made up of individual groups with strict "local autonomy." In the pamphlet he had been reprimanded for having "Hoyt Haddock" whom Kelly accused of being tied up with the Communist party.

Under Kelly's plan, the actors would organize under an American Federation of Labor charter, but with most of the power resting with each individual local; each local to create and support its own group insurance and benevolent fund; the president of each local to act as business agent with no "outsiders." Other features of the Kelly plan of organization include:

1. A per capita tax to the international of not more than 15%.
2. Dues to be scaled according to members' ability to pay.
3. Setting up of an arbitration committee of artists, agents and cafe owners to settle disputes.
4. Salary of business agents to be determined by locals.

Local membership to "have voice" in distribution of funds. Kelly declared the local autonomy was vital because "75% of the variety field was local." The artists of the vast majority are local minded," he said. "Under these conditions the actors would have an incentive to build their own union."

Able to Keep Debts Down

Kelly said that under his plan, local would be able to keep the debts of a given point in time, the segregated \$3,000-a-month deficit under which the national AGVA office is running. He charged that the nation's AGVA office was running under a \$10,000-a-month overhead by paying swollen salaries to outsiders.

"The deficit," said Kelly, "is an anchor around the neck of the variety artist. It can be eliminated only by our solution. The red element which ruined our organization and led to the ruination of our organization. Local boards have lately been forced to pass resolutions to eradicate alleged reds, whose methods are to rule or ruin."

Kelly pointed out that his organization, the UEA, had functioned when the American Federation of Actors had disbanded, and cited this as proof that local autonomy was the only solution to the actors' problem.

Kelly's pamphlet also retold his answer to charges leveled against him by Haddock, national executive secretary, that he (Kelly) tried to disrupt the organization. These charges led to Kelly's ouster from his AGVA post.

Kelly accused the national AGVA of dictatorial tactics, wasting union funds and disregarding the wishes of the members.

In a section dealing with Haddock's alleged affiliation with the Communist party, Kelly cited the following "proof": That four witnesses had testified before the Dies Committee that Haddock was a red; that the defunct AGVA house organ, Actors News, printed the same cartoons as the Daily Worker; that the Daily Worker printed pictures of an AGVA picket line in front of Leon Errol's Palace, and that Haddock had hired as his Phillips, attorney, Sam Walbaum, who has represented Communists here; that Haddock always stayed at a CIO hotel and that Haddock had eliminated the phrase "affiliated with the American Federation of Labor" from AGVA tracts in New York.

Copies of the pamphlet have been mailed to actors in all parts of the U. S. and elsewhere. Action as signal cards are being sent out. As soon as signal cards are returned Kelly says he will begin organization of a national union as a rival organization to AGVA. He claims a large following in Philly and adjacent areas.

Night Club Reviews

CLUB ESQUIRE, MIAMI

Miami, Jan. 19.
Cross and Dunn; The D'ivons;
Alice Reid, Billy Reid, Esquireettes
(8). Hernandez and Worthy Hill
Orch; \$1.50 minimum.

Heretofore a scotch and splash joint, now a place of resistance, a seedy pitch, this boulevard bistro makes its debut this season as one of the town's most attractive and centrally located nighties, plus a curtain by the fixture. It has a smoky, atmospheric room whose high ceiling and striking marine murals on the walls provide a needed respite from the sufficiency of local "tiki" joints. The most welcome innovation is an arrangement which elevates the entire dance floor above the tables, giving all the diners a clear view of the show.

The modest little revue is headed by Allen Cross and Henry Dunn, back from Miami for the past year. Other than their well-seasoned songalogs, there is little to make the show memorable, unless it be the Esquireettes octet, who entertain with the most lavish display of pin-up cutie-pie, the viewer so far this winter. Other than their orb appeal, though, the gals are a negative factor, reason of what is known as collective paralysis of the pedal extremities.

Billy Reid rushed into the breach just prior to spot's opening when the operators suddenly discovered they had overlooked signing an emcee. He has been doing a bang-up job showing up at a brash pace, besides contributing several flyweight tap routines.

Cross and Dunn are solid favorites here and score handily in the nightcap. They have been around the season circuit now for a score of years, but there seems to be no lessening of their b.o. Material has been freshened up with the addition of a boy band, new girls, and a "Nellie" Gee Caught in the Network, a poke at the amatory tendencies of radio rounders, and a socko arrangement of "The Last Time I Saw Paris," with cross talk, a gondola, and a pantomime interpolation, a nostalgic flashback of Pares before the war.

Alice Dawn is a capable, and charming songstress, but fails to sell her wares with any degree of authority, though she is in a somewhat lackluster mood. The D'ivons, too, lack flesh. Their routines are ably enough executed, but do not impress as either original or particularly sassy.

Worthy Hill smooth melody comes from the piano, dancing and backs up show in fine style. Likewise, Hernandez and his Contingents add with the conga-thumbs adducts.

PAGO PAGO ROOM (DEMSEY-VANDERBILT HOTEL, MIAMI BEACH)

Miami Beach, Jan. 8.
Deane Janis, Stuart, and Lee, Eleonore Teeman, Walter Donohue, Gruen, and Dancers (6). Bobbi Parks and Vincent Bragale Orch; \$1.50 minimum.

One of the beach's ace retreats since its days as a speakeasy, Jim Dempsey's bar is now the result of fetching new tropical decor, billed as the Pago Pago Room of the Dempsey-Vanderbilt. Notwithstanding this lighting, the atmosphere is a sureplethora of congarumba shambles doting the lounge-shambles here this season that it's doubtful if spot could hope to attract more than moderate attention. The presence of a host of entertainers to appear on this stretch of sand so far this winter.

There is just one sour note in the setup and that is the b.o. of the place, which is a blithe bunch of erstwhile bottle boppers who make conversation a lost art. They all but blast Deane Janis from the floor, and vary their tempos with such abruptness that it's hard to imagine them seemingly wearing a "well, what's it going to be tonight" expression. Otherwise, it's a fast moving, thoroughly entertaining little review.

Walter Donohue, likewise, scores in his ability to keep the audience on his toes, a personable juvenile, and aside from his proficiency as a tapster, is a smooth-working emcee with a nice flair for getting laughs. Eleonore Teeman has loads of personality, and here she is in the same bracket. They are graceful and accomplished ballroomologists whose dance routines are executed with snap and dash.

is their cape dance, in which Stuart manipulates a scarlet cape enveloping both in its folds.

Rounding out the lineup is Galvin and his San Souci dancers, a sextet of vivacious beauties whose thumb-chimba routines of this group are seen here. When caught action was so spirited one of the females snapped her straps, retiring to the side and leaving Galvin to go it alone.

Vincent Bragale's team of five bongo beaters carries on in fine style for the rumba romps.

Les.

at this table, a little gag at another, some kidding around at the next.

This "handshake proficiency" of Shore's has become so popular among the public that business overlooks his ability as a performer. He is, first, a top dancer; his soft shoe impression of Pat Rooney remains a high spot. A tireless worker, he dashes through the floor system of gags, breaking up his turn with a number of excellent bits and blackouts, most of which are with Dan Seymour.

Jerry Berger now has female partners who work along wholly in his pantomime and bring his comedy for his comedy. Has a huge operatic soprano femme who is supposed to be doing a duet with Berger, but the gal does the singing. On the other hand, he pushes the art of self-taught winging xylophone and the fiddle. For intimate rooms and the strictly smarty mob who still like double-tail.

Doris Robbins is the vocalist on the show, and remains a bit under difficulties when caught due to sore throat, but she is a personable and managed to satisfy despite this handicap. Ann Lee, a tall, thin, dark, and rather unassuming and not very impressive on a chattering, drinking mob. She belongs in quieter and more attentive place, and would fit nicely in a family vaudeville show.

Ginette Calle is billed as a French singer of songs. Most of her time is devoted to the old can-can trick of bending over and tossing up her skirt to show her ruffles. This is possible even in two pieces, but Calle insists that it be the basis of her routine. She makes a good appearance and her material does show an effort to find something for the nitery crowd.

Beverly Young, sextet, is a hardy troupe of girls. They step out with some really intricate dance routines not ordinarily glimpsed on a nitery floor. Eddie Fens orchestra does well by the show and for dancing.

Gold.

Florentine Gardens, Hollywood

Hollywood, Jan. 16.
Nils T. Granlund, Fred Scott; Elior Troy, Sugar Gets, Rio Bros, Marion Wilkins, Dave Marshall Orch; \$1.50 and 50¢ cover.

It has been nearly a year since Nils T. Granlund landed in Hollywood to see what he could do about having a show of his own. In this Hollywood boulevard groto, far enough off the beaten path to obscure any thought of successful operation. He looked over the market and decided to build a belt-the-mat trap, so they break down the doors. And brother, he didn't miss a beat.

Not since he took over the floor entertainment has the spot had a losing week. It takes \$8,000 a week to run the show, and the winter under his regime has been \$11,000. More recently it has been around \$15,000. How did he do it? See Granny.

I found out with them like corn and asked what they're getting. I wouldn't last a week on Broadway with this setup and my line of gab but it's a natural here.

Clientele of Florentine Gardens consists of the solid middle class with family parties of eight and 10 predominant.

Granny opened his new edition of "Hollywood Revels" and the room was packed. Audiences for the show average \$1,200. No profit shocks is his floor show, but for \$2,600 weekly, which includes a band of 21 girl and a few principals it's tough to top. Incidentally, the total income for Nils T. Granlund is \$15,000 over the \$8,000 line of demarcation.

Reyells is a typical Granlund layout, two or three production numbers and audience participation in games played on the floor with the gals. That's where the cork is piled on high but they eat it up, cub and all. As usual, he's all over the place, including Nils T. Granlund's straight with the bonus of 15% over the \$8,000 line of demarcation.

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Variety Bills

THIS WEEK (Jan. 17)
NEXT WEEK (Jan. 24)

Numerals in connection with bills below indicate opening day of show, whether full or split week

Loew

NEW YORK CITY

State (23)
Cannestrelly
Hal Le Roy
Adelaide Morel
Candy T
Ray Kinnon
Alma Mads

NORFOLK

Furniture
WASHINGT
Capitol (23)
Wick, Brad
Orchard, North
Wesson Bro
Herman Hyde

18 Roxettes
German (24)
Major Bowes Co
PROVIDENCE
Metropolitan (24)
Sammy Kaye Or
Steider's

Cabaret Bills

NEW YORK CITY

Armando's
Frank Mandella Or
Pedro Crc
Martin's
Barneys
Payne, John
Simon, Simon
Lorraine & Rogers
Samuels Bro
Ted Mack

OMAHA

Opposite (24)
Address, Sis
3 Stages
Candy, Orch
Ruthie Barnes
SPRINGFIELD
Kingsway, Sam
Sammy Kaye, Orc
Petey La Reine

Bob Rips
John McDonald
MINNEAPOLIS
Orpheum (24)
Mickey Mouse
Simon Simon
Lorraine & Rogers
Samuels Bro
Ted Mack

Payne, John
Cy Walter
Louley Jean
Beachcomber
Michael Sean Orc
Cat & Goude
Carmen & Mayra

Bill Bettelheim's
Don Slevin Orc
Angel, Civ
Gill, Morris
Lorette Lane
Lorraine & Rogers
Sammy Kaye, Orc
Petey La Reine

Ella Mae, Eddie
Eddie La Louis
Ella Mae, Cooper
Gas White Way
Shep Fields Or

Paramount

RKO

NEW YORK CITY

Paramount (23)
Harry James Orc
Frank Parker
Ron Ross
Moke & Poke
Ginger Harkness
AT&T
Paramount (24)
Ted Lewis Orc
HIC
Cheng (24)
Foster, George
Fox, Leo
Cab Calloway
Hank
Olympia (23-24)
Clive McCay
Mike Nichols
Lynn, Boeve & V

BOSTON

Kathy (23-24)

Clamino Bellini

Fay Leg Bates

Harrison Ste

Bert Walton

Minivue Co

Cinchinnati

Skins (24)

Int'l Casino Rev

(11)

Freddie Dene

Shyrettes

Gertrude Nissen

Tony Clifford

Ken Murray

Milton Charleston

CLEVELAND

Palace (24)

Kay Kyser Orc

Int'l Casino Rev

DAYTON

Comet (24)

Spitz H'wood Dogs

Timber Jr, Co

George, Orch

Hudo Hard

Irene Stanley

Grauh's Village Inn

Anthony Trini Or

Aileen, Orch

Glory Lane

New Unmasker of Shakespeare

From time to time a segment of the literati pretends to be controversial over Shakespeare, dissenters declaring the bard didn't write all the plays credited to his pen. According to a circular being sent out, Arthur Sanborn of Boston offers to guarantee that at least five plays in the Shakespeare folio of 1623 were not authored by him. The Bostonian, who knows, will reveal his findings at a price, which appears to be widely elastic.

He wants \$50,000 for his secret, 'this sensational new evidence is a cipher of the most unequivocal character. It is so perfect mathematically it cannot be questioned.' Sanborn claims it is 'difficult to put a price on what is priceless—the greatest news ever opened to the intellectual world,' but in offering his material to an educational committee in Massachusetts, he is willing to arbitrate his price: 'In that case I shall lay my claim at \$1,000,000,' and venture to say that the committee wouldn't sell the evidence for 50 times that amount.

'Heat', 130G Flop, May Reopen With Revisions By Columnist Sullivan

'Heat' With the Heat', which opened at the 44th Street, N.Y., last week, was panned so generally by the critics that the show stopped Saturday (18). The quick closing completed the cycle of costly flop musicals that included *'All in Fun'*, *'Hi-Ya Gentlemen'* and *'She Had to Say Yes'*. Latter two shows never arrived on Broadway, but are spring possibilities, both supposedly being revised.

There was a difference of opinion over *'Heat'*, which cost around \$130,000, and a plan is being worked out to have it revised at the same theatre, but with its ticket sales lowered from \$4.40 to \$3.30. Suggestion was made by the N.Y. News columnist, Ed Sullivan, who would become active in the directional end, that the sketches disliked by the critics be yanked, and the revue rescheduled. If and when the show resumes, the critics would be asked to look it over again. Sullivan is said to have raised \$10,000 to finance the reworking, some of it from his own coin. Biggs Baer is among those slated to supply new material.

Equity has okayed the idea of re-lighting without the regulation lapse of time if 90% salaries are adequately guaranteed. *'Heat'* had Willie Howard and Louella Gear heading the cast; former having a four-week guarantee at \$1,750 weekly. Understood the cast is willing to take a salary cut.

'Heat' was produced by Kurt Kasner, a young newcomer, who worked on the revue since it was shown in summer stages. Backing is reported to come from a wife, who is said to be an agent of Monty Wooley, featured in *'The Man Who Came to Dinner'*, Music Box.

COLORED PLAYER ASKS 50¢, FALSE ARREST

Detroit, Jan. 21. A suit for \$500 damages was filed in federal court here by Mrs. Eunice Anderson, colored, who appeared in *'Blackbirds'* and other shows under her stage name of Eunice Wilson, charging false arrest. Basis for the large sum is the contention that she was the contention that not only did her incarceration impair her health, but that the consequent publicity given her arrest had damaged her reputation and prevented her from obtaining professional engagements.

The damage suit was brought against Julius Wagman, Detroit police department, and William Davis and Oscar Ridley, of the Chicago police department. Citizens' Committee of the Stars of the *'Blackbirds'* during its European tour, as well as American runs, she charged that on information given by Wagman she was arrested as a suspect in a swindle case. She was held five days in jail in Chicago in 1939 and two days in Detroit before being released without having had a day in court, nor having any formal charge placed against her.

Random House Signs For 'Arsenic', 'Eileen'

Bennett Cerf's Random House pacted last week for issuance in book form of *'Arsenic and Old Lace'* and *'My Sister Eileen'*, current Broadway legal successes.

That gives Random House seven plays current or expected shortly. Others are *'Corn Is Green'*, *'Old Acquaintance'*, *'George Washington Slept Here'*, *'Talley Method'* and *'Lady in the Dark'*.

LEGIT ON WHEELS IS HYPO PLAN IN MEXICO

Mexico City, Jan. 21. Hypo, the moribund Mexican theatre by taking the stage to the public, instead of waiting for the theatre to live, is the big idea of the national theatrical authors union in arranging for the operation of six portable playhouses.

These stages on wheels are to play pitched in populous sections of this city and will go on the road if they are not big enough. Full theatre equipment and companies are to be provided these houses, which will use trucks for transportation. All shows, says the union, will be Mexican and 'decorous.'

This proposition is to get going early in February. The union asserts that it will depend upon its own resources and those of the theatres to put the plan over and will not ask the government for help.

Met Opera Booked For Hub Filmery, Switches From Shubert House

Boston, Jan. 21. Metropolitan Opera will play the Metropolitan theatre, a film house, instead of the Opera House, when it makes its local appearance March 27-April 5, it was announced today (Tuesday) by the Boston Opera Assn. This will be the first time in many years that a major opera company has not played the Shubert-owned opera house.

Announcement came as a bomb explosion with the head of the Opera Assn., H. Vernon Endicott, explaining that the move is being made to obtain greater seating capacity (about 200) and make possible a lower-price scale. Report that the opera house would be torn down this spring could not be confirmed here and general opinion is that the association and the Shuberts failed to agree on a rental price.

It was announced last fall that the opera house was for sale, if it could not be found a buyer the building would be razed.

Entire Metropolitan theatre staff has been hired for the Met's 12 performances.

Miranda, Shubert Gab

Hollywood, Jan. 21. Carmen Miranda trained for New York to buddle with the Shuberts about her next Broadway musical, probably *'Crazy Show'*.

South American actress is optioned for one more picture this year at 20th-Fox.

Phoebe Blacks Up

Los Angeles, Jan. 21. New stage comedy, *'Black On the Wings of Phoebe'* is being readied for an early February opening in Santa Barbara by Kent Thurber, who is producing and directing.

Play, authored by Robert Easton Davidson, is slated for a San Francisco showing, after which it will move to Los Angeles.

Frank Smith, who was back with *'Night of Love'*, again manager of the Barrymore, where *'Pal Joey'* is playing, Sidney Harris is company manager.

June Cronyn, who recently closed *'Retreat to Pleasure'*, returned last week from visit to his home, London. One going back in a few weeks for another trip.

Joshua Logan III

Joshua Logan, whose last assignment was to stage *'Hi-Ya Gentleman'* during the show's Boston tryout, is reported having suffered a nervous breakdown. Understood he invested some money in the musical, which had Max Baer as one of the leads.

Logan is said to be under treatment in a New Jersey sanitarium.

WRITERS, MGRS. TALK NEW DEAL

Two preliminary committee meetings have been held with the idea of extending the basic agreement between the Dramatists Guild and the managers League of New York Theatres which expires March 1. Sessions have nothing to do with the amended regulations for picture rights sales, which was supposedly agreed on last summer and dated for a year. Film people declined to accept the amendment, and it was never adopted by the League.

Present pact, which has been in force for five years, was entered into after both sides wrangled for months over the picture rights gained by the dramatists was a change in sharing on picture rights, and since then the authors receive 60% of such coin, with 40% going to the producers. Among the changes suggested by the managers was to revert to the 50-50 split, but that proposal did not arise at the recent sessions, last of which was held Monday (20).

Matters discussed mainly concerned six items in connection with musical shows. Guild has already printed the agreement, which is expected to be signed within a month. It was stated that the provisions were subject to further revision. League's board will probably review the contract during the coming week, with the matter probably disposed of some time prior to the expiration date.

Producer's idea is to get the stage to the people by making five-week stands in various Virginia towns. He wouldn't stay in the town for the entire period, but use it as a base for covering the territory in the vicinity. He hopes the troupe will become self-supporting and intends charging a top admittance of 40¢ or 50¢. Plays would include a few tryouts plus established comedy successes.

When the sudden death of Joe Penner forced the closing of *'Yokel Boy'* in Philadelphia recently, the company members were financially embarrassed, particularly the chorus. Latter had struggled with hotels on a daily basis and when paid off on the basis of five-eighths, nearly all were unable to take care of their hotel bills. Comedian passed away on a Friday (10), the final three performances of the week being canceled.

Because the show had played one performance more than two weeks, the minimum contract requirement had been met. The producer's solution may have brought about additional trouble because no notice of closing had been posted, but Equity felt that such an award was not likely in view of the circumstances. Equity then decided to clarify the rules to the effect that when the death of a star causes an abrupt closing, the management shall not be liable for further salaries, provided the company is sent back to New York within 48 hours.

A master of \$500 would have settled the chorines' problem. Hotel people permitted the girls to check out upon promise to pay later. Understood that in some instances however, their baggage was held. This was not reported direct to Chorus Equity, affected members not caring to admit they were broke.

Autopsy confirmed the diagnosis that Penner died of cardiac trouble. Some question had arisen because his body was found on a table at a hotel. Comedian told friends that he had not been able to sleep for 10 years without resorting to sleeping potions. Advices from Philly were to the effect that he carried \$360,000 in life insurance and is known to have been well off financially.

Root Writing Musical

Hollywood, Jan. 21. George Balanchine signed Lynn Root to write the book for a stage musical to be produced on Broadway. This was the second time, Root was not on the road, when this spring he wrote *'Zorina'* is slated for the star role.

B'way's \$4.40 List Narrows Down,

With Brokers Still Claiming That Top Too High; Musical Inflow Halts

Reversing Greed

It is not unusual on Broadway for some managers to squeeze in more seats when a hit is registered, but that practice has been reversed at the Fulton, where the new smash *'Arsene and Old Lace'* is playing. Stated that 40 seats have been removed from side sections because a full house does not bring in maximum. Management explained, it was a matter of playing fair with audiences. Number of standees is also held down for the benefit of those in rear rows.

'Lady' is the first presentation of Howard Lindsay and Russel Crouse, authors of *'Life With Father'*. Removal of seats was suggested by Carl Fisher, their general manager.

Broadway speculated on the number of \$4.40 musicals that could profitably operate, the situation suddenly changed last week after it was first indicated that seven high-scaled shows were to open in January. Quick closing of *'Crazy With the Heat'*, 44th Street, and the announced ending of *'Hold On to Your Hats'*, Shubert, after another week, will leave not more than five \$4.40ers in the field. Currently there are six, counting *'Lady in the Dark'*, postponed opening at the Alvin being dated for Thursday (23).

In ticket agency circles, where patterned trends are closely watched, the opinion is that with a limited number of high-priced shows can be supported. Brokers still say the box office prices generally are too high and claim that all musicals should have a top of \$3.30, with straight shows under that level. The managerial viewpoint is that because of production and operating costs, a \$4.40 top is necessary if the investment is to be earned back within a reasonable time.

Consideration of the ticket men is supported by the record of grosses this season. Early in the year first clicks were musicals—*'Hold On to Your Hats'*, with Al Jolson, at the Shubert, and *'Boys and Girls Together'*, with Ed Wynn, next door to the Broadhurst. For a time both drew around \$29,000 and have been running neck and neck long along.

'Hattie Clipp's Em'

As soon as *'Panama Hat'* arrived at the 44th Street, however, attendance fell sharply, and *'Boys'* was immediately affected, both shows dropping between \$4,000 and \$5,000 weekly.

More recently business for the show slipped further, while *'Hattie'*, also at \$4.40, maintains 1st leadership. *'Louisiana Purchase'*, Imperial, is running in second place, although for some weeks after *'Hattie'* opened it maintained virtual capacity. It is now in its 35th week and is expected to span the season. *'Newest Click'* among the \$4.40 shows is *'Pal Joey'*, Barrymore, capacity of which is less than *'Hattie'*, but it is drawing more than the other high-priced shows.

There are 10 musicals on the boards three being scaled at \$3.30 top. Leading that group is *'Hellzapoppin'*, Winter Garden, which has been cleaning up for more than two years. There seems no doubt that the show has been a factor, but the show costs comparatively little to operate. At the same scale are *'Meet the People'*, Barrymore, and *'Cabin in the Sky'*. *'Barry'* is a colored cast show, which drew very good money, but has dimmed and will play Sunday afternoons and nights in expectation of upping the gross. Monday nights and Wednesday afternoons will be dropped.

Lowest scale musical is the rink revue, *'It Happens on Ice'*, Center, which has a top of \$2.75. Because of the price the show drew remarkably during New Year's week. Another edition is reported for early spring, *'Ice Follies'*, goes specialists from Sonja Henie's *'Hollywood Ice Revue'* are expected to join it.

There are slim prospects for more musicals during spring and early summer. Only show of the type likely to eventuate is *'Crazy House'*, mentioned as the successor of *'Hellzapoppin'*.

BLITZSTEIN'S 'ANSWER' MAY GO COMMERCIAL

Further presentation of *'No for an Answer'* may be made along commercial lines, according to the committee which handled the no-scenery *'Marc Blitzstein's Opera'* at Mecca Temple, N.Y., on three successive Sundays. Potential backers are said to have lined up, a comparatively modest amount being required because there is no production outlet.

If *'No'* goes on an eight-performance weekly basis, an orchestra will be used, number of men in the pit being dependent on the type of house secured. For the special Sabbath show, without orchestra, a piano and the score on the piano. Performances were principally patronized by groups described as ardent labor unionists. There was a claim of indirect censorship on the part of like commission. Paul Moss, who questioned the Temple's right to give performances. Situation was cleared when Moss issued a temporary license.

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Some question had arisen because his body was found on a table at a hotel. Comedian told friends that he had not been able to sleep for 10 years without resorting to sleeping potions. Advices from Philly were to the effect that he carried \$360,000 in life insurance and is known to have been well off financially.

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Plays on Broadway

The Cream in the Well

Drama. In two acts, presented at the Booth, N. Y., Jan. 20, 44; by Clark Wharton and Martin Gabel; written by Lynn Diamond; directed by George Melfi; music, \$25, top.

Bink Virginia Campbell
Marie Martha Sleeper
Julie Ruth Miller
Mr. Sawtort Ray Miller
Gard Myron McCormick
Gard Leah Baird
Blunt, Lockhart Harry Brissell

Serious plays have some chance even in times as distractingly gay as ours, but they must be exceptionally good. Chances of so bitter a drama as "The Cream in the Well," however, are doubtful, although it is well enacted and has definite dramatic power. Also it's too quiet an evening in the theatre.

"Cream" is an unrelenting tragedy based on implied incest between brother and sister. Lynn Miller is the author, and she is as confident as an exceptional dramatist. He describes his characters as "a group of people who psychopathologically destroy themselves." There are two suicides by unhappy women.

Play is set in Indian Territory, now the state of Oklahoma, dated in 1900. The Sawtort family are farmers, and their name is partly originated from the Cherokee tribe, although there is no racial emphasis. Some of the family are well enough spoken while the youngest daughter is the nit-wit type.

Parents appear normal enough, so there's hardly an explanation of the eldest daughter's ways. Her conduct is so obviously bad that she has her brother Clabe to leave home and he enlisted in the navy. Her primary object was to keep him from marrying Opal, another character with a broken heart. Later has wed Gard Dunham, a surly young farmer.

Under the cruel suggestion of Julie that Opal is probably going insane, she goes to see Dr. Tally, who drowns herself in the lake. Clabe had written that he never intends returning, putting the blame on Julie. So she marries Gard, though doting on Clabe.

Second act finds Clabe back home. In a scene with Julie he tells of being dishonorably discharged. The mother had sensed abnormally between them, and she asks him why he bluntly puts it, they have always been in love with each other. Factoring a living, he embittered Julie and led the way out. The ice on the lake is so thin that she falls through to death, Clabe making no move to deter the girl, merely saying he could not stop her.

As with a number of plays presented this season, the leading players have been cast. Martha Sleeper is the tormented Julie, portrays a revengeful character with definite style. Opal is very well played by Myron McCormick, who is the brother who exhibits no affection for any of the family, a subnormality in the backwoods. Myron McCormick is the objectionable Gard. Mary Morris is the good-natured Theodore, the father, do well in their parts. Only a trace of lightness comes from Virginia Campbell, as the illiterate sister, and Harry Brissell is the blustering Blunt.

It is the first production this season by Clark Wharton and Martin Gabel, although they are interested in other presentations. Last season the pair produced "Red Skies," well received, but too much on the propaganda side.

Crazy With The Heat

Rewritten by Kurt Kaszner, at the 44th Street, N. Y., beginning Jan. 14, '44. Cast: Will Howard, and Louis Gehr. Directed by Edward Franklin. Given additional music, Red Revel; arrangements, John Cawelti; lyrics, George Koenig; songs, Gordon Green; orchestra, Eddie King; book, Arnold Greenberg; costumes, John Cleveland and Kay Kennedy; sets, Edward Franklin; lighting, Harry Davis; John Cleveland and Kay Kennedy; choreography, Catherine Littlefield; settings and lighting, Albert Johnson; costumes, Lester Clegg; properties, John Clegg; director, Harold Levy; entire production staged by Kurt Kaszner; \$50 opening; 10 thereafter.

Cast: Will Howard, Luella Gear, Gordon Green, Eddie King, Louis Gehr, Tom Hanna, Eddie Clegg, John Clegg, Don Cummings, Harold Levy, Terry Gandy, Maxine Hart, 8 chorus girls, 12 chorus boys.

This nonentity of a revue represents a complete fiasco. Budgeted at \$10,000 by Kurt Kaszner, newcomer to Broadway's producer ranks. It is a cold entry and, at \$4.40 top, wouldn't sell out on the radio even if it turned in the best night on the air.

"Heat" is a strawhat baby, having played several such spots last summer. Then it was revised and recently played on in Boston, where it was further given a good overhauling before coming to New York. It's said that Kaszner has enough sense to leave it here. His score left over for another full production, but, to the show's credit, the Albert Johnson gang did a disservice to the public. Unfortunately, however, the costuming is poor and the sketches and songs, for the most part, are equally so. Entire score is BMI.

Will Howard and Luella Gear, both expert in comedy, work very hard to pull the sketches up virtually by their bootstraps. Miss Gear

never succeeds, while Howard (without Eugene) manages to remain the comic relief. The musical numbers, written by Sam E. Warris, wherein the comic plays a supposedly famous Bulgarian ballet dancer. Otherwise the sketches, contributed by a variety of writers, are a total loss.

Gloria Barris is looking and singing who is perhaps the show's top click, and principally because she has the one number, "Twist of the Wrist," that sounds commercial. Robert Collier is an old singer who does as well as anyone in the score; Ted Gary contributes one good dance routine, as does Betty Kean. Latter's deadpan comedy dancing, however, too repetitive, is not good. Julie, with Miss Green in the hodge-podge closing of the first half is weak. Don Cummings, doing his rope-twirling vaude act, is handicapped by the lateness of his spot, which may be to make his topflight talent register.

Marie Nash is a good-looking singer on the classical side, her big opportunity coming in the "Wine from My Slipper" scene, which also gives her a chance to prove she's not topnotch on her toes. Harold Gary is a funny double-talker, while Bobby Lane and Eddie King are a couple of good crooners. As a cello player, Eddie King has a couple of positions to herself, but perhaps the poorest, through no fault of her own, is the "I Can Be Got on a Yacht" song, just risqué enough to be effective.

The chorus and showgirls don't compare in looks with some of the other musicals on Broadway; their costuming is mediocre and the choreography far from distinguished. Scho.

(Closed Saturday, (18), after seven performances, but will possibly re-open.)

Play Out of Town

THE TALLEY METHOD

Boston, Jan. 14. Comedy drama in three acts by S. N. Behrman; presented by Playwrights' Guild; produced by Herman Shumlin; direction, C. O. E. Lederer; setting, at Plymouth, Boston, Jan. 14, '44; \$2.50 opening.

Avis Talley Jeanne Buri
Julie Talley Anna Held
Dr. Enid Fuller Irene Claire
Manfred Gallo Charles Kane
Dr. Aixon Talley Philip Merivale

While the quality of S. N. Behrman's writing has not diminished and although "The Tally Method" is a typical example of his work, he has been caught short with a theme that is about two years behind the current thinking of his type of audience. Before war became such a definite threat to U. S. labor, a discussion on unemployment and the youth movement was timely. Today, more pressing national problems concern the average citizen and playgoer.

"Tally" should have a moderately successful run on Broadway because both Anna Claire and Philip Merivale sustain interest in the piece by their characterizations. Miss Claire has a woman of middle-road social beliefs falling in love with a successful but reactionary surgeon and trying to help his neglected, bewildered chil-

dren. Dr. Talley, however, takes the part of the doctor with an understanding and relish not evident in many of his previous appearances here. He delivers a fine performance.

Miss Claire, as Enid Fuller, a poetess, enters the Tally household as the fiancee of the doctor. She encounters the son, an unemployed lad who dropped out of medical school and who is now infatuated with a fan dancer. He likes Miss Fuller, as does Avis, the adopted daughter of Talley, until later notes give her boy friend a middle-aged refugee poet, is too attracted to Enid.

Avis is in a constant stir over this. The Youth Congress, the dole, the "bleak, complacent" reactions etc., etc. and finally leaves to pursue her own interests. The refugee, however, in his attempts to Enid, commits suicide and becomes a symbol of the artist crushed by the machine men. Philip, the son spurred on by the fan dancer, is sent to medical school, another try. Enid, on the threshold of jilting the rather incorrigible doo, changes heart at the last minute with the determination to marry and reform him. Because her mother is dead, she can't get him, so she attains the author leaves things more or less in mid-air at the finish.

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VARIETY

also has some neat comedy touches, particularly in the second act when Dr. Tally, under the spell of Miss Fuller, girds his loins for heart-to-heart talks with his children, now practically strangers. Other laughs are derived from Hirsh, Sholem, who is a supposed man of a perennial post-graduate student, marking time through the depression, accumulating degrees at Columbia, and joyously paying court to the doctor's daughter, who, however, is not quite up to command considerable interest.

Dean Harens is consistently believable as the modern youth. John Abbott does well with the difficult role of the referee, and Eddie King is a bit of a rascal in Dr. Talley. Anne Bancroft often catches the spirit of the taut, intense daughter, but her strained voice just as often dispels the illusion. The Jo Mielziner dressing room set provides much valuable atmosphere to the roundabout of Dr. Talley.

Current Road Shows

(Jan. 22-Feb. 1)

Ballet Russe de Monte Carlo: Civic auditorium, Portland, Ore. (25); Memorial auditorium, Sacramento (27); Opera House, San Francisco (28-1).

Claudia: Playhouse, Wilmington, Del. (25); National, Washington (27-1).

"Barry Was a Lady" (Bert Lahr): Englewood, Chicago.

"Hellzapoppin": State, Kalama, Mich. (22-23); Shrine, Ft. Wayne, Ind. (24-25); English, Indianapolis (27-29); Coliseum, Evansville, Ind. (30); Memorial auditorium, Louisville (31-1).

"Ladies in Retirement" (Flora Robson): Harris, Chicago (22-1).

"Liberty Jones" (John Beal): Forest, Philadelphia (22-23); Nixon, Pittsburgh (27-1).

"Life With Father" (Lillian Gish): Blackstone, Chicago.

"Life With Father" (Dorothy Gish): Revere, Boston.

"Little Foxes" (Tallulah Bankhead): Empire, Phoenix, Ariz. (23); Rialto, Tucson, Ariz. (24); Plaza, El Paso (25); Paramount, Amarillo, Texas (27); Shrine, Oklahoma City (28); Convention Hall, Tulsa, Okla. (29); Majestic, Ft. Worth (30); Melba, Dallas (31); Auditorium, Shreveport (1).

Lifetime Ballet: State Teachers college, Indiana, Pa. (22); Her-Brack Union, H. S., Tarpon, Fla. (23); Senior H. S., Midland, Mich. (24); Toledo University, Toledo (25); Highschool, Jackson, Mich. (27); Park, Flint, Mich. (28); Ottawa H. S., Ottawa, Ill. (31); Opera House, Chicago (1).

Male Animal" (Albert Nugent): Wilbur, Boston.

"Man Who Came to Dinner" (Clifton Webb): Savoy, Hamilton, Ont. (22); Shea's Erie, Pa. (23); Colonial, Akron (24); Park, Youngstown (25); Cox, Cincinnati (27-19).

"Man Who Came to Dinner" (Alexander Woolcott): Memorial Auditorium, Bridgeport, Conn. (1).

"Philadelphia Story" (Katharine Hepburn): Temple, Birmingham (22); Lamier, auditorium, Montgomery, Ala. (23); Engle, Atlanta (24-25); Municipal auditorium, Savannah (27); Carolina, Charlotte, N. C. (28); State, Raleigh, N. C. (30); Lyric, Richmond, Va. (31-1).

"Pins and Needles": Studebaker, Chicago.

"Pygmalion" (Guth, Chatterton): Olympia, Wash. (22); Auditorium, Sioux City (23); H. S., Auditorium, Omaha (24); Municipal auditorium, Kansas City (25-26); Normal School, Emporia, Kans. (27); Arcadia, Wichita (28); Chief, Colorado Springs (29); Municipal auditorium, Denver (31-1).

San Carlo Opera: National, Washington (22-25).

"Shia Blim" (Dante): Cox, Cincinnati (22-25); American, St. Louis (26-31).

"Talley Method" (Ira Claire, Philip Merivale): Hanna, Cleveland (22-25); Ford's Baltimore (27-1).

"There Shall Be No Night" (Alfred Lunt, Lynn Fontanne): Auditorium, St. Paul (22); Lyceum, Minneapolis (23-25); Orpheum, Fargo, N. D. (27); Fox, Monte, (29); Fox, Spokane (31); Capitol, Yakima, Wash. (1).

"Time of Your Life" (Eddie Dowling): Royal Alexandra, Toronto (22-25); Locust, Philadelphia (27-1).

"Road Company" of "My Sister Sister": all cast for the Jo Ann Sayers part, for which Max Gordon is looking for another young blonde and sexy looker.

This nonentity of a revue represents a complete fiasco. Budgeted at \$10,000 by Kurt Kaszner, newcomer to Broadway's producer ranks. It is a cold entry and, at \$4.40 top, wouldn't sell out on the radio even if it turned in the best night on the air.

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Inside Stuff—Legit

Wednesday, January 22, 1941

When Gertrude Lawrence was forced to bed with grippe last week the "Lady in the Dark" which opened in Boston, was set back one week and is now slated to open tomorrow (Thursday). The Alvin, N. Y., but three paid preview performances took up the first three evenings of last week. Decision to postpone was not reached until the afternoon of last Thursday (16) and the office of Sam H. Harris, who produced the show, immediately advised first-nighters. Stated that 95% of those holding tickets were reached by telephone. Because of a steel storm many stated they were gratified over the delay.

Cost of the postponement was around \$6,000, but Harris remarked it was the nicest kind of a night to call off a show. No salaries were payable to the cast because the fifth week of rehearsing the musical play had not been used, but the chorus was given full pay. Additional expense included advertising and the total production outlay for "Lady" was pushed upward to around \$10,000.

There are 51 men backstage, as against 58 in the company. Size of the crew is accounted for by intricate cues and the use of four revolving platforms. Some deckhands may be dispensed with after the opening, but most were paid during the postponement, same going for the orchestra. A paid preview was scheduled last Wednesday (15), but had to be cancelled also. There was no way to reach those patrons and 1,300 persons went to the theatre. When the house staff explained that Miss Lawrence was ill, most of those with tickets accepted the situation graciously. The preview showings were also advertised in the dailies.

Federal law regulating the appearance of children on the professional stage is proposed in a report released this week by the National Child Labor Committee. Idea of the Federal statute would not be to substitute more stringent regulations in place of existing state laws, but to lead to standardization of the present widely-varying laws and prevent further unwise state legislation. Committee's report is based on an extensive survey of 63 child actors between the ages of six and 16.

Other recommendations of the committee are: Legislation giving reasonable regulation of stage appearances by children, without lowering barriers to their employment in vaudeville, night clubs, etc.; some kind of non-rigid standards as to the age at which children should be permitted to appear on the stage; requirement of work permit for child actors, issued by the regular employment bureau; requirement of periodic physical examinations for children; regular hours; supervised facilities in the theatre for the child's rest between stage appearances; alternates for child actors; uniformity of child-actor regulations throughout the country.

A Jersey patron who bought tickets well in advance for a Monday night performance arrived at the N. Y. theatre to learn that, because the show played Sunday evening there was no performance. Several days later the theatre received a note from the customer who expressed his disappointment and tendered an itemized bill for expenses, including the toll over the George Washington bridge, cost of several gallons of gas and parking fee in a west side garage.

Patron had received his money back on the tickets from the boxoffice, but the expense bill was disregarded. Any number of such mixups occurred because people outside of the city had not been watching the New York papers.

Talk of Pittsburgh is still about the biz that Dante rolled up in his tour at Nixon theatre. Figure first reported last week was that the matinee might bring in \$1,500 at the boxoffice, total \$6,500 out-of-pocket. For four final performances there wasn't a single ticket available and more than 500 standees saw the show during that time. Prantic efforts were made to holdover Dante at Nixon when Dennis King musical, which was to have followed, was cancelled out, but previous bookings couldn't be switched. As a result, Harry Brown, Nixon theatre manager, is trying to get UBO to send magician back for a return engagement later in season.

Stories which were originally printed in the *New Yorker* are the basis for four current shows on Broadway. Leading the list is "Life With Father," Empire, which Howard Lindsay and Russel Crouse dramatized from the novel by Clarence Day. The season's output from the same masterpiece is "Farewell, My Sisters," Biltmore, which Rita Moreno originated, and "Mr. and Mrs. North," Belasco. Owen Davis' dramatization of stories by Richard and Frances Lockridge, former the drama critic for the *N. Y. Sun*.

While going through a scuffle bit during rehearsals of "Tarnished Street," Irish drama which Jack Kirkland will present at the Little, N. Y., Jock McGraw tripped on the ground cloth and fractured his arm. It had been reported the accident resulted from a shove by Joseph Pevney, who is also out of the show, postponed until Feb. 4. It was McGraw's first stage job in two years.

Under the rules he will be paid two weeks salary and will also receive compensation insurance from the state, amount to be determined by the commission which fixes such awards.

"Ardene and Old Lace" smash comedy at the Fulton, N. Y., was previously held by John Golden, when the script was called "Bodies in Our Cellar." Producer was advised by his play reader to buy the play, but failed to do so. Author Joseph Kesselring subsequently sent it to Dorothy Stickney, with the idea she might play one of the two spinsters. Actress bought the script and passed it over to her husband, Howard Lindsay. He bought it and, with his side-kick Russel Crouse, revised and produced it.

"The Hard Way," Allen Boretz' farce which closed "for repairs" after one-week's tryout in Boston, will not reopen this season because of lengthy rewrite job required. Boretz and Morris Helpin, who co-produced it, hope to get the show on Broadway during the 1941-42 season. Meantime, Boretz and Helpin are reading other plays in hope of finding one they can get on the boards quickly. They are understood to be well-stocked with coin.

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Later this week was uncontested. The city will attempt to confiscate permanently the \$27,000 garnered by the raiders.

Sheriff D. C. Coleman refused to comment on reports from the state capital that the raiders, including the author of "Bodies in Our Cellar," are to be tried for kidnapping. He said he was on his own, at least so far as the newly elected governor, Spessard Holland, is concerned. Sources close to the governor infer that his present policy is one of non-interference in local affairs, unless conditions become too "wild" here, and in that event he may alter his stand.

What is being done as retaliation for the raid by other factors of law enforcement agencies and men who presumably were not fully accord with the sudden attack, several spots operated by the so-called "home boys" were closed down shortly afterwards.

Conventions Hypo Chi Legit; 'DuBarry' SRO \$24,000, 'Father' Fine \$14,500

Chicago, Jan. 21. Conventions in town this month have been a boon to the theatres, particularly the town's one musical, "DuBarry Was a Widow." Pauline Jo Flynn, has pounded home sharply the idea of gags, gals and Bert Lahr, with the result that it is impossible to squeeze an extra person into the house at any time. Show has run absolute capacity for the past two weeks.

On Saturday (18) "There Shall Be No Night" decamped from the Grand after 25 days of smash business. This was a complete success, opening with "Blossom Time," opening tonight (Tuesday). Harris currently has the second and final week of the return stay of "Ladies in Retirement." This show was brought back by the public, as the earlier playhouse turned in on its fortnight stay early in the season.

Estimates for Last Week

"DuBarry" was a lady, Erlanger (4th and final week) (\$1,000). Playing very night and figures to continue for few more weeks at this pace due to convention mobs which are jamming all hotels. To the doors at \$24,000.

"Ladies in Retirement" Harris (1st week, return date) (\$1,000, \$27.50). Held to good \$8,000 for its first week of return fortnight. House goes dark Saturday (25).

"Life with Father," Blackstone (4th, we've seen) (\$1,000, \$27.50). Came off a bit, but nothing to worry about. Bright at \$14,500.

"Pins and Needles," Studebaker (5th week) (\$1,000, \$1). Practically at capacity and looks for real run of it. At \$18,500, about all house can do at scale.

"There Shall Be No Night," Grand (4th and final week) (\$1,000, \$30). Ran three days less than its two weeks and sold out. All performances finished with a shoehorn at \$23,000.

Hepburn's 'Story' Big \$11,600 in Memphis

Memphis, Jan. 21.

Katharine Hepburn's three performances (17-19) at the Philadelphia Stockton's Ellis Auditorium brought up a near-record gross estimated at \$11,600.

Starred in full houses for each show and was given raves notice. The actress' Oklahoma came in from one night in Little Rock and doubled back to Oklahoma City.

Preceded movie version by several weeks, fact that mentioned locally because it has been selectively for critics, with stipulation that its existence be soft pedaled until after the play date.

Ballet Russe 15c, Seattle

Seattle, Jan. 21. Ballet Russe Monte Carlo, at Music Hall here for four performances, eclipsed last year's business, grossing estimated \$15,000, at \$2.88 top.

House capacity of 2,200 was reached every show.

Dante \$7,200 in Det.

Detroit, Jan. 21. Magician Dante and his troupe pulled okay approximate \$7,200 during the week's stay at the Cass here at \$1.65 top.

After a short run, had "Yokel Boy" linked in when the run was terminated by the death of Joe Penner, now goes dark until Feb. 3, when Ina Claire and Philip Merivale come in with "The Talley Method."



Mr. LOU CLAYTON

Issues raised by the controversy may reopen the whole question of resuming press-previews, the abolishment of which has been declared in many circles as an industry mistake. Action for the new date to take off arises from the friction between studios and production workers who were unable to get tickets for the presentations.

In recent weeks studios have shown films to the press in projection rooms, where attendance has been limited exclusively to newspaper writers. Certain association producers and directors have disapproved of the plan because they say the press has not had the benefit of audience reaction to the films, and that some of the critical comment has been unduly sharp.

Philly Crix Pan Barry's 'Liberty'; N.S.G. \$9,000

Philadelphia, Jan. 21. "Liberty Jones," new Phillip Barry play and only legit entrant in town last week, took a shellacking from the critics and didn't get much over and above the ATS subscription money, except the adverse and word-of-mouth, which spread the bad news. When film version of Barry's "Philadelphia Story" bowed in on Thursday (16), critics made further derogatory cracks but still didn't help stage show at Forest.

Numerous ATS subscribers admitted frankly not being able to understand Barry's allegory, in liberty and money angle, that there were about half a dozen to untangle "Time of Your Life" in next Monday (27) as third subscription play. Play got estimated scant \$9,000 in first stanza.

Playgoers delighted last night (Mon.) with latest edition of Lew Leslie's all-colored revue, "Rhapsody in Black," which is scheduled for two weeks.

Talley's Foxes' Snappy \$24,000 in L.A. With Plenty Coin Passed Up

Los Angeles, Jan. 21.

What looks like short-sighted booking on the part of New York was plainly evidenced in the one-week engagement of Tallulah Bankhead in "The Little Foxes" at the Broadhurst. Booked at \$24,000, she garnered a little \$24,000 or \$25,000, but it was necessary for house to put in an extra matinee on Friday and use 38 extra chairs at every performance. Picture left yesterday (Monday) on a bus, but house has remained here for a minimum of three weeks.

With the Broadhurst shuttered until Feb. 10, when Ruth Chatterton opens two-weeks run in "Pygmalion," and the Broadhurst in Hollywood did solo legit in town, house will be the new musical revue, "Standing Room Only," which debuted at the Assistance League Playhouse with an all-star cast known east (17). Sponsors are hopeful that it will develop into another "Meet the People," which ran for nearly a year in Hollywood.

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David Loew Wins

Continued from page 3

understanding prohibiting such showings. Pressure to call off the date was put on Loew, who refused to accede to requests.

Lew insisted that the deal with the Chinese theatre had been confirmed in writing; that the theatre had furnished his office with the customary 400 reserved seats for the evening, and that, in addition, he had purchased 200 seats at 85¢ each for distribution to the press and trade.

Skouras Offers Switch

With Loew adamant, studio officials turned to Skouras and demanded that he cancel the arrangements. Theatre head offered to transfer the showing from the Chinese to the Alexander-theatre in Glendale, but Loew refused the proposed change. When the conversations assumed the likelihood of an injunction, Loew turned to his attorney, David Tannenbaum, to apply for an injunction restraining the theatre from canceling the showing. Skouras today confirmed the original understanding, and the picture will be shown at the Chinese theatre tonight, the first press-preview in more than four weeks in the Hollywood sector.

Issues raised by the controversy may reopen the whole question of resuming press-previews, the abolishment of which has been declared in many circles as an industry mistake. Action for the new date to take off arises from the friction between studios and production workers who were unable to get tickets for the presentations.

In recent weeks studios have shown films to the press in projection rooms, where attendance has been limited exclusively to newspaper writers. Certain association producers and directors have disapproved of the plan because they say the press has not had the benefit of audience reaction to the films, and that some of the critical comment has been unduly sharp.

Shows in Rehearsal

"The Doctor's Dilemma" (revival)—Katharine Cornell. "Man Who Came to Dinner" (Alexander Woolcott, road)—Sam H. Harris.

"Home Sweet Home"—Ted Hammerstein, Denis Dufor, Hugh Skelly.

"Boulevard"—Jacques Chambrun. "One of the Flying Pan"—William Deering, Alexander Kirkland.

"Tanyard Street"—Jack Kirkland.

TALLEY, \$10,000, FAIR IN BOSTON

Boston, Jan. 21.

With the opening last night (Monday) of "Male Animal," the Hub stage fare is all comedy, with "Life With Father" running into its 17th week.

The "Talley Method," new piece by S. N. Behrman, bowed out Saturday (18) after one week tryout and fair.

Advance booking sheet is practically bare, but Katharine Hepburn is slated to return for at least a week of "Philadelphia Story," beginning Feb. 3.

Estimates for Last Week

"Life With Father," Civic Repertory (14th week) (\$165; \$27.50). This one is still in its first run, record, but will probably break all previous records for total gross by a single attraction when it finally quits.

"Last Week," after week performances, is still strong, for another month. Last week, again, over \$14,000.

The "Talley Method," Plymouth (seven performances) (\$180; \$27.50). Ina Claire and Philip Merivale appeared by the piece, and the new few less pieces. Took around \$10,000, fair. Goes to Cleveland and Balto before Broadway.

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Gauvreau Eds Pic Mag

Emile Gauvreau, who recently completed an autobiography, "My Last Million Readers" (Dutton), in which he declared he would never return to the newspaper business, has accepted the editorship of a new picture magazine, the Hillman Publishing Co. Gauvreau is former m.e. of the New York Mirror. He was more recently editor of the Philadelphia Inquirer-Sudan, etc.

New mag will be labeled "Tab, America's Picture." It will have the same format as Life, Gauvreau said, but an entirely new technique of picture presentation which he refused to reveal. It will start as a monthly and later change to semi-monthly. Its policy, the editor asserted, will be very liberal. First issue will be out in March. Managing ed is Joseph Brewer, former feature editor of the Associated Press and later associate editor of Newsweek.

New Haven Walkout

Walkout of typographical union members temporarily jammed publication of New Haven's two dailies last week. Sheets, both of which are owned by John Day Jackson, are Journal-Courier (morning) and Register (evening).

Journal-Courier first missed an edition Friday morning and Register followed suit in afternoon. Courier again missed Saturday, but true (applying to both papers) enabled it to resume Sunday pending conference.

More or part of mechanical employees came as somewhat of a surprise. There has been agitation on white collar end for several months via establishment of a Guild chapter here, but type rebellion was more or less unexpected.

PM Plugs Competitors

New York newspapermen rubbed their eyes in wonder at a front-page box in PM last week following the sensational robbery and murder of two men in Fifth avenue.

Box must be really extraordinary pictures of yesterday's Fifth Ave. shooting, buy today's Daily News (2c), or Journal and American (3c). PM tells how they were taken, diagrams shootings (pages 18 and 19).

It was one of the very few times that one newspaper had recommended that its readers buy another—and newsmen pretty well agreed that it was a smart move since PM could get no exceptional pictures itself.

Willard Collapses

Oswald Garrison Villard collapsed in Detroit Jan. 17, after an audience of 1,500 people while giving a lecture in the Town Hall series in the Cass theatre.

The 68-year-old editor and liberal non-dived half-way through his talk on "Behind the Scenes in Fighting Europe," subject of his present lecture tour.

He was taken to Henry Ford hospital following his collapse, where it was said he probably would be ok. following a few days' rest.

New Orleans Trib Folds

The tabloid Morning Tribune of New Orleans was discontinued Saturday (18), which means its published Staff features and news service consolidated with that of the afternoon New Orleans Item.

Shortened working hours and increased costs in the fast few years has led to diffusion of our activities," James M. Thomson, publisher, said in a page one announcement.

The Tribune was first published Dec. 16, 1924. It was changed to tabloid May 11, 1936.

Look's Biggest Year

Look magazine has just completed its largest year, with advertising of more than \$1,200,000 and a net paid circulation of more than 1,600,000 per issue.

During 1940 certain departments of the magazine were moved from Des Moines to New York City. The mail subscription department, however, remains in Des Moines.

Thorne Smith MSS. Found

Flock of unpublished manuscripts by Thorne Smith has been discovered during the past few weeks by the executors of his estate. Author has been dead for six years.

Smith was the author of a number of books which were turned into films. Among them were the "Topper" series and "Turnabout."

Coast Guild Wins Pay Hikes

The San Francisco-Oakland News-

paper Guild wound up six months or negotiations with four Frisco and one Oakland daily, winning pay raises for p.m. staffers.

For the first time, scale is now identical on both and p.m. p.m. sheets, being pegged at \$57.07.

Book on Winchell for England

St. Clair McKelway's book, "Gossip, the Life and Times of Walter Winchell," will be published in England by Chapman & Hall, which purchased the rights from Viking, the U.S. publisher.

Book first appeared as a six-part series in the New Yorker mag.

LITERATI OBITS

Pierre Millet, 75, novelist, historian and former French war correspondent, died at Paris recently.

Charles S. Foltz, 81, retired publisher and editor of the Lancaster (Pa.) Intelligencer, died of influenza Jan. 15 in a Lancaster hospital. Leaves a son, Charles S. Foltz, Jr., Associated Press correspondent in Berne, Switzerland.

Abby E. Underwood, 70, magazine contributor and at one time associated with the art department of the N. Y. Sun, died Jan. 15 in Metuchen, N. J.

Richard H. Clitespe, 63, editor and treasurer of the Stamford (Conn.) Advocate, died in Stamford hospital Jan. 15 from a heart attack he had sustained a week previously.

Fred W. Elvern, 73, retired publisher of the Cincinnati Free Press, a German language daily, died Jan. 14 in that city.

Roland R. Harrison, 62, administrative editor of the Christian Science Monitor, died Jan. 16 in Boston.

John C. Draper, 44, Saturday feature editor of the N. Y. Sun, died Jan. 16 in Suffern, N. Y.

J. E. Kern, 75, known as the dean of scrapbooks, died Saturday, practically all editorial activities in the last 50 years for the Scranton Tribune, died from a heart attack Jan. 16 in that city.

William H. Hill, 89, former editor of the Wilmington (Del.) Morning News, died in that city Jan. 16.

John E. Ballaine, 72, one-time city editor of the Washington (D. C.) Post, died Jan. 15 in Seattle.

Evelyn G. Kish, writer of popular fiction and magazine contributor, died at her winter home in St. Petersburg, Fla., Jan. 16.

Harlan Hall, 66, newspaper reporter for 48 years, died of pneumonia Jan. 14 in Pasadena, Cal. For 30 of his 48 years in the business, Hall worked in Pasadena. As a reporter in Buffalo in 1901, Hall was one of the first to reach President McKinley's side after he was shot, and came up with an eye-witness story and a photograph of the shooting.

Mrs. Coulson Kernahan, 84, English novelist, died Jan. 17 in Falmouth, Sussex, England.

Archibald G. Macdonnell, 45, British author, died at Oxford, England, Jan. 16.

Ambrose D. Gannon, 44, N. Y. respondent for the Milwaukee Journal, was found dead in the Lincoln Hotel, N. Y., Sunday (19), an apparent suicide victim. Leaves his widow, Vivian.

Walter W. Abel, 68, former head of the Baltimore Sun, died Jan. 20 in that city. He had been in poor health for the past five years.

Manuscript of "I Find Treason" has been delivered to Morrow for spring publication by Richard Rollins, investigator who uncovered the Fritz Kuhn-Bund machinations for the McCormick committee.

Thomas Albert Smith, for several years editor of The Spartanburg (S.C.) Star, has been promoted to the newly-created position of executive editor of The Spartanburg Herald-Journal newspapers.

Frances Harrington, associated with You Pub. Co. since its establishment in 1937, has been made assistant to James V. Spades, publisher. Mrs. Harrington has been v.p. of You Co. for the past three years.

Effective with the March issue, Picture Play, monthly fan mag published by Street & Smith, will be changed to You Charm. At the same time there will be increased emphasis on Hollywood styles, fashions, beauty, etc.

Bernard Sobel has completed a new book of Self-Relations, which presents the pivotal moment in the lives of famous men and women as expressed in their own words in autobiography, journal, diary or confession.

One of the first romantic novels with the current war in England as a background has just been completed by Eric Knight and will be published by Harper's in the spring. It's called "This Above All."

Joel Berglund, Hungarian-Warnerian baritone engaged for this season by the Met, will be unable to come to the U. S. and as a result the company will continue to depend on the veteran Friedrich Schorr for its heavier baritone roles.

Coast Guild Wins Pay Hikes

The San Francisco-Oakland News-

CHATTER

Fire caused \$23,000 damage to the printing plant of the Conneaut (O.) Journal.

"Wildcat 13," by Tom Gill, now running in American mag, will be published by Putnam in the spring. Bill Lengel agent.

Pittsburgh Post-Gazette, Paul Block morning daily, has taken a new three-times weekly Hollywood column by Hugh Dixon.

"Don Barr," for years conductor of the "Don Politics" column on the Los Angeles Herald-Express, retired because of illness.

C. S. Forester due in New York from his Berkley, Cal., home next week to confab with his agent and publishers.

Stanley E. Wolfe reelected for his third term as president of Youngtown (O.) Newspaper Guild, chosen without opposition.

Jack Iams, copyreader on the New York News, will have his first book published by Morrow on Feb. 13. It's tagged "The Countess to Boot," a humorous novel.

"The Shark Was Boojum" (named Lewis Carroll's Alice in Wonderland) is a new children's mystery delivered by Richard Shattock to Morrow for publication.

Niven Busch, Hollywood screenwriter, has just completed his first novel, "The Carrington Incident," for William Morrow (N. Y.) publication in February.

Ann Elmo, of AFG Agency, sold serial rights of John Wistach's "Turn Back the Clock" to MacLean's.

Paramount interested in odd mystery shocker.

Austin Stevens starting a new book column for the New York Times with gossip and news notes similar in style to the sheet's theatre and film columns.

Burton Heath, who won the Pulitzer prize for N. Y. World-Tribune expose stories on Judge Martin Manion last year, becomes editor of McClure's Syndicate Feb. 1.

Arthur Nelson Fiske, down from Hillsdale, N. Y., to Greenwich Village apt-studio, with wife-painter Gladys Brown, Fiske working on untitled novel on China.

Photographic Trade News, Inc., has been chartered to conduct a newspaper and magazine business in New York. Directors are: Elliot Fields, H. M. Johnson, and James Barton.

Clifton Fadiman compiling a volume for Simon & Schuster to contain a number of complete novels or novella stories which "I have most enjoyed in 15 years of reviewing."

Bronze tablet commemorating the memory of Joseph R. Groom, City Hall reporter for the St. Louis Post-Dispatch (Pulitzer Publishing Co.), unveiled in the rotunda of the Hall.

Film News, detailing news of documentary-makers and published by Rockefeller-sponsored American Film Foundation, coming out in new edition, is edited by John McDonald and Richard Morris are editors.

Paul Warwick, former Atlanta (Ga.) Constitution reporter and for 10 years a member of Georgia Power Co.'s advertising department, named service promotion manager of The Constitution.

Manuscript of "I Find Treason" has been delivered to Morrow for spring publication by Richard Rollins, investigator who uncovered the Fritz Kuhn-Bund machinations for the McCormick committee.

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Frances Harrington, associated with You Pub. Co. since its establishment in 1937, has been made assistant to James V. Spades, publisher. Mrs. Harrington has been v.p. of You Co. for the past three years.

Effective with the March issue, Picture Play, monthly fan mag published by Street & Smith, will be changed to You Charm. At the same time there will be increased emphasis on Hollywood styles, fashions, beauty, etc.

Bernard Sobel has completed a new book of Self-Relations, which presents the pivotal moment in the lives of famous men and women as expressed in their own words in autobiography, journal, diary or confession.

One of the first romantic novels with the current war in England as a background has just been completed by Eric Knight and will be published by Harper's in the spring. It's called "This Above All."

Joel Berglund, Hungarian-Warnerian baritone engaged for this season by the Met, will be unable to come to the U. S. and as a result the company will continue to depend on the veteran Friedrich Schorr for its heavier baritone roles.

Coast Guild Wins Pay Hikes

The San Francisco-Oakland News-

VARIETY

House Reviews

Continued from page 52

EARLE, PHILLY

also has added a ventriloquist bit since he last showed here.

W. C. Fields' "The Big Broadcast" is featured in orchestra's rendition of "Ciribiribin" and a tricky version of "Glow Worm" played with bandmen holding vari-colored lights on a suspended stage.

Although hardly seasonal, the turn is still effective.

Marvel Maxwell, a looker in a black velvet evening gown, has a vocal imitation of musical instruments and the payees kept up their palm-pounding until he came back to give his impersonation of the entire "Annie and Andy" cast, also strong.

Ted Smith, one of the wailing standbys at the Club Plantation, socks across "A Nightingale Sang in Berkeley Square," "Marie" and "Nobody's Baby." He has swell pipes. The band chucks in its own arrangement of "Rock-a-Bye Baby."

Dennett and Dee are off the stage offering with their combo tapping and drumstick stints. They drum and tap in rhythm. Best tap is "Boots and Saddles," a routine that isn't far below the standard set by the others. In top hats and tails, the line returns for its third tap round, showing the entertaining section to close as the principals come on the apron.

With a blizzard on tap the huge lower floor of this house was well filled regardless at session nabbed.

Salt and Pepper, with their comedy tap and their "That's What We Like About The South" song on a nice note, are the gags. The girl, Mary Louise, a young light-skinned gal who has a tendency to warble many notes nasally. However, the customers liked her delivery of "Some Of These Days" and a parody on "Stormy Weather."

Relay Potter scores boldly with his vocal imitation of musical instruments and the payees kept up their palm-pounding until he came back to give his impersonation of the entire "Annie and Andy" cast, also strong.

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COLONIAL, DAYTON

Dayton, Jan. 18.

"Gay Nineties Revue" with Mel Hall and Co. Yorke and Tracy, Santa Lynn, Bernard and Jensen, Jack La Lier and Co., Watson Sisters; "Escape to Glory" (Col.).

The Watson Sisters, Fanny and Kitty, in 1941 celebrate their 25th year in show business. This week as headliners in the "Gay Nineties" are the ones most thought of by the bill and manage to lay the customers in the aisles with their sashes.

Separate speeds in clever fashion between the two. Kitty making a hefty lead and Fanny coming back with a socko remark. Fanny, with her 243 pounds, sings solo throughout as "I'm Nobody's Baby" and as a partner with Eddie Cantor, she's a real pleasure abroad in song, concluding that "We Are Glad We Are Living on the American Plan."

The trapze act of Jack LaVier, assisted by female, offers go over lands to the point of offering goes over LaVier gives the customers a few thrills with his nonchalant manner of flirting with the floor while up in the air.

The chorus keeps within the scope of the unit's title by opening with a can dance and as the Flora-Dora sextet, though there is then a quick shift to modern tap. Later there's a solo by Eddie Cantor, who makes all appear in the ludicrous bathing suits of the period. Routines are well done.

Mel Hall opens the show with some comic stunts on bicycles of various types. Yorke and Tracy follow, she as Joan Crawford and he as Eddie Cantor to start with. After they have hauled out impersonations of the stars, the girls come on stage in the "Colonial" bathing suits of the period.

Also with a Hollywood slant, but more of a burlesque, is the act of Bernhard and Jensen, wherein the male partner represents W. C. Fields, while his female co-star continually trips him up with wild singing. Trick groups and some disastrous dancing are included.

Sandra Lynn as a belle "presented by Tony Pastor," gives the customers a bundle of the oldtime tunes, "Adelaide," "Good Old Summertime," "Wabash," "Good Old Summertime," "Two Little Girls in Blue." She sings well.

Kang.

FOX, ST. LOUIS

St. Louis, Jan. 17.

Buck and Bubbles, Ted Smith, Ralph Pomeroy, Perry Mercer, Marquis, Bookie Green, etc.; "Jumpin' Steppers; Jeter-Pillars, Orch (20); "Love Thy Neighbor" (Par).

Fox currently offering a 100% seat stage, the first to be presented since 1938, with the bulk of the talent on loan from the Club Plantation, a midtown nitey that presents only Negro entertainers. To bolster the offering, Buck and Bubbles and Salt and Pepper are back from New York.

The 80-minute show begins with meril. The Jeter-Pillars band, one of the best in this neck of the woods, fires the opening gun. "God Bless America," as the principals stroll down the aisle in their aprons to the customers know who the stars are.

With the talented line doing a hot tag,

Hopkins, with his comedy tap and their "That's What We Like About The South" song on a nice note, are the gags. The girl, Mary Louise, a young light-skinned gal who has a tendency to warble many notes nasally. However, the customers liked her delivery of "Some Of These Days" and a parody on "Stormy Weather."

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Sohu.

No Morality Clauses

Continued from page 52

is known to have issued any official rules on the question, it is difficult to classify them according to strictness on the question. Frequently the sponsor is made to feel by the customer that the work is on a strong basis, without anything actually being said. Sometimes a subtle hint is dropped by some account executive.

Ford's Reputation

Probably Henry Ford is regarded, rightly or wrongly, as straight-laced of the major sponsors on the subject of temperance and morality. Company is understood to be especially sensitive about booze.

American Tobacco has the reputation of not being too touchy on any one phase of the question, but of preferring a kind of general good behavior.

Gulf has a taboo on drinking publicity. And, of course, all sponsors would have apoplexy at the thought of those on their program being identified with or even subscribing to any consumer group or service.

Performers on cigaret shows (and even more the employees of agencies which put such shows on) usually expect to smoke that brand of cigarette or cigar.

Several agencies keep their brand in one of the sponsor's packages. Several agencies keep their employed and performers on cigaret programs supplied with gratis packs of the brand. Chesterfield has that reputation. But a performer on the Philip Morris show recently remarked, "We have to buy 'em."

With the show possibly moved to a larger house and the top reduced from \$4.40 to \$3.30. Alternative is to tour "Hats" after Jolson takes a rest for several weeks. Star himself figures there is more money to be drawn on the road than in New York.

In next season, Hale is opposed to keeping the show idle until then because of general uncertainty. Another possibility is engaging George Jessel for "Hats."

Hale expressed himself pointedly, claiming he had nursed "Hats" for a year before Jolson considered returning to the stage after being off the boards for 10 years. Originally mentioned to star in the musical was Jack Haley. "Hats" opened in Detroit late in June and had a successful Chicago engagement prior to Broadway.

Broadway

Elsie Houston at Brevoort supper club.
Abel Green (*Variety*) in Cuba relaxing.
Red Air Club will have its annual mid-winter beefsteak feed at Leone's Feb. 1.

Morris Iushevitz of Local 306 from Beth Israel hospital for a minor operation has donated a pint of blood to the British.

Paramount Pep Club plans stage show and supper-dance at Capitol hotel Feb. 14.

David Loew, United Artists producer who arrived in New York last week has flu.

W. M. Jolley, formerly publicist for National Best Books, joined CBS as p.a. on television.

Franklyn Warner, Fine Arts Pictures head, in New York for three weeks of vacation.

Louis Campbell and Horace McMahon motored in from Hollywood in their new Cadillac.

Bob Mochrie, eastern division sales manager for RKO, returned Monday (20) from Detroit.

Ruth Miller, now in the Blank section back to Des Moines after Paramount conferences here.

J. Walter Ruben, producer, and his wife, Virginia Bruce, trained back to Hollywood Saturday night (18).

Leo Pilot, editing a bi-weekly newspaper to keep up with Artists' sales force apprised on Arthur Kelly drive.

Henry Armstrong may disappear from sports pages, but will reappear in amusement sections as band leader.

Bill Fields invited to rejoin Ringling Bros., Barnum and Bailey circus press department by John Ringling North.

John Carrill wed to Lawrence Weber in New York. He's son of the late theatrical producer, L. Lawrence Weber.

Major Frederick L. Herron, head of the Hays office again department, back at desk after being downed by flu.

Ben Serkowich, Capitol theatre publicity chief, bedded in New Amsterdam hospital by the flu for the last two weeks.

George Abbott in Doctor's hospital for the removal of a small blood vessel in his leg. He's due out later this week.

Robert E. Woodward awarded gold medal by National Institute of Arts and Letters for distinguished achievement in the theatre.

Bill Fadiman, Metro's eastern story editor, sporting a lie whose designs made him trade back to insignia of all the film companies.

June Kapp, wife of agent Paul, has been hitting the Stateside with her verse. Latest one spoofed her husband's erratic appetite.

Austin C. Keough was in Philadelphia during the past week to clarify his position with the Far Exchange forces there.

Arch Bowles, in charge of Fox-West Coast operations in the San Francisco area, arrived in town Friday (17) for a couple of weeks vacation.

Bonnie Lueker Burman, who recently completed an original on life of Martha Berry, Georgia schoolteacher, for Paramount, is in town arranging a surprise adventure.

Alfred Rittner, Warner writer, and Ralph Rainger and Leo Robin, 20th-Fox tunesmiths, in New York following trips east for the Presidential inauguration.

Stan, who arrived in New York from Hollywood last week, was here yesterday (Tuesday) for Miami Beach for preem of "Ends Our Night," in which she appears.

Oscar Morgan and Monroe Goodman, his assistant, returned from Atlanta and Miami, where they spent the weekend, having just attended the Chicago Par sales meeting Monday (20).

Rafaelo Ottiano, who recently completed work in Hal Roach's "Topper," was here last week, having just last week, and was immediately overcome by grippe. She'll seek a spot when recuperated.

Havana

By Abel Green

BMI-ASCAP war is a topic of interest among local showmen.

Mrs. Townsend Nethers (Rosalie), Dolly, prominent in local social activities.

PM is a new Havana afternoon sheet in English. *Havana Post* (a.m.) continues.

Ruby Stone, ex-Bobby Crawford's secretary, is now manager of El Gold, male camp in Miami Beach.

Jim Witterfeld, ex-Paris impresario now represents Chester Hale here in charge of the Casino National show.

Al Simon, g.m. of WPEN (Penn, Broadcast Co.), is vacationing in Cuba with Mrs. Simon.

Franco Gonzales (and Christine), dancing at Hotel Nacional, is a brother of the Collada, boniface of El Chico, N.Y.

Since the conga-boom vogue in America, every U.S. publisher has

local scouts seeking out new tunes from among the native bands.

Mrs. Benny Davis vacationing in Havana while the songwriter-entrepreneur reads his Starlets revue here. Starts Jan. 23 for Joe Moss in Miami Beach.

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Mexico City

By Douglas L. Grahame

Tyrone Power and Annabella Lwin guested in Mexico City, teaming with Spanish dancer, teaming professionally with Cesare Tapia.

Esperanza Iris, veteran comedienne, to N.Y. for work in Latin playhouse.

Trinidad Soler of Madrid clicked with a dance recital at the Palace of Fine Arts.

Luis Alas, Argentine actor who did well in Mexican pic back home under contract to Son Film.

Virginia Fabregas, Mexico's Sarah Bernhardt, who has a taste named for her, back from Europe, had a rather dramatic season at her theatre.

Miguel M. Delgado, assistant director, had his arm broken while working at the local bullring during the making of Fox's new version of "Blood and Sand."

Mary Cortes and her husband, Fernando Ramon and Florene, ballroom dancers, and Lilly Pratts, songstress, featured in the new floor-show at the Hotel Reforma.

Xavier Villaseca, a mystic critic, arrived at the Grand Salon of the Palace of Fine Arts (National Theatre) for presentation of a series of short dramas by modern dramatists.

Search is being made by the national musical commission for the continental top ten songs. "Alla en el Rancho Grande" and "Cuatro Vidas" are among several excellent Mexican songs that have been receiving attention.

Several claims to be the composers, but none of the claims has been substantiated.

Cantinflas, comic, has quit running a boxing ring, and now will concentrate on stage pix and radio. Comic has been heralded a homely by the national theatrical association for his good work in maintaining the standards of entertainment for theatrical folk.

Cantinflas is one of the owners of the Folies Bergere, local recreation house.

Local scouts seeking out new tunes from among the native bands.

Paris

(Via Madrid)

New 20 franc notes made appearance.

French novelist, Andre Malraux, in Nice.

Foreign press in Paris held banquet at Lido.

Five, 10 and 25 centime pieces to be discarded.

New identity cards in France for all Frenchmen over 16.

Cybernetics can no longer carry friends on handbooks.

Lucienne Boyer fined for buying foie gras without ration card.

Week-end train service to winter sport spots again functioning.

With aperitifs out, soft drink ads now appearing in French press.

Inheritance taxes now abolished.

France occupied France for large families.

Dog racing unshuttered for first time since before war at Courbevoie track.

Capital cinema in Marseilles almost completely destroyed by fire. No survivors.

Much soap and food bootlegging going on in both occupied and non-occupied France.

René Pinte, by Emile Ripert and Jacques Bourdin, premied at Gymnase.

Maestro Albert Wolff of Chile to present French musical concerts in Santiago and Vina del Mar. Post-war tour to go on to Peru.

French symphonies in concert in Brazil and Uruguay before coming here for the opening of the Colon season.

Salvador Piriz and his Orchestra from Caracas from Pan American festival in stage presentation at the Porteno Show includes Emilio Heyberger, dancer from the Colon (local Met); Celso Ocello, U.S.-style tap dancer; and Mario, the local Edgar Bergen.

"Un Guapo del 900" (The Valiant 900), by Samuel Eliechbaum, which won the National Cultural Commission award in Paris, opened at the National Comedy theatre with the original cast headed by Milagros de la Vega and Carlos Perell.

Josephine Baker back in Marseilles after flying visit to Lisbon. She is staying in La Creole, role she created.

Workday in occupied France is from 10 a.m. to 5 p.m. with half-hour lunch periods. Object: to conserve light oil.

Pierre Beute and Four Elle (Marie Claire before the war), women's magazines, have made their reappearance in Paris.

No lights of any kind permitted in Paris after 10 p.m. During hunting season, no hunting. Hot water considered a luxury.

Louis Jouvet, who's going to the Americas in the spring with his company, to the Academie de Femmes at the Athenee, Paris.

Marseille comics, Raimu, Albert Rellys, reunited in musical revue, "C'est Tout le Midi," by Albert, music by Vincent Scott, in Marseilles.

Forrest Compton, dancer, by Cesare Tapia.

Charles Chaplin's "Dictator" writes that its theme is about "the future of our civilization and its organization."

New Paris decree forbids cast, rental and distribution of films.

Divorce laws are still in effect.

Police beat up talent for annual "Night of Stars" benefit.

Grace McDonald and Clyde McCoy topping bill at new Beach House, Galveston, Texas.

Sammy Kaye, dancer, to open in local cabaret.

Armando's combo has been added to the "Dinner in My Room."

Nicholas, dancer, up talent for annual "Night of Stars" benefit.

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Tempo, Bailey getting atmosphere for forthcoming novel with Miami background.

Sinclair Lewis' rehersals for "Angela's Ashes," 22nd next production of Ganti Gaithere theatre.

Joe Esposito, Sophie Tucker and Paul Draper standing by for fourth opening of Ben Mardon's Colonial Inn.

Allan Jones shovelled off his third annual concert tour, covering 18 cities in South America.

John C. Latell partied with his tonsils and back to work as relations director for Screen Actors Guild.

Ziggy Elman and Buddy Rich are in New York.

Clara Bowles, Sophie Tucker and Paul Draper standing by for fourth opening of Ben Mardon's Colonial Inn.

Pittsburgh

for names of playhouses, streets, cafeterias, etc.

Announce organization of outfit known as the "Corporacion International de Espectaculos (International Spectacle Corporation)" to produce shows for nations and foreign artists. No dope available on backers or setup.

Don Luis Valenzuela Aris, director of the National Council of the Arts, here to promote better cooperation between Argentina and Chile, welcomed by the Sociedad General de Autores de la Argentina and the Sociedad Argentina de Compositores.

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OBITUARIES

WALTER HARTWIG

Walter Hartwig, 61, theatrical producer and long a part of the little theatre movement, died Jan. 17 after a week's illness in Doctors' hospital, New York.

An associate of the late David Belasco, Hartwig founded the little theatre tournament in 1923. Competitions were held annually for almost 10 years, with prizes and the David Belasco trophy whetting the interest of undeveloped talent.

Barney Hartwig, Hartwig's son, was educated there and at the Sorbonne in Paris. He started his theatrical career with a Milwaukee stock company, and eventually gravitated in 1903 to New York, where he joined Belasco. At one time he served as a manager for Daniel Frohman.

In recent years Hartwig was chiefly identified with the summer theatre. The theatre in Ogunquit, Me., which he founded in 1932, was an outgrowth of his interest in the little theatre movement. For several years previous to locating in Ogunquit he had conducted small theatrical companies in various parts of New England, which specialized in technical courses for promising amateurs.

As a producer, Hartwig presented "If Booth Had Missed," which had a short run on Broadway in 1932; and three years later was both producer and director of "Loosestrife," his last hit.

In 1938 and '39 he was briefly engaged in picture work on the Coast for Fox Films. An officer of the Actors' Fund, Hartwig leaves his widow, Maudie, and a sister, Mrs. Nada Elshardt, of Milwaukee. Funeral services were held in New York Sunday (19).

RUDOLPH DE CORDOVA

Rudolph de Cordova, 61, playwright and actor, who wrote the scenario and served as Shakespearean advisor on one of the first film versions of "Romeo and Juliet," died Jan. 11 in London. Born in Kingston, Jamaica, he originally prepared for a medical career.

Made in 1916 by Metro, for about \$250,000, "Romeo" by coincidence was released at the same time William Fox brought forth his own "Romeo" with Theda Bara. However, due to de Cordova's shrewd upon detail and industry, the Metro film won much critical praise while Fox's was dismissed as merely a vehicle for Miss Bara.

Most of de Cordova's plays were written in collaboration with Alicia Ramsey. They included such works as "The Password," "Monsieur de Paris," "An Old Stock," "The Oregon Garden," "John Hudson's Wife," another of his plays, was presented on Broadway some 35 years ago with Hilda Spong as the lead.

Surviving are a sister, Mrs. Arthur J. Sanville of New York, and two brothers, Leander de Cordova, Hollywood director, and Rienzo de Cordova.

ROBERT CONNESS

Robert Conness, 75, veteran character actor and vaude performer who appeared in such plays as "The Bell," "Idiot's Delight" and "Lost Horizon," died after a 10-day illness Jan. 15 in Portland, Me.

Born in LaSalle County, Ill., Conness was brought up in Kansas City, where he became interested in amateur theatre. In 1902 he made his professional debut in Halifax, N. S., and later had roles with leading stock companies in Denver, Kansas City and with F. E. Proctor in New York.

He trouped throughout the United States and upon two occasions acted in England. Other plays in which he was seen included David Belasco's "The Boomerang," "Come Along," "The Virginian" with James O'Neill, "Elizabeth, the Queen" and "Pride and Prejudice."

Funeral services were held in New York Monday (20) under auspices of the Actors' Fund. Burial followed in the family plot in Moravian Cemetery, Staten Island. His wife, Helen Strickland, for 60 years prominent on the legit stage, died in 1938 at 75.

DUDLEY BUCK

Dudley Buck, 71, former opera and concert singer and for years a teacher of voice, died in Fairfield, Conn., last week, after a long illness.

The son of the late Dudley Buck, noted composer and organist, he was born in Hartford and received his early musical education in Florence, London and Paris.

After making his debut in 1895 at Sheffield, England, in "Cavalleria

Rusticana," Buck remained in the British Isles for four years, fulfilling concert engagements. Returning to the U.S., he sang briefly in oratories and opera until 1902, when he became a vocal instructor.

Leaves widow; Helen; a son, Dudley, Jr., and a sister. Funeral services were held in New York last Wednesday at the Little Church Around the Corner.

JOHN H. POWERS

John H. Powers, 56, former vaude performer and one-time associate of D. W. Griffith, died Jan. 17 at a New York hotel. As partner in an act known as McAvoy and Powers, he did a singing and talking routine some 30 years ago.

Long active in the film industry, Powers was used as general manager for Griffith and also assisted the late Jeff McCarthy in film production. Leaving the picture bit he became Tim McCoy's manager in 1936. With the film cowboy and rodeo star Powers organized a circus a few years ago, but it had a short-lived existence.

A widower, he leaves no children. Funeral services were held in New York yesterday (Tuesday).

BARTLEY C. COSTELLO

Bartley C. Costello, 70, songwriter who wrote the English lyrics to "El Dorado Grande" and, according to his family, was writer of the words to the old standard, "Where the River Shannon Flows," died Jan. 17 at the home of his brother, John Costello, in Germantown, Pa. He had been ill almost three years.

A prolific writer, Costello turned out the words to "Hearts of the World," theme melody of D. W. Griffith's film of the same name. He also composed "My Own Home Town in Ireland" and "An Old Banjo Without Any Strings." Several others also claim "claim" for "River Shannon."

Also surviving are three sons, including Frank, a bandleader and v. p. of Youngstown musicians' union, and five daughters.

DOROTHY WOLF

Dorothy Wolf, 43, former secretary to the late Joe Leblang, died suddenly at her home in New York Jan. 15. She had been in charge of the theatre party department of the Leblang-Grey agency, but was asked to resign last fall and, although continuing her activities independently, became director and for a time a vaude manager.

Miss Wolf was held to be a good judge of scripts and shows, particularly straight plays. When Leblang's considered backing productions, her opinion was relied upon. Among managers, too, Miss Wolf's opinion of scripts was considered dependable.

RICHARD BELL, JR.

Richard Bell, Jr., son of the famous Richard Bell, who founded a park named for him in Mexico City, died Jan. 12 in Guadalajara, Mexico's second largest city, where the Bell family had resided since the father's death some years ago.

Bell, Jr., had a big rep as a vaudeville and revue comedian in Mexico. He could perform equally well in English and Spanish and had played in the U.S. Surviving are two brothers and three sisters, one of the latter Rosita, being a noted stage dancer.

GEORGE C. ELLIOTT

George C. Elliott, pioneer exhibitor and an early associate of Louis B. Mayer, now president of Metro-Goldwyn-Mayer, died Jan. 19 at a Haverhill, Mass., hospital.

As a partner of Mayer and the late Charles H. Poor, Elliott constructed the Colonial theatre, Haverhill, in 1911. When the birth of a National Film Exchange, the country's first big success, Elliott and his associates held the distribution rights for New England.

JACOB WEIXLER

Jacob Weixler, 58, long noted Yiddish actor and founder of the Hebrew Actors' Union, died after a brief illness Jan. 16 at his home in New York.

An actor for 40 years, Weixler turned manager and producer last fall when he acquired the Yiddish Folks theatre in New York's downtown east side for musical revues. His widow, Rae, survives.

GENEVARA INGERSOLL

Genevara Ingersoll, 81, retired actress and former artist, died Jan. 17 at a nursing home in Clifton, Staten Island, N. Y. Born in Spain, Miss Ingersoll made her debut with Joseph Jefferson and later appeared

with Stuart Robson in a revival of "She Stoops to Conquer."

Funeral services were held in New York yesterday (Tuesday) under auspices of the Actors' Fund.

WARD LASCELLE

Ward Lascelle, 58, who directed many more pictures of pictures in the early days of Hollywood, died in Los Angeles Jan. 19. Prior to entering film work he had been a legitimate actor.

An independent producer shortly before the depression, he later became interested in sound engineering.

Widow, Margaret, survives.

JOHN P. MARSHALL

John P. Marshall, 64, noted organizer and founder and dean of the Boston University College of Music, died Jan. 17 at his home in Boston.

Former organist for the Boston Symphony orchestra, he wrote several books on music appreciation. Marshall was born in Rockport, Mass., and received his early education under Edward Macdowell.

Widow, Miriam, survives.

JOHN PARSONS

John E. Parsons, 68, one of the founders of Universal studios, died Jan. 17 in Los Angeles following a heart attack. At the time of his death he was v.p. of a costume company.

In 1914, Parsons helped organize Universal and for several years was its general manager. Surviving are his widow and a daughter.

LUDWICK PASCARILLA

Ludwick Pascarilla, 65, Youngstown, O., musician, died Jan. 15. He directed the Pascarilla band in Youngstown for many years. Before moving to Youngstown 43 years ago, he directed an opera company in New York.

Surviving are three sons, including Frank, a bandleader and v. p. of Youngstown musicians' union, and five daughters.

MARY E. HENRY

Mary E. Henry, 60, formerly connected with Columbia Amusement Co. as theatre treasurer and manager and for several seasons with the Gus Hill Attractions, died at her home in Arlingham, Mass., Jan. 13. Her husband, Thomas E. Henry, former executive of Columbia Amusement.

JOHN H. REILLY, JR.

John H. Reilly, Jr., 30, New Haven news editor of WICC, died suddenly Jan. 13 following attack while on way home from work.

Reilly was a graduate, recently worked in New York, cartoon artist and later as newspaperman before joining WICC.

HENRY OTTMANN

Henry Ottmann, 74, former president of the old Grand Opera House and manager of the American Music Hall in New Orleans, died Wednesday (15) of a heart attack.

Survived by two daughters and a sister.

JOE WEBB

Joe Webb, 54, vaude comedian and former partner of Harry Burns, died of a heart attack Jan. 10 at his home in Peekskill, N. Y.

Funeral services were held in Brooklyn last week.

WILL J. WIKOFF

Will J. Wikoff, 78, retired legal actor, died in Springfield, O., Jan. 15.

A native of Sidney, O., he played in many stock companies until he retired in 1928.

TONY SMITH

Tony Smith, 63, former vaude performer, acrobat and circus clown, died Jan. 14 at his home in Milwaukee.

As a partner of Mayer and the late Charles H. Poor, Elliott constructed the Colonial theatre, Haverhill, in 1911. When the birth of a National Film Exchange, the country's first big success, Elliott and his associates held the distribution rights for New England.

Jacob Weixler, 58, long noted

Yiddish actor and founder of the Hebrew Actors' Union, died after a brief illness Jan. 16 at his home in New York.

An actor for 40 years, Weixler turned manager and producer last fall when he acquired the Yiddish Folks theatre in New York's downtown east side for musical revues.

His widow, Rae, survives.

Father of Fred Lange, Paramount's European sales chief, died in Philadelphia Jan. 5. Par manager was in Budapest at time of father's death.

Brother of Len Penley, Paramount manager in Java, killed last week while fighting with RAF in action against Nazis.

Father, 75, of William Powell, film actor, died Jan. 17 in Hollywood.

With Stuart Robson in a revival of "She Stoops to Conquer."

Funeral services were held in New York yesterday (Tuesday) under auspices of the Actors' Fund.

WILLIAM G. ROBERTS

William G. Roberts, 64, former manager of the Majestic, died Jan. 17 in New York.

Survived by his widow, Anna, and a son, Alfred, he was a member of the Majestic staff for 20 years.

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THE PEOPLE

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VARIETY

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VOL. 141 NO. 8

NEW YORK, WEDNESDAY, JANUARY 29, 1941

PRICE 25 CENTS

RADIO TALENT COSTS DOWN

N. Y. Drama Critics' Box Score

AS OF JAN. 25, 1941

Key to abbreviations: SR (shows reviewed), R (right), W (wrong), O (no opinion clearly expressed), Pct. (percentage).

	SR	R	W	O	Pct.
RICHARD WATTS, Jr. (Herald Trib.)	42	41	1	..	.976
ROBERT COLEMAN (Mirror)	35	32	3	..	.914
RICHARD LOCKRIDGE (Sun)	41	37	3	1	.902
BROOKS ATKINSON (Times)	41	36	4	1	.878
LOUIS KRONENBERGER (PM)	41	36	4	1	.878
JOHN ANDERSON (Journal-Amer.)	41	35	6	..	.854
SIDNEY B. WHIPPLE (World-Tele.)	42	34	8	..	.810
JOHN MASON BROWN (Post)	41	33	8	..	.805
BURNS MANTLE (News)	42	33	9	..	.786
VARIETY (Combined)	43	42	1	..	.977

Watts, Coleman 1-2 in N. Y. Critics' Boxscore at Half-Season Mark

Richard Watts, Jr., aisle-sitter for the Herald Tribune, is the top fella in VARIETY's boxscore of the New York drama critics at midway of the 1940-41 season. With a dazzling mark of .976 the cerulean-shirted show-appraiser holds an even wider edge over his critical brethren than he did at the corresponding period last season.

However, Professor Watts slipped woefully during the concluding half of the course last season and finished in fourth place. Incidentally, Watts' score at the moment is actually .976, which puts him just half a point back of the combined VARIETY reviewers, with .977.

Watts raised up his .976 figure by pulling the turn-around to .41 out of a total of 42 shows caught. Robert Coleman, of the Mirror, occupies second place at the midpoint with an average of .914, based on 32 right guesses out of 35 entries covered. His Mirror partner, Walter Winchell, isn't included in the current ratings, having reviewed only seven shows so far.

Final winner last season, Richard Lockridge, of the Sun, is in third (Continued on page 53)

Keeps Singer Relaxed

Providence, R. I., Jan. 28. Girl singers whose nerves become frayed awaiting their turn on the radio can follow the example of wife of Al Jarns, currently at Providence Biltmore.

She knits for the British War Relief, which has caused much favorable comment, and also gives her something to do instead of merely looking pretty.

SONG MADE CHORINE A STAR

Mexico City, Jan. 28. Though the smash pop song "Mi Querido Capitan" ("My Dear Captain"), noted its composer, Jose Palacios, but \$9,000 (Mex); a shade under two grand (U. S.), in the five years it has been going, it enabled Celia Montalvan to rise in a season as a back-line chorus girl to one of the biggest current revue and radio stars.

She was turned down cold when she besought the manager of the theater (Continued on page 54)

Cuban Talent Scrams For Better Coin, Putting Local Niteries In Hole

Havana, Jan. 28. Idea of catering to U. S. tourists with American talent has proved a poor idea, on the theory that visitors want money Cuban entertainment, but the latter is proving tough to carry out. For one thing, anything good is readily grabbed for the States or by the South American capitals.

Result is that the topflight hotels and niteries here are in a quandary and must import Latin-type acts of merit to bolster the local programs. For example, Gonzalo & Christine, with their Latin terps, are actually from New York; Tito Guizar, Mexi-

(Continued on page 54)

Britain Has New Spitfire In Author Michael Arlen

London, Jan. 28. Author Michael Arlen, recently named press relations officer for the West Midlands district of Britain, is telling an amusing story of how he got the job. His London friends, hearing the tale, are wont to believe he's starting his propaganda stories with himself.

He was leaning out a window in

(Continued on page 54)

\$494,000 WEEKLY UNDER LAST YEAR

Network Nighttime Programs Represent Less, In Aggregate, Than 1939-40 Peak Due to Economics Through Public Participation Shows

SERIALS \$125,000

Talent bill for radio network advertisers in the aggregate is somewhat less than it was at this time a year ago. The difference may be attributed to the increase of quantity and other factors participation shows, which with but few exceptions cost considerably less than the better grade of variety, musical and dramatic programs. Sponsors of eve-

(Continued on page 27)

MIAMI IS NOW TOO LIKE N.Y.

Miami Beach, Jan. 28. This 54d street with palms is merely a road company Broadway, excepting that Broadway may become the No. 2 troupe, judging by the amount of talent and niteries hereabouts. How they'll come out is anybody's guess because as soon as they start getting after them on the gamblers—as is already the case—that makes it so much tougher.

The average New Yorker who has been around along Broadway and the Soz will find the same waiters, captains, bands and acts here. Already it's proving a chase to some, who are going to other Florida resort towns or clippings to Havana and Nassau for a change of scene.

THEATRE GUILD BEGS PARDON FOR A FLOP

Boston, Jan. 28. Condemnation of Tennessee Williams' drama, "Battle of Angels," which had a dismal tryout here, is now almost unanimous. All but one of the local reviewers gave it the business, the word-of-mouth was terrific (the wrong way), the star, Miriam Hopkins, freely paned it—and now the Theatre Guild is apologizing to its Boston subscribers. It was more of a disappointment to us than to you," says the Guild, in a formal letter sent to subscribers over the weekend.

Masquers Pay Off John Barrymore For 'What He Has Done to Theatre'

'Jeannie' Grows Up

By CHARLES DAGGETT

Hollywood, Jan. 28.

"Jeannie With the Light Brown Hair," sired to radio fame by BMI out of Stephen Foster, appears after all these years to be headed for a film career.

Tune's title was staked out last week by Columbia as label for a feature picture. Universal had previously registered it as tag on a short.

RADIO'S OWN NEWS AGENCY SOME DAY?

Sidney Stroiz, NBC vice-president in charge of programs, believes that radio itself may one day establish and operate its own news gathering agency instead of relying on the present news services. He attributes the possibility to the public's increased confidence in radio as a news source.

He was quoted to this effect in a speech made at the University of Iowa by George C. Biggar of WLW, Cincinnati. Biggar quoted a letter sent him by Stroiz.

Toscanini May Conduct For Philharmonic, Met; Wallenstein Goes NBC

Arturo Toscanini is leaving the National Broadcasting Co. at the end of his present contract. The conductor, who has been identified as understood to have definitely promised to go to Buenos Aires during the summer to conduct orchestral concerts and opera at the Colon. The season in Buenos Aires runs from about May 15 to Aug. 15.

Conductor is expected to return to the U. S. and possibly may assume light schedule of N. Y. Philharmonic guest appearances in celebration of the orchestra's 100th year. He has been doing some 1941-42 performances of the Metropolitan Opera. Toscanini was permanent conductor of the Philharmonic before joining NBC, and was with the Met from 1908-1915.

The disagreements of the 74-year-old maestro and NBC officials are understood to have been over the number and length of rehearsals required for the weekly Saturday evening broadcast. While Toscanini approves the selection of the musicians of his orchestra, he also wants (Continued on page 18)

6 Days After Opening, 'Certe The Goddess' Has \$120,000 Advance Sale

Advance sale for "Lady in the Dark," which opened at the Alvin, N. Y., last week, approximated \$120,000 within six days after the debut, establishing the latest Broadway arrival as among the biggest draws on Broadway. Advances include allotments to ticket brokers, virtually all sold ticket stubs of discount.

Morning reviews of the musical play were of the rare variety, but the afternoon notices were somewhat (Continued on page 53)

WANGER MULLS FIRST FILM BIOGRAPHY OF A POPE

First film biography of a Pope is being milled by Walter Wanger.

Project is to be kept secret until title of "Life of Pope Pius XI," indicating that the picture, if it is done, will be from a special screen script. Pius XI was the last Pope before the present one.

Hughes' Combo Factory

Hollywood, Jan. 28. Howard Hughes bought 300 acres near the Culver City airport and the site of an airplane factory to be converted into a motion picture studio at the close of the national defense program.

Currently Hughes is making a picture, based on the life of Billy the Kid, but for several years has maintained a staff of technicians for the development of aircraft inventions, several of which have been turned over to the government.

15 Best Sheet Music Sellers

(Week ending Jan. 25, 1941)

Frenesi	Southern
I Hear a Rhapsody	B.M.I.
Give Me Your Word	B.M.I.
You Walked By	B.M.I.
There I Go	B.M.I.
So You're the One	Southern
Twenty-Two (Pounds)	B.M.I.
High on a Windy Hill	B.M.I.
May I Never Love Again	B.M.I.
Nightingale Sang in Berkeley Sq.	S.B.C.
Down Argentine Way ('Down Argentine Way')	Mills
God Bless America	Berlin
Last Time I Saw Paris	Chappell
America I Love You	Mills
Along the Santa Fe Trail ('Santa Fe Trail')	Harms
Filmsical	

Celebrity-Studded Canadian Series

'Theatre of Freedom' Starts Sunday In Toronto Menken, Massey, Laughton, Oboeler Set

Toronto, Jan. 28.

In an ambitious 12-weeks' season which will see Britishers and American anglrophiles journeying to Toronto, Vancouver, and Montreal to give their services to the benefit of the Canadian network of the Canadian Broadcasting Corp., the 'Theatre of Freedom' series will be launched beginning Sunday, Feb. 2, when Eric McGill of Columbia will come here to direct Norman Corwin's 'Seems Radio Is Here to Stay.'

All the plays to be presented over the CBC network during February, March and April are plays which have been written by students of the modern theatre who love freedom. Among them, Eric McGill, living in Vancouver, in 'There Shall Be No Night'; Lynn Fontanne will go before the mike to read Alice Duer Miller's 'The White Cliffs.'

Among stage and screen people donating services will be Helen Menken in Shaw's 'St. Joan'; Raymond Massey in Arch Oboler's 'This Precious Freedom'; Charles Laughton and Elsa Lanchester in Eric Knight's 'The Flying Yorkshireman'; Paul Muni in 'The Devil and the Enemy of the People'; Douglas Fairbanks in Galsworthy's 'Strife'; Philip Merivale in Maxwell Anderson's 'Valley Forge'; Ivor Lewis in Merrill Denison's 'A British Subject I Was Born'; Walter Huston in Drinkwater's 'Abraham Lincoln'; Anna Neagle and George Sanders in Sir Robert Yanitsky's 'The Story of the Great'; Harry Marshall in Shirley's 'Hells'; Orson Welles in Archibald MacLeish's 'Fall of the City.'

Play will run from 8:30-10:30 EST. Rupert Lucas, in charge of the CBC drama department, will supervise all presentations and will plane out of Toronto to Vancouver and Montreal depending upon the station emanation.

Jeanette MacDonald CONCERT GROSS \$5,300

Memphis, Jan. 28.

Jeanette MacDonald's concert shattered records at Ellis Auditorium here a week ago. Take for after expenses, the Memphis gross was \$5,300. Event was sold out 24 hours ahead and hundreds were turned away at the box office.

Critical reaction favorable.

Geo. Abbott Better

George Abbott, after being hospitalized for about one week, appeared in his office Monday (27). He underwent a minor operation on his leg, an irritation having set in rapidly because of his devotion to the rumba.

Produced recently presented 'Paid Joy,' which rocked the Barrymore, N. Y. He still has his opinion on 'The White-Haired Boy,' but has no definite new show plans for the balance of the season.

WALLY BEERY EAST

Wallace Beery planned into New York from the Coast last Thursday (23) and will remain until after the President's Birthday Ball at the Waldorf-Astoria, Jan. 30, at which he will appear.

Trip is otherwise a vacation.

Pay 14 Chorines' Fare

Miami Beach, Jan. 28.

Paul Draper, Abe Lyman and Art Childers paid fares back to New York of 14 girls stranded here by the folding of Singapore Sadies' niterie. Joint was run by Lou Fazenda with backing allegedly by socialites.

HENIE'S 8-NIGHT N. Y. STAND TOPS 280G

Literally a \$1,000,000 draw in her 10-week season, Sonja Henie closed an eight-night engagement at Madison Square Garden last night (Tues.) to bigger receipts than last season, when in six nights the skating star grossed \$214,000. Taking this trip broadened \$200,000 at the gate, and increased gross was partly credited to the two additional showings; but the popularity of the former Olympic champion in her 'Hollywood Ice Revue' is attested to by the fact that her gross was approximately \$100,000 over the draw of the 'Ice Follies' in its recent showing at the Garden.

Henie's show was scaled to gross close to \$30 per performance, and most of the tickets were sold in advance, proven last Friday (24), when the temperature dropped to 20° below zero. The tour's total takings may not top last season because the Garden was cancelled when the Garden then demanded 50% of the receipts.

Miss Henie and Arthur Wirtz, who jointly present 'It Happens on Ice,' Center, Radio City, expected that with the star opposing her own show a marked drop in the revue would show a marked drop. Instead, takings there went up 20%. Now it was the show's business dented during the 'Follies' engagement.

(Continued on page 55)

Twisting the Tail

Hollywood, Jan. 28.

Orson Welles, even with an eye to publicity, threw the RKO-Hearst controversy over his film, already in confusion, into a completely unfathomable mess yesterday (Monday), when he told The Authors Club at luncheon: "When I get 'Citizen Kane' off my hands, I'm going to work on ideas for a great picture based on the life of William Randolph Hearst."

WELLES EAST TO TALK 'CITIZEN KANE' FUTURE

Hollywood, Jan. 28.

Orson Welles and his publicity chief, Herbert Drake, left for New York to huddle with George Schaefer and other RKO brass to discuss the future of 'Citizen Kane,' which is more or less, threatened by threats of blackouts by the Hearst newspapers.

Drake is showing off for the east with plenty of evidence that there is vast public attention drawn to the picture before its premiere, scheduled for Feb. 14.

FIGLER ASKS \$250,000 LIBEL FROM WILKERSON

Los Angeles, Jan. 28.

Damages of \$250,000 were asked by Jimmy Figler, film columnist in the Libel complaint filed in Superior Court last Friday (24) against Wilkerson Daily Corp., publishers of Hollywood Reporter, trade paper, and William R. Wilkerson, editor and publisher. Two causes of libel action were specified, each of which seeks \$75,000 compensatory damages and \$30,000 punitive damages. Action was filed for libel under the laws of Oregon & Alaska.

Suit was dismissed yesterday (Monday), but will be refiled when Figler returns from Universal's junket to Miami, columnist's attorneys said.

Figler declared that the suit was filed when the sheet refused to make retractions for two paragraphs appearing in the paper's Rambling Reporter column, which, it is claimed, injured him professionally. References to Figler were: 'Is it true that Jimmy Figler's fade-out on the L. A. Times will bring Leonard Lyons' swell column to that paper?' '...With the washup of Jimmy Figler on the air and now that his columnar activity is slumping, we hear tell he's trying to promote money locally for a tradepaper.'

N. Y. Furrier Moves in On Actress' 20th-Fox Contract

Justice Philip J. McCook in the N.Y. supreme court (Mondays (27) and Tuesdays) has on the side of Arabella 'Bunny' Hartley, 20th Century-Fox contractee, to collect 10% of her earnings on a rational diet up to 1947. Jackel, Inc., furrier, is owed \$2,256 by the actress.

Application of Jaekel states that Miss Hartley was signed to a 10-week term by 20th-Fox Jan. 9, at \$75 per week, with increases to \$800, and a guarantee of 40 weeks employment at the end of the fifth year.

THE BERLE-ING POINT

By Milton Berle

New York weather report: Rain, followed by snow, followed by sleet, followed by ice, followed by Sonja Henie.

My brother says there's a great deal of similarity between him and 'Tall, Dark and Handsome,' which got terrific notices. He claims that he, too, is a sleeper.

Enjoyed my part as a gangster in 'T. D. & H.' so much that the only way I'll enter my house now is through a second-story window.

A friend of mine is cleaning up a fortune in Palm Springs. He has the sun-ray lamp concession there.

Leaving for Miami directly after writing this. Purchased a complete riding outfit, shorts, slacks, galoshes, tan oil and heavy winter underwear.

The doctor put me on a strict diet. I'm not even permitted to have starch in my collars.

Broadway Dept.

'Lady in the Dark' and Gertie Lawrence got swell notices, so Moss Hart won't have to sing 'The Last Time I Saw Harris.'

'Night Train' at the Globe, doing so well that 20th Century-Fox is thinking of adding another section.

Mabel Todd says that Lindy's is the place where all good little silver foxes go when they die.

The Brill Building Coffee Shop has a sign: 'Try Our Jeannis With the Light Brown Hamburger.'

There's absolutely no truth in the rumor that Broadway Sam is now doing publicity for Broadway Rose.

Hollywoodland

A friend asked Joe Frisco: the cheapest way to travel across the country and he replied, 'Ha-ha have yourself k-k-kidnapped by gypsies.'

Betty Marion says her new boy friend looks like an angel. He has the mouth that other night when her father looked him over.

Bing Crosby doesn't worry about his horses bringing him out because he just worries whether or not they'll bring home the jockey.

Jack Palance finally found out why he hasn't worked for so long. His agent died three years ago.

The latest thing in Hollywood is a neon license plate under the car so if you're run over you can remember the number.

Harry Brand, 20th Century-Fox's publicity chief, wired me from Hollywood: 'Just saw you in gangster role in 'Tall, Dark and Handsome.' Congratulations. You're tough! And you chop on a blue plate special.'

Music Dept.

Irvin Dash, who published 'There'll Always Be an England,' is considering publishing a new tune titled 'There'll Always Be an ASCAP.'

The song 'There I Go' was barred at Alcatraz. A couple of inmates took it literally.

While visiting Jack Bremen I asked him how he liked my new suit.

Jack replied, 'That's the first time I ever saw a mistake with sleeves.'

Radio Dept.

My mother listens to so many radio quiz broadcasts that every time I answer anything she says, 'You're a \$50 or \$10 question.'

Anybody, Teekwalloway, Beethoven, Brahms, Rinky-Korsakoff, Liscott and many other immortals will be happy when the ASCAP-BMI situation is straightened out. Then they won't have to turn over in their graves so often.

Hangup Description

Lana Turner: Better in a sweater. Charles Chaplin: Mite makes right. Olsen and Johnson: Casbahoppin'. Carole Lombard: Ready, willing and able. Henry Youngman: Arsenic and Old Jokes.

Observation Dept.

Read an ad in a Los Angeles paper: 'Man with car wanted as companion to hitch-hiker.'

A certain vaudeville couple decided that they couldn't get along with each other so their agent got them a split week in Reno.

My new house in Hollywood is directly opposite Hedy Lamarr's and I've got new glasses to prove it.

Eavesdropped at the Stork Club: She's four or five meals heavier than I am.

Eavesdropped at the Gay White Way: The only thing big about him is his top hat.

As long as I'm leaving town, my masseur got himself a new job. He's a boxer for the Ink Spots.

There's a bookmaker in Hollywood who'll give you a price on a horse, or how long a marriage will last.

Whatever Became Of?

Middleton & Spellmyer: Whipple & Huston
Bessinger & White: Keegan and Edwards
Josie Clinton & Co.: Strassel's Wonder Seal

Afterpiece

If you don't like this column don't tell your friends about it. Let them get stuck like you did.

L. A. to N. Y.

Mary Astor.
Jack Benny.
Wallace Beery.
Robert Benchley.
Jesse Block.
Nate Blumberg.
Herbert Drake.
Matty Fox.
William Gargan.
Mack Gray.
Al Grossman.
Lady Hardwick.
Alexander Knox.
Arthur Lyons.
Dick Marvin.
John Murray.
Wayne Morris.
Jack Von Nostrand.
William Perlberg.
George Raft.
John U. Reber.
William F. Rodgers.
Joseph M. Schenck.
Robert Young.

ASCAP WRITER SUES BMI, CHARGES PIRACY

Los Angeles, Jan. 28.

Charles Rosoff, composer, filed a \$50,000 plagiarism suit against Broadcast Music Inc., charging piracy in using "That Gypsy Moon." Jack Stanley, orchestra leader, and Joan Whitney, lyricist, are also named in the action.

Rosoff asserts he turned the tune over to Stanley in 1938 and was publicly acknowledged by the band leader as its composer. Several weeks ago, he declares, BMI published the same tune, with a slight change in the words as "Gypsy Moon." Rosoff is a member of ASCAP.

Fee on Thigh Lie

Mexico City, Jan. 28.

Maria Luisa Zea, pin and radio star, told newspapermen that she intends to file suit for libel against a certain announcer of a certain local radio station because, she alleges, he told his air public:

"Senorita Zea asked Tyrone Power to write his autograph on her thigh, a thing the actor indignantly refused to do, saying that is a respectable married man."

Senorita Zea and Power emphatically deny this story.

ARRIVALS

J. C. Bavetta.

MET'S \$16,000 NET ON PONS

5 B'way Shows Total Over \$1,000,000 In H'wood Bids; 'Lady' Joins 250G Class

Smash proportions to which 'Lady in the Dark' immediately jumped following its Broadway opening last Thursday (23) gave the show a quintet of letters for which Hollywood is offering more than \$1,000,000. 'Lady' was joined that super deluxe classification, previously shared only by 'Life With Father' and 'Arsenic and Old Lace,' which is attracting 250,000-bids for screen rights.

Offer of \$200,000 was made by Columbia even before the raw notices on 'Lady' appeared. V.P. Jack Cohn saw the show at a preview Tuesday (21) and that night made the 200G offer to the authors. They turned it down.

Three-week period which, under Dramatists' Guild rules, must pass before bids can be officially made on letters will finish on Friday (31) for 'Arsenic' and a sale is expected almost immediately. Unlike owners of 'Life With Father,' who have been holding out for well over a year and still show no signs of selling, authors and backers of 'Arsenic' are agreeable to a quick sale.

Sale, however, won't mean a quick production, for holders of 'Arsenic' are considering a two-year limit before film can be made. The first figure on the Broadway stage, at least, and another year on the road for the show before allowing the film to cut it short. Principal bidders are Paramount, Samuel Goldwyn and Warner Bros. Hal Wallis, WB production chief, who is in New York, is personally responsible for that studio's interest.

Price of \$250,000, which Max Gordon is asking for 'My Sister Eileen' is holding up sales, although the show's initial bid was \$150,000. Martin Metz is said to be offering \$130,000 for 'Panama Hatte,' with producer B.G. De Sylva holding off; for \$150,000 and a compromise possible. Exec at Paramount, declared, however, that the company was still desirous of obtaining the property.

Grandson of Fremont Brings Criminal Libel Action vs. Kit Carson

Criminal libel action was started against the manager of a Boston subsequent run theater in New York yesterday (Tuesday) by a grandson of John C. Fremont, who claims the general was falsely painted in 'Kit Carson.' He aims to halt exhibition of the film.

Capt. John C. Fremont, U.S. Navy, retired, filed the action against Paul Murphy, manager of Loew's Ziegfeld, where the film played Jan. 10-12-13. Picture was produced by Edward Small for release by United Artists. At a hearing in magistrates' court yesterday on a sum-

(Continued on page 53)

CLEVE. PALACE FIRE PEPS UP VAUDEVILLE

Cleveland, Jan. 28. A short circuit that started a small fire in orchestra pit caused damage estimated at \$1,000 to wooden structures under the RKO Palace's stage, gave the International Casino Review a new climax last week before an audience of 3,000, a few of whom watched firemen put out the blaze.

Smoke was smelled while Roy Sneed was doing his banjo act. Roy Goodman, backstage electrician, assisted by Charles Rockman, elevator boy, dashed under stage to orchestra pit to extinguish fire extinguishers on its shoulder. Roy Sneed and Lee, comedy team, kept crowd from getting panicky by putting on act in front of asbestos curtain. About 90% of customers asked for and got refunds, but front-paged semi-humorous stories of the fire helped to boost show's biz for the week.

Income Tax Help

The Internal Revenue Section of the United States Treasury has again assigned special income tax experts to the Valentine, 151 West 46th Street, New York, to assist members of the entertainment professions in filing their income tax returns.

Government men will be available during regular business hours starting Feb. 3 and continuing until March 15. There is, of course, no charge for the assistance.

Register Squawk On S.A. Buildup Of Jane Russell

High-pressure publicity campaign to make a star in her first film of Jane Russell has brought squawks from various sources on the type of art being sent out. Legion of Decency has issued a 'indecent and suggestive' photo in last week's Pic Mag. Complaint was picked up and printed by Louella Parsons, who took the occasion to add a few swats of her own.

Miss Russell, 19-year-old former photographer's model, who was found by Howard Hughes while she was serving as a doctor's receptionist, is getting a publicity buildup equal to that of Walter Breen put on for Anna Sheridan. In the last couple weeks she has been on the cover of Pic and had several pages inside, several pages in Life, a full-page picture in the N.Y. Journal-American, a page in PM, and a half page in the N.Y. World-Telegram, with layouts to look, Liberty and Collier's.

Nearly all the art has Miss Russell in an extremely low-neck dress, the Legion of Decency howl had her leaning over on a shovel. In answer to Miss Parsons' yin on the photo, Hays office was given these photos when released, p.s. Russell Birdwell replied that all stills he issued were approved by Simmon Levy of Hays office. Pic photo, however, was made with these photos.

Miss Russell was given the top spot by Hughes in his forthcoming 'The Outlaw' for 20th-Fox release.

GEORGE VS. LOIS JESSEL IN BOSTON NITERIES

Boston, Jan. 28. Mr. and Mrs. George Jessel are opposing each other personally here this week. For at least two weeks Jessel has been given an advertising and publicity buildup for his opening at the Mayfair tomorrow (29). Out of a clear sky, late last week, the Versailles, just one block away, let it be known that it was featuring Lois Andrews, opening Monday (27).

Headache angle is that the Mayfair also mentioned in its publicity that Mrs. J. would be around that club, more or less, while her husband played Boston.

Bob Hanon Substitute For Flu-Bedded Ross

The flu struck Lanny Ross of his Franco-American spaghetti session nightly at 7:15 over CBS last week. Kenny Baker subbed one night and balance of the evenings were taken over by Bob Hanon.

Paul Kapp peddled Hanon to Ruthrauff & Ryan.

OPERA LOSS ONLY \$34,000 THUS FAR

Met Having Fairly Good Season But Four Works Splash Red Ink—Lily Pons Has Best Individual Box Office Record of Year

\$746,000 ESTIMATE

The Metropolitan Opera Co. of N.Y., citadel of operatic art in the U.S., closed the first half of its 57th season Monday (27) with estimated net loss for the eight weeks of \$34,000, and a total gross of \$746,000. These figures include five Tuesday performances in Philadelphia.

A total of 60 performances including the regular and benefits of 26 operas have been given. Four performances resulted for practically the entire season's two performances of which showed a \$11,000 loss; with a total gross of \$13,500; 'Samson et Delilah,' two performances of which grossed \$17,500, with a \$7,000 loss; 'Rosenkavalier,' three performances of which grossed \$26,000, with a loss of \$7,000, and 'Alecse,' the single performance of which grossed \$8,000 and cost \$10,000. May 10 will make up the 'Alecse' deficit as the season goes on and other presentations of the opera are made, as the initial

(Continued on page 54)

**Celebrate 40th Anniversary
Of Ethel Barrymore's Stardom Next Tuesday**

Ethel, John and Lionel Barrymore will appear on an NBC blue (WJZ) program 11:30-12 p.m., Tuesday (4) to celebrate the 40th anniversary of Ethel's first stage role in the theater. Others who will appear on the show are Alexander Woollcott, Arthur Hopkins, possibly Herman Shumlin and Ethel Barrymore Col. It will be a sustainer, scripted by Welburn Kelley.

Event being commemorated is the opening of 'Captain Jinks of the Horse Marines,' under Charles Frohman's management, at the Garrick, (Continued on page 54)

ANNA LEE GETS 1ST CHANCE IN U.S. FILM

Hollywood, Jan. 28. British actress Anna Lee gets the female lead opposite Ronald Colman in 'My Life With Caroline' at RKO, slated to start early in February with Lewis Milestone directing and William Hawks producing.

Miss Lee has played the feminine roles in eight British films and won her American job through a series of screen tests.

Producer Asks \$25,000 From Joan Crawford

Lee Morrison filed suit Monday (27) in the N.Y. supreme court against Joan Crawford seeking \$25,000 for alleged breach of contract. Plaintiff claims the actress backed out of a contract to play the lead in a play called 'Dame of Rose.'

Deal was made in November, 1939, and Morrison claims he obtained the money for the play, settling it on the basis of Miss Crawford's appearance in the lead. She backed out in January, 1940, he claims, and his financial backers withdrew their support. Application was made yesterday (Tues.) to transfer the suit to the federal court by the actress, claiming diversity of citizenship.

War Dept. Brings in Stokowski; Americanized Martial Music And Streamlined Army Bands Is Goal

60% of Her Tips

Lincoln, Neb., Jan. 28. An application was submitted by a woman manager of a girl who wanted a job as a waitress.

'Due to existing big conditions,' he wrote her in the usual form letter fashion, 'I can only offer you a small guarantee and 60% privilege on the tips.'

Lombard-Selznick Contract Ended; Agcy. Gets 27½ G

Hollywood, Jan. 28.

Contractual relations between Carol Lombard and the Myron Selznick agency have been broken off. An arbitration board which heard the application of the actress for cancellation of her contract, handed down the following award:

'This matter having been submitted to the arbitrators for decision, the arbitrators make the following award.'

'The above contract between the parties, dated April 1, 1939, is terminated July 1, 1940. As compensation for claimant's services rendered to respondent from Feb. 10, 1940, to July 1, 1940, respondent shall pay to claimant the sum of \$2,750 in the following manner, viz: 10% of all earnings received after July 1, 1940, by respondent for her services in motion pictures or other amusement' (Continued on page 54)

'Acquaintance' Stars In Gafest With F.D.R. Till

1 A.M.; Benefit Nets 2½ G

President Roosevelt was ordered to bed with a cold Monday (27), but the night before he braved a sleet storm to attend a special performance of 'Old Acquaintance,' sent to the National, Washington, as a benefit for the national paralysis drive. After the show the cast was rendered ill, reported at the White House. At the restaurant's table were Jane Cowell and Peggy Wood, co-starred in the play. He chatted with them until after one a.m. and seemed to enjoy the relaxation. After the president retired, Mrs. Roosevelt showed the company around the house.

Show grossed \$5,200, which was regarded as a big contribution for a fund raiser. Indicated at the get for the fund would be around \$2,500, difference being taken up by various expenses for the one night appearance. Some outlays were defrayed by Dwight Deere Wiman, who produced 'Acquaintance' to the extent of about \$1,000. Show resumed at the Moroso, N.Y., Monday (27).

DONALD FLAMM TURNS TO LEGIT PRODUCTION

Donald Flamm, who sold his interest in WMCA, New York recently for \$850,000, will become active in legit productions. For the present he may not become an independent manager, but plans buying in on shows prior to or during production.

Although he has been primarily occupied in the radio end of show-business, Flamm is quite familiar with the theatre and is a consistent first-nighter.

Washington, Jan. 28. Streamlining and Americanization of U.S. Army band music will be undertaken in a novel experiment by Leopold Stokowski. Donating his services to the Army, Stokowski will supervise special training being given to army musicians, commanding a band at Fort MacArthur, Calif. Among the aims of the famous conductor are reinstrumentation and resoring of music to suggest a new organization for military bands and to develop a band suited to open air playing—for men marching men mounted on horses, or in armored units. Stokowski also will attempt to remove foreign influences from band music and make it 'more typically American,' it was announced.

The 28-piece band of the 3rd Coast Artillery will be the nucleus of the organization with which the conductor will work, plus 12 Regular Army bands to be provided for the Infantry, Field Artillery and Coast Artillery Training Centers bands. The experimental band will be expanded temporarily into an 85-piece band as volunteers and selectees are admitted—becoming the 'band framework' for the three large training centers for selective service men on the West Coast. At the conclusion of the initial experiment, a third of Stokowski-trained bands will be sent to each of the three training centers in the Ninth Corps Area.

H'wood Extras No Dice For Film Army Service

Hollywood, Jan. 28. Extras cannot be made into soldiers on the basis of physical fitness in trying to form an army for 'Caught in the Draft,' from class B members of the Screen Actors Guild.

Guild thought so, too, and issued waivers on 100 war vets who know the manual of arms and the streamline drills.

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VARIETY RADIO DIRECTORY (Published in Hollywood by Variety, Inc.)	\$10 a year—\$12 foreign

Capra-Riskin's 'John Doe' to Get B.O. Testing; Pair to Continue WB Releasing

Frank Capra-Robert Riskin unit will probably continue releasing its product through Warner Bros., although it has no contract or options beyond the current one-picture deal, Riskin said. New York, Monday (27). He declared, however, that "an understanding" with WB has been reached.

"Meet John Doe," the director-writer title, has now been completed, its shooting now being completed, Riskin said, and will be completed toward the end of February. It will then be given about six trial engagements in various parts of the country that will determine its future. Producers are desirous of avoiding recent mistakes of other producers who touted their films as super-duper, only to have them fizzle in early engagements, so are keeping entirely mum on policy or terms until the box proves they have what they think.

Riskin asserted they would naturally like to get increased terms and will if the trial dates show the picture merits a tilt. He refused to say what percentage might be asked. Film was not sold on regular Warner contract, so is not subject to ordinary studio practices.

Trial dates will also determine Riskin's plan for the exhibition policy. If it proves all that is hoped, it will probably open on Broadway on a roadshow basis. Riskin said he had conferred with Lew's concerning placing "Doe" in the Astor, now housing Chaplin's "Great Dictator." He also has been going over the possibilities of opening in the Music Hall or the Rivoli in the event the decision is against roadshowing.

Riskin termed usual figures bandied about the industry on production costs of films "meaningless" and refused to say to what the charges on "Doe" will tote. Hollywood estimates are around \$2,000,000. Riskin said that he and Capra not only have a large cash stake in the picture but also expect they could have a collection, but were waiting for someone else during the more than seven months between the start of production and release.

Businessman of the unit as well as writer, Riskin is arranging distribution details with Warners and setting up an organization to represent the producers' interests. He has set up a similar unit with the help of David O. Selznick and John Hay Whitney in Radio City. He said that Lowell Calvert, Selznick's eastern representative, will in all likelihood also represent him and Capra. Deal with Warners is similar to that of indie producers with United Artists, in that the eastern rep must approve all contracts before they are accepted by the distributing company. Riskin said he will also establish a New York studio department, similar to the setup maintained by UA producers.

Next film, the writer declared, has not been decided on yet, although what he and Capra originally had in mind for No. 2 has been definitely eliminated. It was "Don Quixote," which has been chosen instead. Walt Disney is using the subject for a cartoon feature. How soon the team starts on its next production will depend on the success of "Doe," Riskin asserted.

Readying 'Doe' Film

Hollywood, Jan. 28. Frank Capra has whittled "Meet John Doe" down to two hours and 12 minutes, which is five minutes longer than any of his previous films. With the cutting job ended, Leo Fortstein is directing the musical scoring.

Dismiss 'Test Pilot' Suit

Suit of Delores Lacy Collins, administratrix of the estate of James H. Collins, deceased, against Metro Pictures Corp., Distributing Corp., Loew's, Inc. and Culver Export Co., was dismissed last week (21) by Judge John J. Knowl in the N. Y. federal court for lack of prosecution. Suit sought damages of \$1,000,000 for alleged plagiarism.

James Collins was a test pilot who died in 1935, but prior to his death had written a book entitled "Test Pilot," which his widow claimed had a phenomenal sale. It is claimed that the Metro picture of the same name, starring Clark Gable, Myrna Loy and Spencer Tracy, was a "deliberate piracy" of Collins' book.

BENCHLEY BACK EAST

Making Last 3 of 6 Far Shorts on Long Island

Paramount yesterday (Tuesday) resumed work at Eastern Service studios, Astoria, L.I., on series of six shorts starring Robert Benchley. Three of the group were made several months ago, work being broken off at that point to permit the comedian to appear in Walt Disney's "The Declan Dragon." That wound up last week and the writer-player immediately came east.

Remaining three shorts under Benchley's pact will be shot within the next two weeks. Couple of the earlier-made ones are already in lease, with a total of four to go into distribution this season and the two others in 1941-42.

Lloyd's Plan For 'Capt. Bligh' Film Burning Up Par

Legal action against Frank Lloyd and Universal Pictures is being taken by Paramount execs should the producer-director put into work a film based on Capt. Bligh's "Mutiny on the Bounty" fame. Lloyd last week registered the label "Capt. Bligh in Australia." Now pacted to Universal, Lloyd directed "Bounty" for 1935 for Metro.

Par last spring purchased for \$10,000 an outline of another Capt. Bligh story by the authors of "Bounty": Charles Nordhoff and James Norman Hall. Nordhoff and Hall are now enlarging the outline into a book, "Botany Bay," for which Paramount is committed to pay another \$40,000 when it is completed.

Par execs are at white heat at Lloyd, claiming he knew of the studio's plans to make another Bligh story, and is now taking advantage of it. Lloyd joined Par as an associate producer in 1936 and served there until 1939.

What has Par particularly aroused is that Lloyd's title, "Capt. Bligh in Australia," covers the same period as "Botany Bay" deals with. Despite "Bounty's" being planned somewhat as a sequel to "Bounty," the period preceding Bligh's "Pitcairn Island" adventure, copyright on Capt. Bligh or his doings, of course, is impossible, as he was an actual character, and much of the story material about him involves historical fact.

REPUBLIC AT PEAK WITH SIX IN WORK

Hollywood, Jan. 28. Mr. District Attorney rolled today (Tues.) at Republic, raising the studio's total of active productions to six, new record for the Valley lot. Picture is Leonard Field's first job as producer for the company.

Other films before the cameras are "Sis' Tropic," "Back to the Saddle," "Gladies of Cleo," "The Great Train Robbery" and "The Adventures of Captain Marvel," a serial.

Gable, Lamarr War Pic

Hollywood, Jan. 28. Clark Gable and Hedy Lamarr are slated to co-star in "The Uniform" at Metro, with Clarence Brown producing and directing.

It will be Gable's first appearance before the cameras in several months.

H'wood Helps

David E. Rose, Paramount's manager in Great Britain, last week lauded the work being done by the British in Hollywood in behalf of the parent country. Rose outlined what one British War Relief unit has done to date. Collected \$15,000 for an air raid, \$20,000 for clothing, 200 tons of clothing and 10,000 medical instruments.

He said that the "Tonight at 8:30" Coast benefit performances had realized \$36,000 profit for war relief.

Catholic Women Claim 'Bell Tolls' Is Communistic

South Bend, Jan. 28. Charging that Ernest Hemingway's novel, "For Whom the Bell Tolls," contains material that is "decidedly communistic," the chairman of the National Council of Catholic Women, through its chairman, Mrs. A. P. Perley, has protested against the filming of the book in its present form to Will H. Hays and Paramount Pictures, which has announced the story for early production.

In a communication from the Hays Office, assurance was given squawkers that nothing would appear in the finished film that would conflict with the rules of the industry's production code. Hays' office letter stated in part:

"Experience during the past seven years has proved rather convincingly that stage plays and books which in their original form violate one or more provisions of the industry's own production code will be revised so that the completed picture furnishes quite unobjectionable entertainment. Unless and until the film complies fully with the Code no seal of approval therefor is issued."

Paramount's New York office stated that the protest from South Bend is the only squawk against "For Whom the Bell Tolls" which has been received. Letter was forwarded to Y. Frank Freeman, at the Hollywood studio.

Soldiers Want Realism In Films, Poll Reveals; Fave Is Ginger Rogers

Soldiers don't want sentimental pictures about the Army and Navy. Mrs. Bettina Gunczy, council secretary of the National Board of Review, learned last week in a poll of 10,000 privates and non-commissioned officers of "overseas" division, New York. Boys demanded realism in pictures that deal with any branch of the service, they stated.

They also voted an okay to "love pictures" if the girl is "sprightly-like" Ginger Rogers. Their favorite actress, incidentally, is Miss Rogers, with Bette Davis runner-up. Spencer Tracy, favorite male, Cary Grant and Fred Astaire were the boys' picks. Boys demanded realism in pictures that deal with any branch of the service, they stated.

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In line with their desire for realism, the soldiers vigorously demanded accuracy and expressed resentment against being given "false ideas." Couple said they preferred film in color because "you can tell the color of the girl's hair."

Abbott, Costello Repeat

Hollywood, Jan. 28. Abbott and Costello started their second picture at Universal yesterday (Mon.) titled "Oh Charlie."

Arthur Lubin directs and Bert Kelly is associate producer.

Other News Pertaining to Pictures

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Deny Major Bowes Leving Chrysler.....Page 25

BMI's Wisconsin Consent Decree.....Page 30

Broadcasters' Anti-Wisecrack Resolution.....Page 31

FCC Views Five Television Systems.....Page 32

Radio Reviews: "ASCAP on Parade," Charlotte Greenwood, Milton Berle, Boris Karloff.....Page 36

CHI, DETROIT HOUSES SET FOR 'FANTASIA'

Two additional dates for opening of Walt Disney's "Fantasia" have been set, with preview at the Wilshire, Detroit, Feb. 19, and at the Apollo, Chicago, the following night. Apollo is a Balaban & Katz house, while Wilson has been leased from the Shuberts. Broadway, N.Y., and Majestic, Boston, where the film is playing, also Shubert houses. Boston showing opened last night (Tuesday) and the film bows in at the Cathay Circle, Los Angeles, tonight.

House has been sought for weeks for a Washington unveiling of the musical film, but none is available. Hal Horne, Disney's eastern rep, is pretty well resigned to wait until spring frees some house for the opening in the capital.

Henry Sutton has been named Disney's rep at the Detroit house, with Fred Gandy, handling press. Jim Levine will be in charge in Chi. with Ben Attwell doing the publicity. William Blum has been appointed to Philly publicity, while the regular Warner Bros. staff will manage the Aldine, which preems the film Feb. 12. Jeff Lieberman, press contact for the Broadway theatre, N.Y., engagement, has been switched to Philly to aid Blum.

WB STARTS SIX PIX IN NEXT 4 WEEKS

Hollywood, Jan. 28. Production chart at Warners calls for the start of six pictures in the next four weeks, leading off Monday (Feb. 4) with "Sergeant 'Y' and Mother's Boy."

These move "Bad Men of Missouri," "Highway '99" and "The Gentle People," roll Feb. 10. "The Flight Patrol" goes before the cameras Feb. 24.

RKO MEETS ON SALES POLICY

Calling in all its district managers, RKO held a meeting Thursday (23) in New York, attended by George J. Schaefer, president, to discuss sales policy, including under the consent decree, as well as to huddle on plans for the balance of this year's product. Ned E. Depinet, v.p. over distribution, presided.

In addition to Schaefer and Depinet, his group attending included Melvin Smith, Bob Mohr, Cresson E. Smith, A. A. Schubart, S. Barrett McCormick, W. H. Clark, Phil Reisman, Leon Bamberger, Mike Poller, William Dahler, William Horne, Lou Miller, W. J. McShea and E. J. Smith, Jr.

District managers brought in were Herb MacIntyre, Dave Prince, L. E. Goldammer, Walter Branson, Charles Boberg, Nat Lev and Gus Schaefer. Bob Wolff of the New York exchange was also there.

PAR LET OUT OF 3-WAY DISHONORED LADY' SUIT

Paramount Pictures, Inc., was dismissed as a defendant last Wednesday (22) by Justice Ferdinand Peccora in the N. Y. supreme court in connection with a suit against it by Margaret Ayer Barnes and Edward Sheldon. The two women are defendants in action by Julia McClinton, while Charles Frohman, Inc. and Gilbert Miller remain as defendants in Miss Barnes' and Sheldon's suit. The entire complicated controversy involves the play, "Dishonored Lady."

McClinton, who had a contract to produce the play and was to have received 50% of the film sale, claims \$67,600 is due him from the authors, including half what they collected from Louis' son for the plagiarism of the play in "Letty Lynton" by the film company.

The authors in turn sued, claiming that Miller and Frohman had secured the play from McClinton and produced it against their wishes in London with a poor cast and that \$50,000 in royalties would have been theirs had the defendants listened to them. The play having merged with Paramount, the firm which brought it, brought it as a defendant, but Justice Peccora ruled that Paramount had nothing to do with the transaction.

McLean as Assoc. Prod.

Hollywood, Jan. 28. Douglas McLean, star of silent films, joined Gloria Pictures, an independent company, as associate producer on "New Wine" with Dr. William Sekely.

Picture is being filmed for United Artists release with Ilona Massey in the top role.

Benny En Route East

Jack Benny, who is committed to make as many pictures for 20th-Fox as he does for Paramount under his new contract, is on his way to New York to look at the legible "Charles' Aunt," and ascertain if it would make him a satisfactory comedy vehicle. Play is a 20th-Fox story property.

Benny left by plane Sunday (26), but was still grounded at Tucson, Ariz., by adverse flying weather until late yesterday (Tuesday). William Perlberg, producer, who likely will make the 20th-Fox film, is on his way east with Benny.

'EXPLOIT MUSIC NOSTALGIA'

**Boosting Inventory on '41-42 Pix,
Par to Have 15 Ready by Sept. 1**

Well up on pictures promised for this season (1940-41) and already starting work on the first of the following year's films to be sold in groups of five, Nell F. Agnew yesterday (Tues.) stated that Paramount will have at least three blocks of five or a total of 15 ready when the 1941-42 season begins. Under the consent decree the season officially is from Sept. 1 on.

Par's v.p. over distribution stressed that these three groups for selling under the consent decree be withdrawn in without changes or withdrawals in Par's spring and summer releasing schedules. These pictures on the current season's program will all be delivered, while "I Wanted Wings," which was taken off release for probable roadshowing, will definitely be available this spring.

Agnew stated that the first block of five features for merchandising under the decree will be ready for screening early this summer. Attempting to set aside fears of exhibitors concerning availability of product for next season, Par's distribution-chefain added:

The executives of the company fully realize that under the new selling methods it will be necessary to augment considerably our inventory of pictures in order to assure exhibitors of an ample supply of product. Plans to finance this increased inventory were discussed and approved during our discussions in Chicago.

Agnew returned from Chicago yesterday morning (Tues.) and last night left for Toronto to confer with J. J. Fitzgibbons of Famous Players-Canadian on sales. Del Goodman, newly appointed Canadian district manager, now at the home office familiarizing himself with sales routine, leaves for Toronto later in the week.

ACADEMY AWARD BALOTTING STARTS

Hollywood, Jan. 28. Nominating ballots for the major awards by the Academy of Motion Picture Arts and Sciences for 1940 were mailed to approximately 4,000 creative artists of the industry over the weekend. Actors, writers, directors, producers and Academy members who have already started voting for their nominations will be besieged in acting writing, directing and production results. Voting on nominations ends at midnight Feb. 5, with ballots being mailed direct to a national firm of accountants who will do the counting. Nominees will be announced Feb. 10.

Mervyn LeRoy, secretary of the Academy, will again head the Awards Dinner committee, post he has held for last two years.

Display at the Academy of Motion Picture Arts and Sciences for not considering his "Fantasia" for a 1940 award, Walt Disney has refused to enter any of his short subjects in the Oscar sweepstakes. Consistent Academy winners, Disney's cartoons will be out of the running for the first time since the awards were established.

Although in its 12th week in New York, "Picnic" has not opened here. Academy committee ruled that a film must be viewed a regular theatre by those voting and not merely in a projection room.

C. Merwin Travis New Director of Pathé Lab

C. Merwin Travis was named a director for Pathé Laboratories, Inc., last week, taking the place of O. Henry Briggs, president and director, recently resigned. Pathé director made no effort to plead his case and none is likely to be elected until next month.

Briggs, who at one time was head of Pothe Film Corp., now is pres-

ident of Producers Releasing Corp.

Hays Still III

Will Hays still was bedded in New York by the yesterday (Tuesday), but may be improved sufficiently by the end of this week to return to his office. Hays' office directors' meeting has been delayed several times until he recovered, and no definite date for this adjourned session will be set until Hays returns.

Hays wants to get to Hollywood as soon as possible. He had been delayed first by meetings and now by illness.

U'S TOP EXECS CONVERGE ON N.Y.

Arrival of J. Cheever Cowdin, chairman of the board, and Matty Fox, studio executive and vice-president, from the Coast Sunday night and Monday morning (27) completed the trek of Universal officials from the studio to the home office this week. Nate Blumberg, president, came in Saturday (25) after having stopped off in Chicago to attend the banquet honoring Barney Balaban. Top officials wanted to be on hand for the director's meeting yesterday (Tuesday), when details of forthcoming product this season and tentative 1941-42 lineup were given the directorate.

These executives plan going to Miami this week to attend the premiere of "Back Street," Feb. 4. Then they will go to Chicago for a three-day sales meeting of all district managers starting on Feb. 8.

Par Still Hunts Stories For Henry Hathaway

Paramount it was learned this week, is still searching for possible stories for Henry Hathaway despite the announcement a week ago that his producer-director pact had been amicably settled. It is understood that Hathaway may continue to work at Par under a different type contract if satisfactory story material can't be found.

Hathaway has been directing exclusively for Par since 1932, except for a foray off the lot to handle "The Real Glory" for Sam Goldwyn and "Brigham Young" for 20th-Fox. It's understood he may work out a permanent deal with the latter studio. He recently completed "Shepherd of the Hills" for Par.

Wallis' Dinner Huddles

Hal B. Wallis, Warner Bros. production chief, who came east last week to attend the Roosevelt inauguration in Washington, arrived in N. Y. last Wednesday (22) for huddles with George S. Kaufman and Moss Hart on their "Man Who Came to Dinner" which is being produced by Warners. Wallis also seeing the principal legit shows while east.

He goes back to the Coast either late this week or early Feb. 2.

Pascal Sails

Gabriel Pascal left Lisbon aboard the S. S. Exeter on Friday (24). He's bringing to the U. S. a print of "Major Barbara" the George Bernard Shaw story he filmed in England. Exeter is due in N. Y. on Feb. 4, but Pascal may fly from Bermuda and get in Feb. 2.

FILM EXHIBITOR HAS ASCAP IDEAS

**Theatre Men Seek Methods
for Exploiting to Own
Benefit the Dearth of Mu-
sical Americana on Air**

RE-BOOKINGS

Centorford theatre chain has undertaken to cash in on the current absence of ASCAP music on the networks by booking in band and other musical acts that can be advertised as offering music that cannot be heard on the air. Publisher members of ASCAP last week received letters asking them to furnish each of the spots with professional copies and dance orchestrations.

The "Hi Parade" angle is being played by bookers in the chain in their drive in the exploitation and newspaper advertising. The theatres in the chain which have already been set for such bookings and campaigns are the Capitol, Binghamton; Irving, Wilkes-Barre; Fay's, Providence; Matty's, Scranton; Feeley, Hazleton, Pa.; Hippodrome, Pottsville, Pa.; Capitol, Williamsport, Pa., and the Irving, Carbondale, Pa.

Livington's Proposal

Lincoln, Jan. 28. To take advantage of the ASCAP situation, R. R. Livington, of the indie Capitol here and always against radio as film's strongest competitor, is huddling with Gene Blazer, Nebraska ASCAP rep, to do something about it. Livington wants to use the secret run of "Tim Pan Alibi" to start off a promotional radio drive. His idea, roughly, is this:

He wants to advertise "If you want to listen to good music, let your radio sit quiet, and come to a picture." He wants ASCAP to assist in matching funds with theatres to launch an advertising campaign which will sell theatres as the home of good music-institutional, not individual.

He wants to book subsequent runs of several of the old musical hit films to bring forcibly to the attention of patrons what they're missing on radio, and at the same time collect on the nostalgia created by the old tunes.

Livington is remembered in the trade for his one-man campaign against Heide's "Pot o' Gold" show a little more than a year ago. Heide, however, got a large amount of radio play, and it is felt that the Heide show offered, in case the winner was in his theatre, and not at home to answer the telephone and collect the big prize. At one time nearly a thousand film houses in the United States imitated his example.

"ASCAP and the theatres join hands," Livington points out. "The public will be rid of one of its present standoffs with ASCAP by proper ads and film spots can make money at the same time. If ASCAP is signed by radio, ASCAP's point is gained. And if it is, theatres will be no worse off than before, meantime having picked up stature during the fight. An assist for ASCAP at this time should hardly be to the detriment of film dealings with the music organization in the future."

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'Flight' Commands \$23,000 as L.A.'s Topper; 'Sierra' in High, \$21,000; 'Victory,' 13½/G; Vigilantes' OK

Los Angeles, Jan. 28. Nothing sensational on view this week, but bulk of first runs are running to slightly upped business. Best in town is 'Flight Command' which shot it up combined \$20,000 at Loew's State and 'Sierra' (WB). Warners doing neat biz with 'High Sierra' at their Downtown and Hollywood, with \$21,000 in sight for the two houses. RKO and Pan got back to a 'Victory' opening and 'The Vigilantes' (U) and 'Invisible Woman' (U) are doing neat biz.

Russ Morgan's orchestra on stage at Paramount failed to bolster 'Victory' as hoped, so best in sight fair \$10,500. Other houses are not faring so well.

Hitching Post theatre, formerly the Tele-View (News) and more recently operating with a revival policy, debuts this week as the newly styled first-run western feature house. Policy is purely experimental. House has 385 seats and will have top tariff of 25¢, running two sage brush features for a week. RKO's 'Ride, Ride, Ride' (U) and 'Tobin Hood of the Pecos,' both Republic.

Estimates for This Week

Chinese (Grauman-F-W-C) (2,034-30-44-55-75) — 'Flight Command' (M-G) and 'Shayne Detective' (20th). Around \$9,000. Fair. Last week, 'Hudson's Bay' (WB) and 'Gallant Sons' (M-G), satisfactory \$9,500.

Downtown (WB) (1,000; 30-44-55) — 'High Sierra' (WB) and 'Couldn't Say No' (WB). Big \$11,000, and holds over. 'Honey Moon Three' (WB) and 'Before Comes Navy' (WB) (re-issue), just fair \$8,000.

Four Star (UA-F-WC) (900; 30-44-55) — 'Cheers Bishop' (UA) (2d wk).

Looks like about two more weeks, with 'Flight' holding its own. House record by grossing more on second week than first for total of \$5,000. First week, off a trifle due to weather, but okay at \$4,500.

El Capitan (WB) (1,000; 30-44-55) — 'High Sierra' (WB) and 'Couldn't Say No' (WB). Biz holding to about what was expected and looks like his \$10,000. Last week, 'Honeymoon Three' (WB) and 'Hudson's Bay' (WB) (re-issue) \$9,500.

Pantages (Pan) (2,912; 30-44-55) — 'Vigilantes' (U) and 'Invisible Woman' (U). Should hit good \$9,500. Last week (nine day hold-over), 'Kitty Foyle' (RKO) and 'Ellery Queen' (Col) (1st stanza), very good \$11,500.

Paramount (Par) (3,595; 30-44-55) — 'Flight' (Par) and stage show, 'El Capitan' (WB) holds \$12,000. You're the One' (Col) last week, 'Love Neighbor' (Par) (3d wk) and 'Texas Rangers' (Par) (1st wk), neat \$10,000.

Tor (RKO) (2,274; 30-44-55) — 'Vigilantes' (U) and 'Invisible Woman' (U). Should hit good \$9,300. Last week, 'Kitty Foyle' (RKO) (2d wk) with 'Ellery Queen' (Col) added for first stanza of nine days, very good \$11,500.

State (Fox-F-W-C) (2,404; 30-44-55-75) — 'Flight' (Command) (M-G) and 'Shayne Detective' (20th). Neat \$10,000. Last week, 'Hudson's Bay' (20th) and 'Gallant Sons' (M-G), off \$10,000.

United Artists (UA-F-WC) (2,100; 30-44-55) — 'Hudson's Bay' (20th) and 'Gallant Sons' (M-G). Big way off again, but still holding \$10,000. Last week, 'Flight' (Par) (5th wk) is right \$2,000. Last week, 'Philadelphia' (M-G) (2d wk) trim \$6,800.

Wistler (F-W-C) (2,296; 30-44-55) — 'Flight' (Par) and 'Gallant Sons' (M-G), off \$10,000. Last week, 'Philadelphia' (M-G) (1st wk) and 'Chad' (WB) (1st wk), excellent \$9,300.

Broadway Grosses

Estimated Total Gross
Last Week \$379,000
Total Gross Same Week
Last Year \$424,700
(Based on 12 theatres)

PHILLY' \$15,000 IN POTENT BUFF.

Buffalo, Jan. 28. Downtown wickets, aided by strong screeners, are doing a great turn for this city. Business is taking on the most part being fairly evenly distributed in the upper and middle brackets.

'Gone at the Lakes' is still nicely holding its own, while 'Philadelphia Story' is piling up a smart marker for the Buffalo. At the Hipp, twimers continue to profit from what looks like the opening of the adjacent Lakes.

This called 'Love' (Col) is continuing this frame with a healthy holdover draught at the Lafayette.

The 20th Century appears off, and that by not too much.

Estimates for This Week

Buffalo (Shea) (3,500; 30-35-55) — 'Philadelphia' (M-G) and 'Wild Man Romeo' (M-G). Hitting a fast clip, and should see up very nice at \$15,000. First week, 'Victory' (Par) and 'Christmas Jubilee' (Par), sagged into bad form for dull \$8,000.

Great Lakes (Shea) (3,000; 35-55) — 'Gone' (M-G) (2d wk). Still zooming, second frame should see brilliant \$15,000. First week, 'Philadelphia Story' (Col) and 'Ellery Queen' (Col). Second week will go strong at \$7,000.

Hipp (Shea) (2,100; 30-45) — 'Here Comes Navy' (WB) (re-issue) and 'Rivers End' (WB) over \$7,000. Last week, 'Flight' (Command) (M-G) (2d wk) with 'Keepin' Company' (M-G) (2d run), stout \$6,000.

Lafayette (Hycman) (3,300; 30-45) — 'This Called Love' (Col) (2d wk). Stronger than ever. Last week, 'This Called Love' (Col) and 'Phantom Submarine' (Col), smashing \$14,000.

20th Century (Diagon) (3,000; 30-45) — 'Elmer' (Riv) and 'Always Entitled' (WB). Mildly successful, but off \$10,000.

State (WB) (2,100; 30-44-55) — 'Flight' (Par) (3d wk), very good \$10,000. Last week, 'Kitty Foyle' (RKO) (2d wk) with 'Ellery Queen' (Col) added for first stanza of nine days, very good \$11,500.

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Wistler (F-W-C) (2,296; 30-44-55) — 'Flight' (Command) (M-G). Pacing \$10,000 and able to repeat. Last week, 'Santa Fe' (WB) repeat, fair \$5,000.

FLIGHT' \$10,000, MONTL'

Mother's Parrot 6½-G — 'Comrade' and 'Bagdad' H.O. Stars

Montreal, Jan. 28. Film traffic currently is moving definitely in the direction of the Palace, where 'Flight Command' is away, and 'Philadelphia Story' is in \$10,000. Last week, 'Philadelphia' (M-G) (2d wk) trim \$6,800.

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Film traffic currently is moving definitely

Philly Beats Snow, Flu; 'Gone'

\$25,000, Vigilantes' - Hawkins 27 1/2G

Philadelphia, Jan. 26. "Lured" by the cold weather, product phony filmgoers are braving the flu epidemic and heavy snowstorms to jam into central city deluxes this week. All along the line, these managers are reporting healthier crowds than last week.

Leading the league, surprisingly enough, is the vigilante combo of "Trail of the Vigilantes" and an all-colored stage show at the Earle. Also going great guns is the opening smash hit at the Stanley at popular prices.

The cash registers are also playing a tune for "Philadelphia Story," hold-over, and "Kitty Foyle" with its second week at a subsequent run showing.

Estimates for This Week

Alaine (WB) (1,303; 35-46-57-68) — "Road Show" (UA). Not in the fast company of others, but still satisfactory \$8,500. Last week, "Son Cristo" (UA), slow \$5,200 for its second try.

Avalon (Sablinsky) (600; 35-46-57) — "Northwest Mounted" (Par) (2d wk) (2d wk). Riding high with \$4,000 for this try. First week of second run was \$3,400.

Brown (WB) (2,500; 35-46-57-68) — "Philadelphia" (M-G) (2d wk). Looks good for a long stay, snagging a sock \$7,500 for deuce round. Bow-tie last week netted a terrific \$7,200.

Earle (WB) (7,748; 35-46-57-68) — "Vigilantes" (U) with all-colored show featuring Erskine Hawkins orchestra. Stepping high with a super-special \$27,500. Miles ahead of meagre \$15,500 cluked up by "Invaders" (WB) (1,000) and Ted Weems orchestra last week.

Fox (WB) (2,423; 35-46-57-68) — "Hudson's Bay" (20th). Just shading par with \$15,200. Last week, "Love Neighbor" (Par) barely missed with \$14,800.

Karson (WB) (1,066; 35-46-57-68) — "Comrade X" (M-G) (2d run). Not bad after changeover with \$4,700. Last week, second run showing of "Son Cristo" (UA) was \$4,800.

Kelvin (WB) (1,970; 35-46-57-68) — "Kitty Foyle" (RKO) (2d run) (2d wk). Lotsa life for "Kitty" with neat \$4,800 for this try. Last week, "Neat" (WB) (2,916; 35-46-57-68).

Saints (WB) (2,500; 35-46-57-68) — "Gone" (M-G). Popular price run looks solid with \$25,000 for first canta. Last week, second sess for "Comrade X" (M-G) and "Son Cristo" (UA) (2,000; 35-46-57-68).

Tall (Dark) (20th). Getting the critics' rave, but unable to top \$4,300 fair. Last week, "Texas Ranter" (Par), fared worse with poor \$3,700.

Maisie'-Vaude \$14,000, OMAHA; 'Comrade' 9 1/2G

Omaha, Jan. 28. Omaha followed by cold checked, but didn't kill, new opening headed by "Maisie Was a Lady plus a triple feature stage show at the Orpheum and a double bill at the Andrew Sisters Three Stooges and Joe Venuti and orchestra. Omaha is going swell with "Comrade X" and "Haunted Honeymoon," considering the state of the art.

\$9,000 without any trouble.

Brandis is completing second week of "Arizona" and "Always a Bride" for a \$3,000 gross, not bad for this house.

Other houses, including the cut of the public's show money, are doing well. Road shows, skating carnivals and the Frisco benefit.

Estimates for This Week

Avalon (WB) (1,000; 35-46-57-68) — "Maisie Was a Lady" (U) (goldberg) (2,500; 35-46-57-68), split with "Melody Moonlight" (Rep) "Give Wings" (U) and "Diamond Frontier" (U). Pretty fair \$1,100. Last week, "Escaped" (WB) (1,000) and "Spiders" (RKO) (20th) with "Son Murder" (M-G) and "Wildcat" (U), about \$1,000, so-so.

Brandis (Mort Shiner) (1,500; 25-35-45-55) "Arizona" (Col) and "Always a Bride" (WB) (20th). Fair \$1,000. Last week, \$9,000 considering. Last week, same program did a nift \$7,800, which is above average for this house.

Drama (Trilitas) (2,000; 10-30-40) — "Comrade X" (M-G) with "Haunted Honeymoon" (M-G). Will do \$9,500, pretty good. Last week, "Cheers Bishop" (UA) and "Capt. Caution" (UA), fair \$8,000.

Empire (Trilitas) (2,000; 10-30-40) — "Maisie Was a Lady" (M-G) with Andrews Sisters, Joe Venuti band, Three Stooges, Don Darcy, Ruthe Barnes, Kay Starr and others on stage. Pretty good \$14,000. Last week, "The Devil's Disciple" (WB) and "Bullshallow" (M-G), wound up a little better than \$8,000.

State (Goldberg) (900; 10-20-25) — "Melody Moonlight" (Rep) and "Zorro" (20th), split with "Diamond Frontier" (U), "Always a Bride" (WB) and "Give Us Wings" (U). Pretty fair \$8,000. Last week, "Leeward" (Col) and "Escape" (M-G), split with "Brigham Young"

(1,200), "Wildcat" (U) and "Pier 13" (2d wk) good \$800.

Tower (Goldberg) (1,500; 10-20-25) — "Robin Hood Petos" (Rep) "Split-five" (RKO) and "Aunt Maggie" (Rep), split three ways "Coyote" (Col), "Panama Lady" (RKO) and "Correspondent" (UA) and "Strang Cargo" (M-G). Little better than \$700. Last week, "Texas Terrors" (Rep). "Sky Rider" (M-G) split with "Meet Missus" (Rep) and "Cheyenne" (Rep). "Thundering Frontier" (Col) and "Return Frank James" (20th), and "The Museum" (20th), trim funds \$800.

L'ville B.O. Good;

Bagdad' Slick 9G,

'Chorus' Big \$8,500

Louisville, Jan. 28. Downtown houses are offering potential product for week, and the current weather factor in the current healthy takings. Weather has been favorable, with no snow or wintry temperatures to keep patrons indoors.

Loew's (State) with "The Bandit" topping a dual bill and the Rialto with Second Chorus doing the honors. "High Sierra" as Mary Anderson is stepping along at a better than average pace, while "Bank" at the Strand is making a creditable showing.

Estimated for This Week

Brown (Loew's-Fourth Avenue) (1,400; 15-30-40) — "Flight Command" (M-G) (2d run). On moving from Company State, making things pretty bright with all-right \$2,300. Last week, "Go West" (M-G) and "Land Liberty" (M-G) ditto on second-downward trend.

Kentucky (Switow) (1,200; 15-25-35) — "Zorro" (IA) and "Burma" (Par), Good \$1,600. Last week, "Northwest Mounted" (Par) and "Christmas July" (Par), all slightly upped admin. price, but not much more.

Loew's (State) (Loew's) (1,100; 15-30-40) — "The Bandit" (U) and "Elery Queen" (Col). Looks to round out second week.

Tower (Switow) (1,200; 15-25-35) — "Kitty Foyle" (RKO) (2d run) (2d wk). Lotsa life for "Kitty" with neat \$4,800 for this try. Last week, "Neat" (WB) (2,916; 35-46-57-68).

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Tower (Goldberg) (1,500; 10-20-25) — "Robin Hood Petos" (Rep) "Split-five" (RKO) and "Aunt Maggie" (Rep), split three ways "Coyote" (Col), "Panama Lady" (RKO) and "Correspondent" (UA) and "Strang Cargo" (M-G). Little better than \$700. Last week, "Texas Terrors" (Rep). "Sky Rider" (M-G) ditto on second-downward trend.

L'ville B.O. Good;

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10-20-25 — "Little Men" (RKO) and "Saint Paul Springs" (RKO). "Valley of Barnyard Follies" (Rep) and "Ellery Queen" (Col), okay \$1,900.

Varities (Noble-Federer) (1,100; 10-25-40) — "Arizona" (Col). Not particularly good \$2,100. Last week, "Thing Called Love" (Col) grabbed \$4,000 in nine days, excellent.

120th, "Wildcat" (U) and "Pier 13" (2d wk) good \$800.

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THE STARS THEY'LL ALWAYS REMEMBER IN A PICTURE THEY'LL NEVER FORGET!

Set to smash at the
box-office with all
the weight and
power of the most
dramatic American
love story ever told!

UNIVERSAL PICTURES
presents

Charles *Margaret*
BOYER * SULLAVAN

in

BACK STREET

with
RICHARD CARLSON FRANK McHUGH TIM HOLT SAMUEL S. HINDS FRANK JENKS

BASED ON THE NOVEL BY
FANNIE HURST

Screenplay by
BRUCE MANNING and FELIX JACKSON

Produced by
Bruce Manning

Directed by
Robert Stevenson

WORLD PREMIERE!
MIAMI BEACH! FEBRUARY 4th!
with America's foremost motion picture critics
from key cities all over the country in attendance!
NATIONAL RELEASE FEBRUARY 7th!

Mid-winter bulletin from Universal City, California



**UNIVERSAL WILL DELIVER FOR 1940-41
THE TOTAL NUMBER OF PICTURES PROGRAMMED!
UNIVERSAL HAS ADDED TO THOSE PICTURES YET
TO BE RELEASED STAR AND PRODUCTION VALUE
ENOUGH TO TRIPLE THEIR TICKET-SELLING POWER!**

January 31st Release

BUCK PRIVATES

starring Abbott and Costello with Lee Bowman, Alan Curtis and The Andrews Sisters.
Directed by Arthur Lubin. Associate producer, Alex Gottlieb.

February 7th Release

BACK STREET

by Fannie Hurst, starring Charles Boyer and Margaret Sullivan, with Richard Carlson, Frank McHugh, Tim Holt. Directed by Robert Stevenson. Produced by Bruce Manning.

February 14th Release

MEET THE CHUMP

starring Hugh Herbert, with Jeanne Kelly, Lewis Howard, Anne Nagel. Directed by Edward Cline. Associate producer, Ken Goldsmith.

February 21st Release

NICE GIRL?

starring Deanna Durbin, with Franchot Tone, Walter Brennan, Robert Stack, Robert Benchley, Helen Broderick. Directed by William A. Seiter. A Joe Pasternak production.

February 28th Release

DARK STREETS of CAIRO

with Sigrid Gurie, Ralph Boyd, Eddie Quillan, Katherine DeMille, George Zucco. Directed by Leslie Kardos. Associate producer, Joseph G. Sanford.

March 7th Release

MR. DYNAMITE (Tentative Title)

with Lloyd Nolan, Irene Hervey, J. Carroll Naish, Frank Graby, Ann Gillis, Robert Armstrong. Directed by Jack Rawlins. Associate producer, Marshall Grant.

...AND THE GREATEST EXHIBITOR NEWS ANNOUNCED THIS SEASON!

March 14th Release

MODEL WIFE

starring Joan Blondell, Dick Powell, with Charlie Ruggles, Lee Bowman, Ruth Donnelly. Produced and directed by Leigh Jason.

March 21st Release

DOUBLE DATE

March 28th Release

FRANK LLOYD PRODUCTIONS, Inc., presents

LADY FROM CHEYENNE

starring Loretta Young with Robert Preston, Edward Arnold, Gladys George, Frank Craven, Jessie Ralph. Produced and directed by Frank Lloyd.
Associate producer, Jack Skirball.

April 4th Release

MUTINY IN THE ARCTIC

starring Richard Arlen and Andy Devine.

April 4th Release

HORROR ISLAND

April 4th Release

MAN MADE MONSTER

starring Lionel Atwill and Lon Chaney, Jr., with Frank Albertson, Anne Nagel, Samuel S. Hinds. Directed by George Waggner.

April 11th Release

THE FLAME OF NEW ORLEANS

starring Marlene Dietrich, with Bruce Cabot, Mischa Auer, Roland Young, Andy Devine. Directed by Rene Clair. A Joe Pasternak production.

April 18th Release

SKY RAIDERS — A Serial in 12 Episodes

with Donald Woods, Billie Halop, Robert Armstrong, Kathryn Adams, Eduardo Ciannelli, Bill Cody, Jr., William Desmond. Directed by Ford Beebe and Ray Taylor. Associate Producer, Henry MacRae.

April 25th Release

THE MAN WHO LOST HIMSELF

starring Brian Aherne and Kay Francis, with Henry Stephenson, S. Z. Sakall, Nils Asther. Directed by Edward Ludwig. Produced by Lawrence W. Fox, Jr.

May 2nd Release

BUTCH MINDS THE BABY

A Mayfair production. Story by Damon Runyon.

May 23rd Release

TOO MANY BLONDES

starring Rudy Vallee

May 30th Release

OH, CHARLIE

starring Bud Abbott and Lou Costello. Directed by Arthur Lubin.

June 6th Release

MEN of the TIMBERLANDS

starring Richard Arlen and Andy Devine.

June 13th Release

TIGHT SHOES

A Mayfair production. Story by Damon Runyon.

June 20th Release

NORTH of the KLONDIKE

June 27th Release

HIT THE ROAD

starring The Dead End Kids and The Little Tough Guys.

July 4th Release

FRANK LLOYD PRODUCTIONS, Inc., presents

I, JAMES LEWIS (Tentative Title)

Produced and directed by Frank Lloyd. Associate producer, Jack Skirball.

July 11th Release

CRACKED NUTS

Copy for cast to come.

July 18th Release

SANDY STEPS OUT

starring Baby Sandy

July 25th Release

FIFTEEN FATHOMS DEEP (Tentative Title)

starring Richard Arlen and Andy Devine.

August 1st Release

RAIDERS of the DESERT

August 15th Release

UNFINISHED BUSINESS

starring Irene Dunne and Robert Montgomery with Preston Foster and Eugene Pallette. A Gregory La Cava product.

August 22nd Release

A DANGEROUS GAME

starring Richard Arlen and Andy Devine with Jeanne Kelly. Directed by John Rawlins. Associate producer, Ben Pivar.

August 29th Release

A FRANK LLOYD PRODUCTION

Watch UNIVERSAL FOR 1941-42

Eight N. Y. Theatres Present Good Argument in Favor of Solo Films

Ammunition for advocates of the single feature policy as a profitable one has been uncovered in a checkup of solo programmers competing against dualists in New York City. Strange aspect of such "picture theatres" is that in many instances they charge the same or higher scales than the nearest double-feature house, although often playing behind the twin-combos.

Resume of such operations reveals that eight such solo houses currently are operating in Manhattan. They are the Normande, Plaza, Eighth Street, Fifth Avenue Playhouse, 55th Street Playhouse, Little Carnegie and the Trans-Lux 52nd Street and 55th Street houses.

Most outstanding example of an exhibitor who has decided to go solo is up-and-coming biller, date and date, but charging higher admissions, is the 52nd Street Trans-Lux. It solos day and date with product showing at a Third avenue theatre, little more than two blocks distant. Trans-Lux gets 44¢ and the Third avenue cinema, 25¢, though the latter uses two features. Leo's Lexington, almost across the street from the Trans-Lux house, duals often with the same pictures three or four weeks ahead of its opposition.

Normande and Plaza play subsequent-run with higher scale than nearby competitors, playing duals. Eighth Street, which nearly always runs solo features, recently showed "The Letter," while the nearby Leo's Apollo duals the same picture with another film. Eighth Street scale is higher than most opposition in the Greenwich Village where it is located.

Little Carnegie, which is close enough to Times Square to be in competition to deluxe first-run houses, always has played single features, until recently almost entirely British and French features. Lately it has used American product, even though it means more bills for first-run. Fifty-fifth Street Playhouse also runs only one feature, sticking mostly to foreign pictures, but getting comparatively high admissions. Fifth Avenue Playhouse operated by the same group also uses a single foreign picture at an upped scale.

SEATTLE MGR. HITS BACK AT HEARST'S RKO BAN

Sacramento, Jan. 20.—No publicity and no art is the edict at the local Hearst, ran the Post Intelligencer, on all RKO productions. Ads will be taken, but no free publicity of any kind. This is the first local repercussion, evidenced, as a result of William Randolph's pique against Orson Welles' "Citizen Kane."

Vic Gauntlet, advertising manager for Hearst, strongly ran against the ruling this week when he visited ballyhooing "Kitty Foyle" (RKO) opening next week at the Fifth Avenue. His rejoinder is smaller display ads in the Hearst paper for this opus, and larger space in the Times and the Star.

Car Giveaway Draws 25% of Town's Natives

More than 25% of the population of Poughkeepsie was drawn to four Paramount theatres in that town Wednesday night (22) through giveaway of a Chevrolet car, promoted by Par as b.o. bait.

Population of Poughkeepsie is 40,000. Theatres played to 11,420 persons and as a result of the success of the stunt another car is to be given away March 4.

Lynn Farnol Active

Lynn Farnol, who recently resigned as pub-ad head of United Artists, is handling a publicity campaign from New York for the famed public gardens in Charleston, S. C. He's undecided as yet as to whether he'll open a regular free-lance publicity relations office or not.

Farnol currently is also doing publicity work for Greek War Relief.

NW Allied

Continued from page 1

Gutman, manager of an independent circuit, suggested that it be referred back to the committee. His suggestion was followed.

There was some opposition from the floor to the proposal to try to circumvent the consent decree through state legislation, but following much bitter debate and resort to personalities, the decision was reached by written ballots, with only four dissenting votes, to get behind the proposed law and a fund was pledged to finance the necessary expenses.

The measure will require distributors to offer for sale to exhibitors their entire seasonal production, with the right to cancel contracts and the right to eliminate films which are objectionable for moral, religious or racial reasons. This will be in place of the selling in groups of five, without cancellation privileges, in the consent decree.

It also was indicated that the bill probably would outlaw forced buying of shorts and restrict new theatre construction and circuit expansion. Harold Field, leading independent circuit owner, is chairman of the committee which will handle the campaign for the measure.

Field told the convention that his committee had been advised by capable counsel that the state has the power to enact such legislation that it does not infringe on federal rights and that its constitutionality undoubtedly could be upheld in the courts. He also asserted that distributors have indicated they would not oppose it.

At the same time, Field warned the independents that opposition may come from the groups of the Legion of Decency and other church bodies "mistakenly" believe that the consent decree abolishes block booking. He also pointed out the further danger of probable attempts to tack on to the measure a state admission tax and film censorship.

IRELAND, WARY OF NAZI IRE, K. O. S. CHAPLIN ADS

London, Jan. 14.—Although not officially indicated, but as far as matter for "The Great Dictator" is concerned, the British Legion of Decency and other church bodies have "mistakenly" believed that the consent decree abolishes block booking. He also pointed out the further danger of probable attempts to tack on to the measure a state admission tax and film censorship.

Word-of-mouth was responsible for a good bit of the Chaplin picture in London, and will probably function similarly in Eire.

White Vice Joe Shea As Land of Liberty' P. A.

Gordon S. White has supplanted Joe Shea as special exploiter in the southern territory for "Land of Liberty," all-industry feature, which is opening up all over the U. S. this week. Shea resigned after about two weeks in the southern territory to handle Greek War Relief publicities. He went on job yesterday (Tuesday).

White is one of the four special exploitation men set to work the picture in behalf of the entire industry. Metro, which is handling distribution, also is doing regular publicity, etc.

Screenings for Greenthal

Five United Artist pictures either just completed or in rough cut are being viewed by Monroe Greenthal during his current visit to the Coast. UA pub-ad head left Friday (24) and was back in about a week. He took plans for several ad campaigns west with him and will work out others with producers while on the Coast.

Films Greenthal is seeing are "Broadway Limited" and "Topper" at Hal Roach studios; "Poi' Gold" (Roosevelt), "That Hamilton Woman" (Korda) and "That Uncertain Feeling" (Lubitsch).

Embarrassing

Detroit, Jan. 28.—For a little dash of exploitation, the United Detroit theatres here thought it would be a natural to invite the 1,000 sailors from the newly established Naval Training School at the Ford plant to a special showing of "Night Must Fall."

Everything was proceeding nicely until the school went under quarantine—with "German measles" of all things.

Kate Smith Deal With Par on Film Airings About Set

Kate Smith broadcast next Friday (31), with preview skit of "Western Union," winds up this radio program's present arrangement with 20th-Fox for such advance sketches of forthcoming pictures. Robert Young comes in from the Coast for the broadcast in N. Y. Shortly afterward, deal similar to 20th-Fox probably will be inked with Paramount, with Miss Smith.

Kate Smith cooperative film sketch pairing with Par has not been finalized, but is expected to be in a few days. Paramount is understood lining up suitable films for such radio sketches and the deal is reported contingent on arranging sufficient number of pictures. While one film may airing would be from N.Y., bulk of them, covering a period of about six weeks, will be broadcast in cities, with Kate Smith program likely to emanate from Hollywood for launching of the Paramount series.

U PLANS SUPER MIAMI 'BACK STREET' TEEOFF

Universal is planning its most elaborate away-from-Hollywood premiere for the Charles Boyer-Margaret Sullivan starrer, "Back Street," when it opens in Miami, Feb. 4. List of newspaper critics and scribes invited and number of company officials making trek to Miami is the largest U has lined up in many years.

Besides home-office executives and top studio officials, Deanna Durbin will head the list of celebs. Bruce Marion, producer of the film, will arrive from Hollywood to preside. Picture opens at the Tinslin theatre, Miami Beach, Feb. 4, and present indications are that "Back Street" will start its run at the Rivoli theatre, New York, the following day.

Besides the banquet on the premiere night at the Miami-Biltmore hotel, where Universal guests will be entertained, a dinner party at the St. Regis, another, a special day at the Hialeah race track are on the agenda set this week for the picture's premiere festivities.

RKO's New Publicity-Ad Quarters Nearly Ready

With remodeling and rearrangement of the 10th floor in the RKO building now nearing completion, RKO picture company's advertising-publicity-exploitation department likely will take over its new quarters on this floor in about 10 days. It is now mainly on the 12th floor, along with the RKO theatre publicity-ad department.

New quarters will include all picture-publicity and advertising staffs, as well as Terence Turner, director of exploitation-publicity men. Former space used by the ad-publicity department will house company attorneys.

Moving of the ad-publicity forces is the first step in the company's plan to realign and simplify the home office quarters. Effort is being made to keep theatre divisions and film company departments segregated.

Bob Boehnel has added to his general duties on the RKO homeoffice publicity staff, the chores formerly handled by Jimmy Boyle. Boyle, who joined the RKO field exploitation staff in Cincinnati a couple of weeks ago, was tradepanel contact.

Boehnel is brother of Bill Boehnel, N.Y. World-Telegram critic.

Balaban, Par Theatre Execs Return From Chi; Theatre-Exchange News

Barney Balaban, in whose honor a dinner was held in Chicago Thursday night (23) in signaling his fifth year as president of Paramount, returned to New York Saturday (25), together with other Par h.o. execs, among them Austin Keough, Leonard Goldenson, Stanton Grifols, Adolph Zukor, and Leon Mandel.

At the same time, operators and partners in the Paramount theatre organization left Chicago Friday (24) for their respective headquarters throughout the country.

Winners in the Balaban theatre drive who went to Chicago on the cuff to receive awards for best results in the b.o. during the campaign from Thanksgiving to Christmas, also left for home that day.

The men doing the top jobs during this period are as follows, according to circuits in the Far East empire:

Comerford-Publix: Gregory Beck, Joseph Farrell, Carl Herman, S.A. Ammerman.

Intermountain Theatres: Chester Price, Jack Braungard.

Jefferson Amusement Co.: S. E. Tanner, Jack Dahmer, W. L. Gelling.

Interstate: J. Sullivan, John T. Powers, A. D. Edwards, Jack McLean.

M. & P. Theatres: Jack Goodman, George Moffit, Harry Botwick, Morris Simms, Albert Hamilton, William Hartnett, James Dempsey.

Minnesota Amusement Co.: Everett Olsen, Ralph E. Phillips, Woodrow Raught, Charles Zinn.

Dominion Theatres: Willis W. Grist, Jr., Karl A. Wolever.

Northland Theatres: Roy Peffley.

Twin-Bantam: Frank Labar, William Kahl.

Publix - Rickards - Nace: A. G. Pickett.

Tri-States Theatres: Harold D. Barnes, Lorenz J. Wegener, William Miskell, Edward Dunn.

Balaban, A. & Katz: William B. Balaban, A. H. Bachman, S. R. Claggett, Harry Oldenhal, Walter Lyons, John Edgerly.

Publix-Great States: Mortimer E. Berman, Walter F. Grometer, Frank Staley.

Indiana Theatres: Guy W. Martin.

United Detroit Theatres: Clark Field, Frank Upton, Grant Hawkins.

Paramount - Richards Theatres: Oliver Epps, Melvin Greenblatt, Raleigh Sharrock, Robert Hines, Robert Blair.

Midwest Theatres: Remmel Young, J. E. McLean, Helen Brownlie.

All but Grist and Wolever, winners in the Dominion theatre group of Virginia houses, were present at the festivities in Chicago.

N. J. Allied's Election

Trenton, Jan. 28.—Lee W. Newbury, of Allentown, was renamed president of the Allied Theatre Owners of New Jersey at the organization's annual business meeting held at the Stacy-Trent here.

Other officers selected were Morris Miller, of Passaic vice-president; Harry Lowenstein, of Newark, secretary; and Dave Snapper, of New Brunswick, treasurer. Members named to the executive committee included John Waxman, of Atlantic City; Florence Rose, of Bridgeport; and Sam Franks, of Hammonton.

Delegates to the session were entertained at dinner at the home of Mrs. Helen B. Hildinger, president of the Hildinger Enterprises.

Tickell Moves

Calgary, Alta., Jan. 28.—Fred W. Tickell, formerly assistant manager of the Capitol theatre here, has taken over the management of the Princess, Edmonton.

Bert H. Wibler, floor manager of the Capitol, has been made assistant manager.

Lewis Moves to Seattle

Seattle, Jan. 28.—New blood from the Midwest has joined the Lewis Chain in indicating by appointment of Melton Lewis as assistant to Jerry Ross, manager of Palomar, Lewis will be with H. & E. Balaban, Inc., for eight years as manager of Compton's theatre. He succeeds Bob Heitmiller.

Jim Andrus, formerly assistant to Bill Hartford, city manager for Evergreen at Everett, is now city manager at Bellington. Elmer Swanson is new assistant at Everett.

Duke Prince Switches

Marietta, O., Jan. 28.—Duke Prince, manager of the Ohio and Strand theatres here for the past two years, has been transferred by the Shee Theatre Corp. to Zanes-

ville, to manage the Imperial and Quimby houses. He leaves Feb. 1 and will be succeeded by Joseph Scanlon of Jamestown, N. Y.

Wylie, Clinton and Rialto, which have purchased the Vinton, McArthur, O., from Bruce Welch and J. E. Cox.

Watts Buys Muse

Omaha, Jan. 28.—Harry Watts, vet manager, became sole owner of the Muse theatre the last week end. He bought the half interest from Mr. Augustine, widow of the pioneer theatre operator of Omaha. Watts, formerly manager of the Black River and Rialto here, first bought out Irving Grossick's half interest.

Hyman Back to Detroit

Eddie Hyman, operating executive of the United Detroit Theatres group in the Paramount chain under Earl J. Hudson, left New York Monday (27) to return to Detroit after home office conference relating to film buying problems and policy.

Hyman is due to conferring with Leonid Goldenson, theatre department exec. Hyman went up to Larchmont to discuss matters of import with Sam Dembow, Jr., who is still confined to his house recovering from a broken leg.

RKO's N. Y. Promotions

Edward Sniderman division exploiter in the Bronx, N. Y., for RKO, becomes manager of Proctor's Newark, replacing Robert Ungerfeld, resigned in a new group of promotions and shifts in the company.

Stanley Wilchek, assistant to John Cassidy on publicity, at the h.o., succeeds Sniderman, while Raymond Malone takes over the former Wilchek duties.

Assistant managers transferred to similar posts include: Memphis manager of the Empire to Albenhurst; John Conklin of Alabama to the Regent, and Rodney White from the latter theatre to the Empire.

Ballo Mayfair Opens (31)

Baltimore, Jan. 28.—Town's newest house, the Mayfair, opened Friday (31), with first-run of "A Night at Earl Carroll's." On site of former legit Auditorium, new house was built by C. W. Hicks, operator of local nabe chain.

Bill McQuay is managing.

Sniderman Returns

Newark, N. J., Jan. 28.—Edward Sniderman returned this week to Proctor's theatre here to succeed Robert Ungerfeld as manager and local representative of the RKO chain. It was at Proctor's that Sniderman got his start in the picture theatre business 16 years ago as a cashier. Ungerfeld resigned from the theatre to join the Skouras Bros. Theatre Enterprises.

After 27 years as operator at the Franklin theatre in Franklin, Arch Welch has decided to retire April 1. Welch's son, Fred, who was born in January 1914, cranking one-reelers by hand.

Bachman Gets B. & K. Prize

Chicago, Jan. 28.—Al Bachman, manager of the north-side RKO, received the prize in the Balaban & Katz management division of the Barney Balaban drive.

He drew a C-note and a week's vacation with pay.

PAR HOLDS P.A. FIZDALE, ALTHOUGH PACT IS UP

The Tom Fiddle agency, brought into Paramount as publicity specialists about a year ago under contract, is continuing with the company although the contract which expired early in November has not been renewed. Under the agreement, Fizdale, not confined to any particular field, reportedly receives \$500 a week plus allowances for expenses.

The Fizdale agency is specializing mostly on radio for Par at present. Whether a new term contract will be signed or not isn't indicated.

Berns on WB Payroll

Sam Berns, radio gabber, has been added to the Warner Bros. publicist staff in New York.

He's retaining two spots on WBNX, the Bronx, doing motion picture chatter and reviews.

NEWS

Tops New York Amusement Field!

Amusement advertisers know the best box-office medium! They know which newspaper delivers the largest crowds. And they know that in New York the paper with the biggest box-office audience is The News!

So in 1940, amusement advertisers placed more advertising in The News than ever before. For the second consecutive year, The News led all New York newspapers in amusement lineage.

Amusement advertisers spend most money in The News—because News-reading families spend most with them. Four star coverage of movies, the drama, and other theatrical events . . . top-notch columnists . . . the largest amusement audience . . . and a rock-bottom cost make The News your best bet for box-office results. To make 1941 a banner year, concentrate more amusement advertising in The News!

AMUSEMENT ADVERTISING

	1936	1937	1938	1939	1940	
Eagle	633,997	NEWS	659,543	Times	634,633	
American	615,942	Times	651,689	NEWS	619,702	
NEWS	600,057	Eagle	630,494	Eagle	570,904	
Times	576,645	H. Trib.	605,186	Jrn.-Amer.	570,533	
Journal	555,569	Journal	542,833	H. Trib.	550,293	
H. Trib.	520,667	Mirror	518,392	Mirror	491,117	
Mirror	461,523	Post	516,480	Post	467,331	
Sun	400,681	W.-Tel.	450,542	W.-Tel.	438,005	
W.-Tel.	397,691	Sun	444,303	W.-Tel.	460,447	
Post	395,698	Sun. Am.	120,527	Sun	402,223	
Times U.	272,762	All Others	353,201	Sun	430,077	
TOTAL	5,430,382				Sun	465,117
NEWS % of tot.	11.0					
		12.0		13.1		13.5
			4,744,741		4,911,722	
						4,920,663

New York Newspapers 1936-1940

	1936	1937	1938	1939	1940	
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THE NEWS
NEW YORK'S
PICTURE NEWSPAPER



NEWS BUILDING

SOURCE: Media Records, Inc.

AVERAGE DECEMBER NET PAID CIRCULATION EXCEEDED 1,900,000 DAILY... 3,600,000 SUNDAY

BELOW: "GWTW" returns to the Capitol, N. Y. and tops road-show records! Held over!



"THE SAME AS LAST YEAR!"

(Yes, Mr. Exhibitor. The Miracle of Show Business is exceeding even the wildest dreams in its return at reduced prices. Crowds! New records! Hold-overs everywhere! Put "Gone With The Wind" on your marquee. It's magic!)



N. Y. TIMES, JAN. 27, 1941

Cut in Prices Brings Gain For 'Gone With the Wind'

"Gone With the Wind" registered 10,432 more paid admissions on the first two days, last Thursday and Friday, of its return engagement at the Capitol than in the comparable period when it first opened at the theatre in December, 1939.

Matinee receipts were \$1,017 above the original receipts, notwithstanding that current admissions represent a 50 per cent reduction in the original price scale.

Attendance increases of 30 per cent and increases of from 10 to 15 per cent in receipts also were reported in Cleveland, Ohio; Worcester, Mass.; Bridgeport, Conn., and other representative cities, according to Metro-Goldwyn-Mayer, the distributors.

The Peak of Excitement

- and a
**BUSINESS
PEAK,**

too!



**'HIGH SIERRA'
OPENS IN DAYTON
\$500 BIGGER
THAN 'ROCKNE'!**

(In face of stiffest product opposition on market.
Incidentally, there was a Blizzard!)

ALSO
MEMPHIS!

..And that's
the way it goes
in every opening
from New York to L.A.!

HIGH SIERRA

starring IDA LUPINO
HUMPHREY BOGART

Alan Curtis • Arthur Kennedy • Joan Leslie
Henry Hull • Henry Travers
Directed by RAOUL WALSH
Screen Play by John Huston and W. R. Burnett
From the Novel by W. R. Burnett

WARNERS, producers.

Soldiers at Fort Dix Surrender To Show Headed By Lester, Barnet

By HERB GOLDEN

Fort Dix, N. J., Jan. 28.

Lucky Strike moved in on the Army here Saturday (25) night with its four-auditorium review—and after the show noted that even the general was belly-laughing. Solid phalanxes of gold braid and service medal in the front pews apparently had the buck privates laughing in the back. And the acts and performances agreed afterward. It was one of most unusual audiences for which they had ever worked. Boys were obviously enjoying themselves, but appeared just coolly enough to let the fatalities of rank on the drill field sufficiently to let themselves go.

Show consisted of Jerry Lester, m.c.; Galli, Egyptian mask; Dean Janis, warbler; and Flora Vestoff, terper. With them was Charlie Barnet, violin, and vocalists, Bob Carroll and Lena Horne.

Orch is cut into the "Hit Parade," originating in the N. Y. CBS studio, for two numbers. It also backs up the acts—which perform for the visitors—but it's cut out entirely after the cutting. Whole thing runs about 90 minutes and is repeated three hours later for the Coast re-broadcast and a new bunch of soldiers.

Actors are touring the Army-post circuit each Saturday night for Luckies, this being their third stop. Bands change each week. Small auditorium, seating about 400, has been expanded the show on number of boys it could play to. First week, at Fort Myer, Va., show worked on a stage built in the center of a riding ring with all the presents and performances around. Quantico (Va.) Marine base, the second week, had a new theatre with balcony and full-stage equipment and seated 2,000.

"When Tex Long, Lord and Thomas and other products who made the show together arrived here on Wednesday (22) he discovered the stage was too small to hold the band, let alone give the act room to perform. In desperation, he quit modeling job by a local contractor on overtime, setting Luckies back \$220.

Just a sufficient number of tickets to each night for the shows are now being sold by Lt. Col. Dussey, distributed through Army officers to deserving members of their detachments. Shows, just as they did here, usually also draw heavily from top officers, who are big men being accompanied by their wives or girlfriends.

Lester and Galli were the sockeroos of the performance, the female acts and the girls who came in and out of place. Galli was greeted at his entrance with plenty of hand-patter and just a few whistles, but the soldiers were more than polite all the way.

Flora Vestoff, tall blonde, revealed many good humor, infatuation and stream of gags from Lester, was what won the boys to really letting themselves go. Many of the sags were standard m.c. material, lifted by Lester's own personal touch, but Lester smashed everything else, and pretty much set himself as the perfect m.c. for an Army show.

Galli, employing precisely the same routine he has been using for years on the stage and at night clubs, in the Rainbow Room, N.Y.C., was as skillful as always in getting himself two torchlight stooges from among the off-duty soldiers.

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Barnet's band, ear-blasting even in Broadway's giant Paramount theatre, was almost beyond endurance in the small, wooden recreation hall. There would be jitterbugs even in the Army, however, and the soldiers' benches were politely appreciative. Lads in the back gave it their all and yelled out requests even for some of the more remote tunes Barnet has planned.

New chirp with the outfit, Miss Horne used her dark hair, flashing eyes and gleaming teeth to better advantage than her pipes. And when she gave out with a vicious shimmy, the soldiers, who had wanted to have her, wanted 'em. Bob Carroll, carrying the male vocalizing end, scored mildly, "about as might be expected."

Lester's production kept the show tightly-paced and was well-planned to keep the audience interested for 90 minutes despite the fact he had only four acts to work with. Length of each turn was shrewdly judged. Gali Galli being the only one who had difficult break-off, Lester's bid at the finale, the angle of which he thought would have been in order. Layout proved virtually a perfect setup, however, for the audience to which it was designed to appeal.

Expensive Echo

Fort Dix, N. J., Jan. 28.

Expensive echo for CBS of the broadcasters' batte with ASCAP was seen Saturday (25) night when Charlie Barnet's band did a remote from here that was fed into the Lucky Strike "Hit Parade."

Network sent a production man, Clint Johnston, all the way down here (75 miles) to do nothing but watch over the two sides. Barnet's band were as per schedule (BMI) and that he didn't err and play an ASCAP tune.

FLATBUSH, B'KLYN

Ozzie Nelson Orch (18) with Roseanne Stevens; Harriet Hilliard; Catherine Harris; The Ghezzis (2); Johnny Downs; Bob Dupont; Shorts and Newsreels.

Ozzie Nelson and Harriet Hilliard are the principals here, but the audience returns are garnered by the Ghezzis, Bob Dupont and the Nelson vocalist, Roseanne Stevens. Others with less punch would have put the bill in trouble; as is, it's a fairly straight layout.

Nelson doesn't seem to try. His announcements and songs are often lackadaisical. He leaves the stage in numbers which don't concern him, leaving the band to work itself out.

It's a pity that nothing to qualify as a solo, whether it's a

couple of solos, or a quartet, has become as often as at this showing it is noticeable.

Also, the leader and band seem to care little that there's an audience. At one point, Nelson, caught in a communication with some one, communicated with some one, and a lad who can give in either soprano or baritone.

The Canestrellys make a socks-outing with mounting excitement.

They hold the spectators breathless with a trapeze bit, make use of a couple of pooches and bring their own brand of fun.

Shorts and Newsreels are up to scratch, though several of them on the other side of the footlights mean while conversing among themselves. Latter was true throughout the show.

Musically, the group is okay. It has faults, but they're not repeated often enough to make a bad impression. One of its best points is the tempos it slides under, pops and novelties and as background, Miss Stevens' singing.

In doing the various speeds, point out another Nelson fault, is his method of batoning. When the band hits fast twice he waves his stick at half speed, then drops it on the floor again, always back to audience, the baton arm going in monotonous, the hammer fashion.

Catherine Harris, ballet tap dancer, is excellent. Her interpretations on a set of stairs are attractive fare. She varies her work with half-flips and covers several tempos in her routines. Wound up with a spin down on military tip.

Miss Stevens, with Nelson, in some time, does an outstanding job on vocals. She has an easy, clear style of delivery, particularly suitable to rhythm songs. Works out here on "Two O'Clock Whistle" and "Nobody's Fault."

Paul and Nine Ghezzis have been doing their topflight balancing for a long while. Yet it seems never to be apparent. It seems never to be spontaneous. The act was replaced by the Briants for the final show the evening day because of illness, and the latter continued the rest of the week.

Carl Owen and Topsy sign out for a mixture of knockout comedy and the results are of the nib-and-tuck sort. The two girls and their male escort try hard with acrobatic lowlinks. What drags them down, however, is lack of spontaneity.

The Briants for the final show the evening day because of illness, and the latter continued the rest of the week.

STATE, N. Y.

Ray Kinney Orch with Myme Holt, Aloha Moids, Alfred Apocca, Adelaide Moffett, Steve Evans, Cass Owen and Topsy. The Five Canestrellys; "Love Thy Neighbor" (Par).

Once the opening act, the Five Canestrellys, is out of the way this show simmers down to a fairly quiet hour. It's a quaintly strung together bill: two acrobatic girls, a girl singer, an impersonator and an impersonator and an "Hawaiian" musical potpourri. Cause for laughter is limited. Steve Evans does a mirthsome study of a Polish drunk, and the novelty of the Five Canestrellys, the remnants of a once very funny combination, manage to bring out an occasional chuckle.

Ray Kinney has the closing spot and, though his voice is not so soothing and melodious, seems to run on and on. The payees anyway get a pretty good idea of how they entertain themselves around Waikiki without going to the expense of a cruise ship. Kinney is a good showman; add asset there is his showmanship.

Steve Evans' act is well known, though his act is not. The Five Canestrellys' act is well known, though their act is not. The Five Canestrellys' act is well known, though their act is not.

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Ray Kinney could perhaps perk things up in no small way if he spotted her twice in the runoff instead of saving her just for next-to-closing. The act carries on, though, with a few diversions. The standouts in the troupe from the optic angle is petite Myme Holt. Her style of hip-grinding and the attendant contours make it easy to forgive the preceding acts. The Five Canestrellys' act is well known, though their act is not.

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Ray Kinney drops his Baton when this point to croon, remarking "These numbers aren't new, but I don't think you have seen hearing them since the days of the great bands." To "Sleepy Time Gal" could have gone right on from there, but finally the band, joined by such stars as Eddie Condon, Artie Shaw, etc., gets into "Lover Come Back," "April in Paris" and "Should I?"

Nelson's easy-going gaggery, good impersonations and cut-up stuff, plus his own brand of fun, make up the act.

He ends with a shout from the audience for "Sleepy Time Gal." Could have gone right on from there, but finally the band, joined by such stars as Eddie Condon, Artie Shaw, etc., gets into "Lover Come Back" with Lew, Hite and Stanley.

Another dance team closes this week, Rogers Dancers, two boys in tails as a legit ballroom adagio and a gaudy, showy, high-stepping romp, which looks so authentic the customers are actually fooled, to judge by their gasps. Boys take plenty of chances while the gal survives.

House opened a fortnight ago and its capacity is 1,000, the rest in the loges and balcony. Shows open here Thursday, through Monday, with two days of straight pix day, evening, followed by which the same show starts to the downtown Olympia in Miami.

A keynote of this show is Ethel Shuta's crack to the audience that I will now sing some of the songs you have heard me sing before. The popular quip apparently because the audiences recognize it and are further educated into the BMI-ASCAP situation by extensive press buildup as far as the Miami News, which owns WIOD, an NBC link, and others.

George Jessel, playing here and at the sister house, the Olympia, dinned previously, and the comedian

has been using it as a ribbing crack at all his nitety excursions, finding particular sympathy with the show-wise bunch.

Miss Shuta, for her part, while looking very well and talents doesn't do much without justice to the title of songs she employs, isn't that Just Like Love? is an okay opener, but the George M. Cohan excerpt, "Indians and Trees," is too tried, too received, though for the record, Bill Baker's formidably good.

Miss Shuta also leans to baby songs, and her "My Son, My Son," with that Al Dubin-esque poem out of L Wolfe Gilbert, is overboard.

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Wednesday, January 29, 1941

STRAND, N. Y.

Henry Busse's Orch with Billy Glisser, Fuzzy Combs and Otto Glisser; Quentin Reynolds, Emerald Sisters, Berry Bros. (3), Johnny Wood, "High Sierra" (WB), reviewed in *Variety*, Jan. 22.

Quentin Reynolds (New Arts), in person, chanting a litany of English courage under a constant rain of Nazi terror-bombing as a thought-provoking finale for the Strand's first year. The Emerald Sisters' Christmas show is "Christmas Carol." Fine propaganda short, filmed in England for which Reynolds did the commentary, and which WB is releasing at low rental. What coin relief, but the real profits are in England's courageous stand—and they are considerable.

Reynolds in person and vocally on the screen make him the most important figure of the year. His commentary shows the Collier's correspondent, and occasional *Variety* battlefront mugg, thus is propelled as a platform personality at big money for whatever feature date he gets. His *Death of a Salesman* is due to return to the drenched London.

Henry Busse's sweet-swing 15-piece orch, plus his own sweet trumpet, is the pit layout's musical draw.

It's a good combination in its simplicity, though the trumpet that counts. That's trumpeter Otto Glaser, who does a very novel and funny hand-doll routine, a switch on a standard marionet bit, and it's surefire for predicting come-ups.

As he does, however, should be eliminated to sharpen the effect of the dollar limit. Only other important Busse specialist is Billy Sherman, who is dull and too coy in singing.

Nighttime singing, with Fuzzy Combs, Square, and the band, does a brief vocal early.

Busse's credit is the pleasant tenor of his arrangements; his interpretation of the Toyot's spotlighting.

Three vaudeville turns round out the presentation. The Emerald Sisters (2) are excellent acrobats, but could speed up; Johnny Wood's rapid-fire impersonating is clever and holds the Berry Brothers (3), fast, breakaway colored footers tie everything up, even though following the sharp letdown caused by vocalist Sherman's imitation.

The show packs punch in its 58-minute running time, but business was off opening day (Friday) because of the bad rain-snow-sleet storm.

MINNESOTA, MPLS.

Minneapolis, Jan. 25. Sally Rand with Line (18), Mabel Nelson Dogs, Irma Dell, Three Freshmen, Bert Harger, Benny Ross and Maxine Stone; "Behind the News" (Rep).

Around her fan and bubble dances Sally Rand has built an elaborately costumed and pleasingly entertaining review which uncorks considerable bottle. In the "Behind the News" section admission it has "entertainment bargain" written all over it.

The show, perhaps, puts too much emphasis on ballet and other class acts, but it's not alone that it but also provide too much of that type of terpsichore for the average vaudevillian patron. One good singer and an additional comedy turn, on a fast, light, airy note, are welcome, as is a slight curtain call of the arty dancing, seem all that's necessary to live up the proceedings and lift the revue to a sock rating.

At present, the only laughs are those of the Three Freshmen and Benny Ross and Maxine Stone, familiar standard turns, but they're not of the belly variety.

Even with its faults, it doesn't make a bad set, and it's been popularized this during the current season and it stands out as easily the best show this house has had since its reopening.

Ross enlivens the show fairly well. The "Day at the Dog Show" opening number brings out a parade of the tall, stately showgirls. Each leads a dog from the Mabel Nelson turn and the costume and cannot be described as anything but the prettiest. The girls are advertised and introduced as "the most beautiful in the world," somewhat of an exaggeration, even though they're not at all hard to look at for the most part.

Line's "Dogs" is a riotous dog act, the girls are very well-worthwhile sight. The number winds up with the entrance of the nine dancers in kilti costumes and the ensemble going into mid swing step-ping.

Mabel Nelson's array of dogs includes many neat specimens. Seven black scotties, however, do most of the tricks, which include rolling, jumping, and shaking their tails.

It is most notable for the dogs' appearance, however, than their performance.

As m.c. Ross comes on for a bit of gagging, story telling and clowning, the girls are very well-worthwhile sight. The number winds up with the entrance of the nine dancers in kilti costumes and the ensemble going into mid swing step-ping.

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(Continued on page 22)

★ INGRID BERGMAN and WARNER BAXTER
in
"ADAM HAD FOUR SONS"

★ The greatest
Blondie of them all —
"BLONDIE GOES LATIN"
The Bumsteads Go Musical

★ IRENE DUNNE and CARY GRANT
George Stevens'
"PENNY SERENADE"

MOBILIZING "ALL-OUT" AID TO EXHIBITORS!

Columbia Swings
Into High-Powered Action!

★ GEORGE BRENT and MARTHA SCOTT
in
"THEY DARE NOT LOVE"

FRANCHOT TONE and JOAN BENNETT

"A GIRL'S BEST
FRIEND IS WALL STREET"

JANE WITHERS and JACKIE COOPER
"Her First Beau"

★ "TEXAS"
with
WILLIAM HOLDEN
WARREN WILLIAM
and all-star cast



MINNESOTA, MPLS.

(Continued from page 20)

tapster. Her individual routines pre-eude her appearance as a partner of Burt Harger in "A Manhattan Serenade" number. The girls, some of whom had been girls for the background for the dance team during an arm swinging and swaying terpsichore interval of impressive flash proportions.

With their knockout clowning, comedy acrobatics and tight balancing, served by the Three Frenchmen, popular here from previous appearances, easily score the show's applause hit. A "Fash" Old Vienna" dance production number affords opportunity to bring out the best in another comedian whose change and permits Harger and his partner to engage in some effective ballroom dancing.

Maxine Stone, with Ross Induleski in a show which ends with a moderate laugh. Some of Ross' gags and dialog are a trifle off-color and that obscures more than it would otherwise because of the entertainment's highly planerought-out. Miss Stone's wit and boredom are amusing and her high kicking at the finish is really extraordinary.

The lone brief appearance of Miss Rand is a good one, and the way for it is paved by a ballet-chorus number which finds the girls in another change or elaborate costume. The fan and bubble dances are given the usual short hand in tempo, but with the purchase of years, apparently, haven't the edge taken off. The lights flash on after each number to reveal Miss Rand apparently in the almost complete nude. She is a good dancer, she starts to the footlights and introduces the various members of the company in a well-delivered, neat little speech which reveals her pleasant personality and speaks crack.

Local fans were filled with a sprinkling of customers in the upper tiers at the opening matinee (Friday) (24).

Rees.

LYRIC, INDPLS.

"Shoot the Works" with Ezra Buzzington Band, Randolph Avery, Brody and Amos Bell, Brothers, Corish and Co., Robert P. Farnsworth Ranchers and Rancherettes (16); "Barnyard Follies" (Rep.).

Ezra Buzzington and his crew live just about a day's journey from the Lyric theatre by mule team, and although they come from the West, the closer the point of a straight vaudeville bill. This week the management decided to build a show around them, adding three acts and labeling it "The Lyric Follies." However, the idea doesn't fit with the current 65 minutes running time filled with a hodge-podge of bits which have everything but entartainment merit.

The entire setting is western, with the house supports being built of raw timber remnants of this week's bill, but the Buzzington part of the show is as close to a dude ranch as an Indiana barnyard is to a Texas cattle range. The line of 12 girls and two boys is a welcome touch. Their numbers are cowboy and Indian stuff except the closer, which changes locale to a penthouse. A couple of the boys who hoof with the girls in the first act are receiving bookers for grammar school for the entertainment.

Buzzington and his rustic crew take over for 25 minutes in the middle of the bill with a medley of rural-type numbers, mostly country ballads, plus players plumbing fixtures; Sylvester Hawkins and his diamond-studded clarinet, who can hit a high note on "Starburst," and Zeb Perkins, who has a comic routine to amuse the yellow button shoes and b'neeked-out teeth. Also associated with the Buzzington outfit is Randolph Avery, m.c. who talks and laughs but won't sing. He is a bore, and finally contributes an acrobatic dance for the final curtain.

Visitors on the set are the Monroe Bros. still among the funniest trampolines in show business. The brother who don'ts talk, the ex-plumber, is a good one, and is good for plenty of chuckles. Brown and Ames have appeared at the house before, but they should delete the "Burlesque" of the Fleischmann West Coast. The Ringers, too, come from their introduction, as too many, the audience know when that series expired. Brown is funny with a monocle, bandaged and suspended by a necktie, and then is loquacious and diminutive Miss Ames for more gags with a dancing finish.

Cavilee does rope tricks to open, but really hits his stride when he gets out on his hands and wraps his cigarette and roll of paper from his pocket around his fingers and handkerchief from her pocket, with the whip alone. His turn fits in with the western flavor of the bill.

Robert Penley is the WFBM "Entertainer Parade" and he seems his salary in three spots to be in production numbers, and his solo flight is the "Ranger" Song, which he does well. However, the lad is a local policeman and would really

have sooked if he had appeared in uniform. This town likes corn, but the brass serve that up at the Lyric in strict Grade B. The buyers at fourth show, Friday (24), opening day, were considerably limited. Kiley,

EARLE, PHILLY.

Philadelphia, Jan. 25.
Erskine Hawkins Orch (15) with Jimmy Mitchell and Ida James, Tip, Tap and Toe, Four Inkspots, Trail of the Vigilantes (U).

The most enthusiastic crowds since the days when we gave all almost to down the doors to hear Benny Goodman, Tommy Dorsey, et al. are greeting the brand of hotcha's been dished out at the Earle this week by the Earle's own. The Earle's been going to closing the house has been jammed by the devotees of swing. And for the first time in a long while there has been a rash of trucking in the lobby by the customers.

Check out the joint is jumping like Erskine Hawkins' new song, which has achieved a sort of aura of class it lacked during the days when it played at the Strand Ballroom here. The rise in the band's popularity on the evidence of the audience's response that greets the introduction of numbers.

The cognoscenti seem to know just what to expect in advance. The band's two vocalists, Jimmie Mitchell and Ida James, got a standing ovation when caught. Mitchell does okay, baritone job on "Whispering Grass," with Miss James' baby-voice vocalizing netting her two encores. Her chirping is clicko on "Argentina," and she is a good dancer. The "Auditions of the Air" program. Equipped with a voice of power and range, she is doing three numbers here. Then comes the Ash opening the Bridgeport Four takes the stage. Combination of piano, sax, trumpet and drums gives impressions of Henry Busse, Guy Lombardo and Gene Krupa bands, last-mentioned a study in the art of the "big band."

Helen Diller, who's on W.L.W., Cincinnati, does a cowboy yodeling number, accompanying herself on the guitar of the banjo-banjo. Both the aggregation's bag-of-tunes is its perpetual fave, "Tuxedo Junction."

Hawkins makes a good enough impression in fronting band. He gives his boys plenty of room to shine without hogging the spot himself.

Two of the Earle's own, however, did the aggregation's bag-of-tunes.

Imitating stars. Dave Berry scored solidly when caught. He does John Barrymore, Ned Sparks, Wallace Beery, President Roosevelt, Fred Allen, Bert Lahr and finally Major Bowes. He gets a standing ovation from the Earle's audience, the Earle's Motor Corps, mentioning several of their car makes, impersonating Bowes.

The Harmonica Eagles, trio of young men, are a slick bunch, while the others, while Strawberry Russell, who follows them, dispenses novelty by playing a cigar-box contraption.

Strawberry, colored, plays "Roses of Picardy," and the band makes double time, leg and then an easy step, then headed over for Harlem. He tops with a novelty tap dance.

Other turns are the Skat-o-Maniacs, mixed ten piece working in a semi-jazz arrangement that is that is only about five feet wide; Jan Bart, husky singer whose "Flaggacil" isn't so hot though the Irish number rates excellently, and Danny Gray, country boy.

Gray has been with various bands. In addition to a hardshoe novelty tap, he does the "Off to Buffalo" type turn that Will Mahoney performed for years in vaude.

Show ends with the Earle's having gone 78 minutes opening night with inclusion of Berie.

Shal.

KEITH'S BOSTON

Boston, Jan. 23.
John Minevitch's Rascals (10), Peg-Tee Bates, Harrison Sisters (3), Eddie Murphy, Eddie Murphy, Clements Bellings and Co. (3), Larry Flint House Orch: "You're Out of Luck" (Mono) and "Misbehaving Husband" (Prod.).

With the Minevitch harmonica top-billed and closing the show, this was the place to catch all the way. It doesn't matter much what the boys play because the comic interruptions of shorty Johny, Puleo, draw most attention, for most of the entertainment and the musical harmonica and instruments serve mainly as background. Routine is practically unchanged from that of years standing, but a few current numbers, like "Same Old Story," "I'm So Ted" (both B.M.D.), add a little extra interest to those listening for such minor details.

M.I.T.U. tones are also aired by the Harrison Sisters, satisfactory vocal trio, who register better as they work through their four offerings.

The boys, the one, "Home on the War Chant," "Ferryboat Serenade" and "Five Girls Named Mo." Last-mentioned, as an encore, clicked best, with the gals and the stage band readying itself.

Peggy Bernier, monopede terper, is pretty hefty tap for the deuce spot, but there he is, and it's no surprise that he whams 'em with his socks, showmanly hoofing so early in the proceedings. Bates holds for the "Misbehaving Husband" routine, or steps that are nifty feats of balance. As usual, he's smartly dressed.

Clement Bellings, assisted by two unblushing girls who provide incidental dancing, delivers his unique dog act with a bang. He is a good dancer.

Paul Adler, the man of the tiny hoop, another one catching soft balls shot off a teeterboard by a partner pup, and a whizzer finale that has one of the dogs twirling a hoop on his head.

Bert Walton is okay as m.c. and gets the next-to-close chore on his w.k. routine with pale-faced Jimmy Riley. This act: a comedy skit based on gab about illness and death, assisted by a majority of customers.

Penley is the "WFBM Entertainer Parade" and he seems his salary in three spots to be in production numbers, and his solo flight is the "Ranger" Song, which he does well. However, the lad is a local policeman and would really

have sooked if he had appeared in uniform. This town likes corn, but the brass serve that up at the Lyric in strict Grade B. The buyers at fourth show, Friday (24), opening day, were considerably limited. Kiley,

VARIETY

ROXY, N. Y.

Dave Barry, Bridgeside, Four Christine Carroll, Helen Diller, Harriette Eagles, Danny Grayson, Strawberry Russell, Skate-o-Maniacs, Jan Bart, Gao Foster Girls, Paul Ash Orch, "Tall, Dark and Handsome" (20th), reviewed in VANITY, Jan. 22.

A Major Bowes unit of amateurs, specially assembled for this house, is providing variety, novelty and not a little punch from the stage in support of the "Falls of Falloona" (20th), which seems to be strong box office. On opening night, Thurs. day (23), the house was well filled, the teoff having been aided by a personal appearance of Milton Berle.

Barber appeared only at the two Thursday evening shows, doing a complete routine. He was on about 15 minutes and clicked solidly. Berle's ma was brought on toward the close for some good-natured ribbing.

Business good supper show Saturday Gold.

popular m.c. in theatres in Chicago and other cities, and he remains a capable stage show hand.

Opening the show is the tap dance team of Don and Jane Ford. Nice-looking couple with pleasant routines. They can even overact, but that can't anywhere, be night spot or theatre. Park and Clifford are a two-man-hand-to-hand balancing team. Make a good appearance and have a good set of stunts. Bob Zurke, one of the top pianists, is on for two tunes and exhibits a sure hand at the keyboard. Zurke has been getting some tough publicity lately, but he is a solid place in the entertainment world. That's up to Zurke and the way he handles himself.

Business good supper show Saturday Gold.

HIPP, BALTO.

Baltimore, Jan. 26.
Henny Youngman, Toy and Wing, The Fredrys (?) (8), Eight Marshalls, Phil Lampkin, House Orch (14); "This Thing Called Love" (Cot).

Henny Youngman has improved considerably since his last appearance here a year or so ago. Has sharpened his act and it isn't so hard to his ears, and he is not as miserably able. Retains the bit on the violin, but has cut it down, depending more on phoney dramatic bit and gay vocalizing. Working in and out of dancing, scores a hit.

Following a brief session of gagging, Youngman brings on Toy and Wing, Chinese boy and girl dancers who are also repeaters, but extra-ordinarily good. They are accompanied by the band orchestra, which provides some musical comedy hoofers interspersed with okay toe and aero hoicking which rings like bell resoundingly. Looks well in mind, and sets to his own.

Eight Marshalls are all right on vocal. Four femmes and four males, combo essay arrangements of "There Is Go," "Down Argentine Way," "I'm a Good Girl," "Just a Good Flash and Stage-Playing Interlude just right for bulk of Youngman's stuff, which follows.

Travesty on "Wuthering Heights" serves as a good interlude, and clowns with Eddie Higgins also help. Could ease up on audience into more enthusiastic response to his own advantages. Also good show with dancing, following with the Fredrys, who follow, not such a helpful bit to either of the parties involved.

Fredrys are a potent septet of performers, singers, clowns, showstoppers, building the act, trying smartly and climaxing with extra sly leap to a four-high. Double somersault chair catch also a good fun, and end up doing here in raising fashion.

Biz extra good. Burm.

TOWER, K. C.

Kansas City, Jan. 25.
Jack Major, Pedro and Rafael, Eddie Murphy, and the Lovers, The Lenard Harding, Bobby Adams, House Orch (7), Herb Six House Orch, "Six Lessons from Madame LaZonga" (U).

This week's billing carries four standards. Instead of the usual three, but in total it doesn't jell as well as either of the shows of the past couple of weeks. Fourth act is a nubile wife whose bath act features a nose and keys the title of "Nosey Fanfare." The second act is number by the line. By evening the running time was down to 50 minutes, where it will hold through the week, about normal for the number.

Again the line has an outstanding number in a semi-ballet centered on the manipulations of a huge satin scarf with "Blue Danube" as the satiric satire. The weird amateur, Bobby Adams, is good enough to follow and hold the pace from his dancing topping his singing.

From there it's up to the standard act. Tira spotted next-to-close. Acrobat, Eddie Murphy, and Pedro and Rafael, Mexicanos, combining a rhumba rhythm with their handstands and headstands. Midshow Pedro (Morales) is back with his horse. He is good, but his stunts from stage to balcony and his dashes backwards down the rope to be caught by his partner. It rates as a definite acoustic thrill and puts the game on.

Miss Bernier did a fine job with this audience, handling two vocal in an easy comedy manner and working some possible with Ted Cook. She is the customer-like Grayson. She has been with various bands. In addition to a hardshoe novelty tap, he does the "Off to Buffalo" type turn that Will Mahoney performed for years in vaude.

Show ends with the Earle's having gone 78 minutes opening night with inclusion of Berie.

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Wednesday, January 29, 1941

ORPHEUM, MPLS.

Minneapolis, Jan. 25.

House Orch (14), Ted Mack, Three Samuels and Harriet Hayes, Isabel Smith, Bobby May, Simone Simon, Lorrene and Rogan; Four Mothers (WB).

This high-powered show represents a skillful assembling job. It includes a piano, cello, a sock vaudeville bill, a variety of songs, son, and dance generating a full measure of audience pleasure. Each of the acts is a standout and while Smith and the others are doubtful, the headliners, are of doubtful worth in this particular town they at least possess a measure of film prestige and combine with their greater or less degree of lustre a topnotch ability to deliver as performers.

Whether it was wise, however, to mould the combination into a band presentation, with the acts working in front of the orchestra on the stage, is something else again. The management, however, the management, possibly felt that vaudeville such as can't stand its own legs, with the orchestra working in front of the acts in the old days, and making it right, had any circumstances, however, the laying accompanied by the screen division, impresses as a tremendous entertainment value at \$5.50 top.

The Samuels and Harriet Hayes, two boys and two girls, open with "I'm a Good Girl" and Milt Hay, acrobatics and high kicks feature the act, which isn't helped by the boys' attempts at comedy. The quartet's military precision tap number makes a strong finish.

Smith and Rogan are easily on the eyes and highly personable, Isabel Jewell also comes through with a considerable measure of acting ability in her dramatic recital of waitress' life, truck driver sweetheart gives her the gate. It's a well-conceived characterization without the aid of make-up and atmosphere, and the skit, played by Jewell alone, holds the curtain and proves its worth for vaudeville.

Bobby May, who had been advertised to appear at an opposition theatre, demonstrates that he can perform in his own right.

Mack steps out of his emceeing and conducting role long enough to let loose a few amusing gags and stories, dispairs on the saxophone and clarinet, and a good dancer. John Simon seems the ultimate in petite loveliness. She's gracious and winning, and her voice is agreeable. A sweet selection of numbers permits her to entertain and she sells "The Latin Love How," "Isn't That Just Like Love" and "In Argentina." She stopped the show.

Lorraine and Rogan return, and score big in their comedy and eccentric dancing. They're good for plenty of laughs, particularly the feminine member of the team with her body gyrations and mugging. Another show stopped.

A light house at the last matinee performance Friday, opening day.

EMBASSY, N. Y.

(NEWSREELS)

These may be the customary quota of news in the public prints, but not much of it percolates into the show. Lead-off yarn is a streamlined news short, "Paramount's 'An Officer and a Gentleman'." Even the newsreels' special on the Roosevelt inauguration and running nearly 10 minutes, there's the usually interesting "Information Please" and "Meet the First Lady." The "Latin Love How" is left for newsreel subjects. Just as well in view of their calibre.

Paramount employs what dub television technique in furnishing a comprehensive story on the Washington inauguration. The newsreels' special on the Roosevelt inauguration and running nearly 10 minutes, there's the usually interesting "Information Please" and "Meet the First Lady." The "Latin Love How" is left for newsreel subjects. Just as well in view of their calibre.

This newsreel short explains it is the first inaugural day with sunshine since 1937, and that inauguration place is the same as the previous day. Temperatures, Real, impartial by including views of Wendell Willkie calling on Secretary of State Cordell Hull, with the explanation that he defeated candidate for the 1936 election.

Simone Simon's victory. Slick, workmanlike job, worthy of all the effort and expenditure.

Only other real big newsreel item is a view of Canadian troops

(Continued on page 55)

Of course — IT'S HELD OVER FOR A SECOND WEEK!

**Biggest Sunday business in
the history of the house!**

**Beating everything in sight
—bigger than "The Rains
Came", "Drums Along The
Mohawk", "Jesse James"!**

**Builds and bounds and
grows in the face of a
raging blizzard!**

**And no wonder—when the N.Y. Daily News says
"Beg, borrow or steal—but don't miss it!"**

"TALL, DARK and HANDSOME" SMASHES ROXY RECORDS TO SMITHEREENS!

**20th
CENTURY
FOX**

VOIGHT BILL THREATENS ACTORS' PAY, SAG CHARGES IN URGING ITS DEFEAT

Proposed California Legislation Would Regulate Agents, Resulting in Open-Field Price-Cutting, Says Union—Ruling Favors Extras

Hollywood, Jan. 28.—Reduced actors' salaries, with open-field price-cutting, is threatened by adoption of the Voight bill to regulate agents, the Screen Actors Guild charges in a plea to the California Legislature to defeat the measure. The Guilders contend such regulation would result in "chaotic casting conditions" and would seriously injure the business of the producers, actors and agents.

The following resolution, adopted by the SAG board of directors, is being forwarded to individual members of the State Assembly:

"Whereas, the Screen Actors Guild, representing all motion picture players and the Artists Managers Guild, representing actors' agents in the motion picture field, agreed upon and put into practice a system under which the relationship of actors and agents is regulated; and . . ."

"Whereas, more than a year of experience, under this system of regulation, has brought about stability and generally satisfactory conditions in the relations of actors and agents; and . . ."

"Whereas, Assembly bill 229, by Assemblyman Ernest Voight, which is now pending before the State Legislature, would disrupt this stable and satisfactory system by prohibiting regular and orderly contractual relationships enabling agents to represent actors and deal for actors with the Producers; and . . ."

"Whereas, this would injure not only the agents and the producers, whose casting problems would be aggravated by uncertainty as to bona-fide work to be done by the agents, but also would work to the great detriment of actors, who lacking the regular services of a competent agent, would be at the mercy of open-field price cutting on actors' salaries; and . . ."

"Whereas, the total effect would be chaotic casting conditions and reduced actors' salaries;

"Now, therefore, be it resolved that the Screen Actors Guild oppose the adoption of Assembly bill 229 and urges each member of the State Legislature to vote against this unnecessary and dangerous measure. The SAG, in its plea to legislators,

to defeat the measure, pointed out the bill would prohibit any agent entering into a contract with an actor, unless the agent first obtained employment for the actor, and would limit contracts to the period of employment. It was stated this would seriously interfere with the development of top bracket performers; many of whom are nursed along for months by agents before they begin to receive any real returns on their investment.

Diseases Extras' Wages

Negotiations between the SAG and the SDG will be resumed tomorrow (Wednesday). The Guild is asking a higher minimum for day players and free lance actors and reclassification of extra brackets to put more emphasis on \$825 and \$11 calls and less on \$5.50 jobs.

The California Employment Commission has handed down a ruling that extras can not be forced to accept \$5.50 calls on penalty of losing their unemployment insurance. The opinion received by Harry Mayo, former chairman of the SAG Council, stated that prior earnings, etc., of an extra would have to be taken into consideration if it had been intimated that an extra film schedule or playbill might be disallowed for unemployment insurance if they insisted on \$8.25 and \$11 calls and refused to accept offers of \$5.50 jobs.

Heavy Decline in Jobs

Central Casting Corp. has just disclosed that film extras earned \$94,905 less in 1940 than in 1939. Total earnings last year fell \$2,528,766.10 as compared with \$3,124,873.62 the year before. There was a decline of 66,090 in job placements. A recapitulation of placements through Central in 1940 showed a division of calls as follows:

Price.	Jobs.
\$5.50	26,296
\$6.50	14,018
\$8.25	78,184
\$11.00	88,106
\$18.50	20,697

Screen Actors' Guild turned thumbs down on a Paramount request for a waiver for 300 soldiers to get new army manual of arms and camouflage drills. The Guild called 40% off for test calls and rejections can less than 15%. Tests were made under the supervision of John Berger, Guild works relations head.

New York Theatres

Twice Daily 2:40-8:40 All Seats Reserved

**WALT DISNEY'S
FANTASIA**
STORYBOOKS
The Most Marvelous Featurette
BROADWAY THEATRE - 53rd &
Broadway - CI 5-5555

RKO PALACE
BROADWAY &
57th Street
PAUL MUNI
"HUDSON'S BAY"
Miss Gene
TIERNEY &
John FIELD
and
KAY FRANCIS
"PLAY GIRL"
With JAMES ELLISON

PARAMOUNT
"VIRGINIA"
In Technicolor
with
MILDRED
CARROLL
Paramount
Picture
Midnite Screen Shows

Continuous Showings
But the Price!
Capitol
Broadway - 42nd Street
Clark GABLE
Vivian LEIGH
"GONE WITH THE WIND"
A Metro-Goldwyn-Mayer Release

**LIMITED
State**
TIMES Square
Last Tues. Wed.
"LOVE THAT
NEIGHBOR."
In Person
James Barton
Adelaide Monette
Kitty Carlisle

Shows Thur., Jan. 30
Clark GABLE & Hedy
LAMARR
"COMRADE X"
In Person
James Barton
Adelaide Monette
Kitty Carlisle

2ND WEEK
"HIGH SIERRA"
STARRING
Ida Lupino Humphrey Bogart
Directed by Raoul Walsh
IN PERSON
QUENTIN REYNOLDS'
HENRY BUSSE and Orch.
STRAND B'way & 47 St.

RADIO MUSIC HALL
CITY HELD OVER 5TH WEEK
"PHILADELPHIA STORY"
Spectacular Stage Production

**HELP OVER
GINGER ROGERS IN
KITTY FOYLE**
An RKO Picture
RIVOLI Broadway
At 10th St.
Midnite Shows
Dress Open 8:30 A.M.

UNITED ARTISTS
"HELD OVER
GINGER ROGERS IN
KITTY FOYLE"
An RKO Picture
RIVOLI Broadway
At 10th St.
Midnite Shows
Dress Open 8:30 A.M.

Doors Open 8:30 A.M.

Midnite Shows

Doors Open 8

ASCAP LAWYERS SEE D. OF J.

Actress Fails to Meet Her Boss

Young actress who has a part in a network comedy serial recently underwent a stiff rebuff when she tried to go folksy with her sponsor and express her appreciation for her air job. A new legit play in which she has appeared happened to get a tryout in the hometown of the sponsor and it occurred to her that it might be a nice gesture for her to write him offering to leave a couple tickets for the show at the boxoffice and suggesting that she be permitted to make a tour of the factory.

She wrote the letter and in a couple days she got a phone call from the radio director of the agency handling her program. He wanted to know what she meant communicating with the president of the account and then he administered a verbal lashing that made it clear to her that she had come within a stamp's thickness of losing her job.

P. S.—The president of the account is one of the biggest men in America.

Publisher Loses Two Stations, Ownership of Which He Hid

Washington, Jan. 28.

Act of a Florida newspaper publisher in concealing his radio interests from the Federal Communications Commission last week cost the lives of two Florida radio stations. Licenses of WMBG, Ocala, and WLFL, Pensacola City, were yanked Wednesday (22) after investigation showed that the "actual operator" was John H. Perry, of New York and Florida. Perry was charged with "false testimony and concealment of ownership" in the revocation order.

Sleuthing began when applications were filed by the claimant to transfer control of the transmitters to publishing companies identified as Perry properties.

Perry, who owns the Panama City News-Herald, the Pensacola News-Journal and the Jacksonville Journal, was described as the "real party in interest from the outset in the present licensees." His connection with the stations was "deliberately concealed" according to the FCC.

The Ocala station, WTMG, is licensed to the Ocala Broadcasting Co., Inc., with a John T. Alton, Jr., of Jacksonville, appearing as the principal owner. Perry's interest, the order stated, was discovered when a transfer was sought to the Pensacola Journal Co.

WLFL skullduggery was discovered the same month when the station attempted a transfer of control from the Pensacola City Broadcasting Co.—present licensee—to the Bay County Publishers, Inc. Latter corporation is a wholly-owned subsidiary of the Pensacola News-Journal Co., which publishes the Panama City News-Herald, commission explained.

Hiddleston, KOMO-KJR, Joins Pacific National

Seattle, Jan. 28.

Joe F. Hiddleston joined the staff of the Pacific National Advertising Agency last week, filling the post which had been vacant for six months. The third of four men in the company and account executive in charge of the radio department, Hiddleston was on staff of KOMO-KJR for six years.

Marjorie McPherson continues at the agency as radio director.

Agency Denies Change in Bowes Show

Reported That Name Half Hour Was Sought to Replace Costly Amateur Show

Ruthrauff & Ryan denied Monday (27) the report current in the trade that it was trying to line up a half hour program with toplined legit names to replace the play of Maynard Bowes next fall. The report had it that Chrysler was interested in reducing its network (CBS) time obligations to a half hour, instead of the present full hour, and to cut appreciably its present talent bill. Bowes is reputed to be getting \$16,000 a week. According to the report, these savings could amount to close to \$1,000,000 a year.

Artistic Triumph

Washington, Jan. 28.

Radio artists are not the only ones who carry clippings regarding their work—Ted Slater, NBC engineer, flashed clippings praising the sound effects on dramatic shows handled by him: "Gang Busters," "Mr. District Attorney," "Bishop and the Garbage Girl," etc.

His favorite concerns the realism of a hanging effect with the victim's heels clicking together as he dangled at rope's end:

Lever Uses

8 NBC Units

For 'Jenny' Wax

Lever Bros. is using eight NBC stations with which to supplement the coverage which CBS gives to the daytime serial, "Aunt Jenny's Stories" (Spry). The NBC outlets, which will carry transcribed versions of the serial, "Aunt Jenny's Stories," three weeks after Columbia, are WLW, Cincinnati; WTMG, Cleveland; WGK, Schenectady; KDKA, Pittsburgh; WHO, Des Moines; WOW, Omaha; KFYR, Bismarck, and WTMJ, Milwaukee.

Some duplicate coverage idea has been used by Lever in connection with its "Big Town" (Kinki) series. Color—produced at one time also made extensive use of such an arrangement.

Allie Shepherd to Blair

Chicago, Jan. 28.

Allie Shepherd to the Chicago office as head of the promotion department.

Before joining the Blair company, Miss Shepherd was assistant to the radio chief of Blackett-Sample-Humert agency.

FAST PEACE OR A LONG FIGHT

Frohlich, Finkelstein in First Interview With United States Department of Justice—Seek Information on "Stipulations"

MUCH OR LITTLE

Washington, Jan. 28. Representatives of ASCAP are slated to meet with members of the U. S. department of justice tomorrow to determine whether to go to the terms of the consent decree with the Government entered in the Milwaukee federal court. Also to resume discussions of the terms of the consent decree which the department had offered ASCAP last December. Latter parley has been abruptly terminated by ASCAP.

Significance
What will make this meeting in Washington particularly significant will be the fact that the first of ASCAP's general counsel, namely, Louis Frohlich and Herman Finkelstein, will be in attendance. Report that Frohlich and Finkelstein were slated to call on the justice department caused considerable comment and speculation in ASCAP publishing circles yesterday (Tuesday) but there was little hope expressed that this parley might be preliminary to any early settlement of the radio war.

Following the "ASCAP on Parade" broadcasts over several New York and out of town stations Saturday night (25), Gene Buck, ASCAP prez, got a wire from Harold LaFount, president of the National Independent Broadcasters, Inc., stating that he had heard Buck broadcast that he would like to sit down and negotiate a settlement with radio and suggested that a time and place be set. Buck answered that he would be glad to meet with LaFount. The next day (Tuesday) Buck got a wire from Andrew Bennett, representing himself as the NIB's counsel, stating that the NIB must have assurance from ASCAP that it will be willing to discuss a licensing contract based on a per use term.

DEMOCRACY DISCS

Radio Writers Prepare Scripts for School Project

More than \$10,000 has been subscribed by various sources to promote democracy in America by providing dramatized recordings for public schools. Outfit to make and distribute the platters was chartered in Albany last week under the label Growth of Democracy, Inc. Prez of the outfit is William Exton, Jr., who has long been active in the U. S. Junior Chamber of Commerce. Committee to defend America by aiding the Allies and other civic and patriotic organizations. Only other officer so far elected is John F. Wharton, counsel for the Playwrights Company and otherwise interested in show business.

Discs will be pressed by World Broadcasting, which has contributed office space to the new enterprise. Merlin Denison, Lawrence Hammond and Al Williams, radio writers, are preparing scripts for the recordings.

Capital stock of the corporation is \$10,000, including 100 shares of preferred at \$100 par and 200 common at one cent par. Although G. D. anticipates making no profit, Exton said there is no law against it.

Stan Young Joins Foreman

Chicago, Jan. 28.

Stanley Young has been added to the New York staff of the Foreman Co. stat' rep outfit.

Young was recently, with the Joseph Hershey McGilvra firm, and previously with the Perry gang.

Cash Prizes for Station Managers Encourage Greek Relief Help; Harry Maizlich of KFWB Handling

Income Tax Help

The Internal Revenue Section of the United States Treasury has again assigned special income tax experts to the Vassar office, 151 West 46th street, New York, to assist members of the entertainment profession in filing individual tax returns.

Government men will be available during regular business hours starting Feb. 3 and continuing until March 15. There is, of course, no charge for the assistance.

VOX POP MAY VISIT LATIN LANDS

"Vox Pop" interviews may originate shortly from Mexico, Porto Rico, Cuba, and other Latin countries—but in English. Innovation faces some difficulties that may cancel proposal, but advance preparations have already been made.

Idea would be for Butterworth-Parks team to interview English-speaking nations and members of the American Legion in North America. Conditions of travel and surroundings would be left to the Penn Tobacco show a twist.

Barry Ryan of Ruthrauff & Ryan is the account executive but he will make no statement.

PHILIPPINES ON NBC

WHDL, Olean, a Bonus with WJTN, Jamestown, N. Y.

NBC-blue last week added WHDL, Olean, N. Y., to its list as a bonus station for those buying WJTN, Jamestown, N. Y.

NBC at the same time brought in two more Philippine Island stations, KZRH, Manila, and KZRC, Cebu.

Parents, Admen, Broadcasters to Meet

National Assn. of Broadcasters Arranges New York Conferences on Feb. 4-5

Washington, Jan. 28.

Get-together of New York advertising agency representatives, broadcasters and leading women's and parents' organizations is planned by the National Association of Broadcasters for Feb. 4-5. Ballooning the New York pow-wow as one of its most important sessions since the inauguration of the Code, B. A. A. will conduct a program for two-day session which will include a talk on War Department policies, a report on the findings of the Radio Council on Children's Programs and various social events.

Conference with the American Association of Advertising Agencies will be held at Stouffer's Restaurant, Feb. 5, in conjunction with the regular "Meet the Broadcasters" session.

B. A. A. will WMBD, chairman of the code committee, and Ed Kirby, committee secretary, who is taking a leave of absence to act as an ex-counsel in radio in the public relations section at the War Department, will address the group on the department's policies governing the origination of commercially sponsored programs from army posts.

General discussion of the commercial section of the N. A. B. Code will follow the luncheon period with particular reference to its limitations.

A women's luncheon will be held at the Hotel Roosevelt—N. A. B. headquarters during the two-day session at which prominent officers of women's and parents' organizations will be invited to discuss a recently-completed survey made by the Radio Council in cooperation with N. A. A. B. Findings will be presented by Mrs. Dorothy Lewis, vice-chairman, who conducted the field work for the Council.

Paul Peter, N. A. B. director of research, and Russell Place, counsel, who will take Kirby's place as secretary during his leave of absence, will take part in the discussions.

Both Peter and Place have been conferring with the A. A. A. A. on the development of a new type of spot time contract.

Meeting of the Code Committee recently appointed by Nevile Miller are as follows:

Edgar L. Bill, WMBD, chairman;

Hugh A. L. Holt, WOAF; Earl J. Glade; Henry P. Johnson, WSGN; Gilson Gray, CBS; New York; Frank Muller, NBC; New York; Calvin J. Smith, KFAC; Theodore C. Streibert, MBS, New York; and Russell P. Place.

ESTIMATED NETWORK PROGRAM COSTS: 1940-41

(Night-time and Saturday-Sunday Matinee Production Expenses [Not Radio Time], Inclusive of Actors, Musicians, Writers, Directors, Royalties, Prizes, Etc.)

PROGRAM	ACCOUNT	AGENCY	NETWORK	AIR TIME	PROGRAM COSTS
'Adventures of Sherlock Holmes'	Bromo Quinine.	Russel M. Seeds.	BBC.	Sun., 6:00-9.	\$3,500
'Aldrich Family'	Jell-O.	Young & Rubicam.	Red.	Thurs., 8:30-9.	4,500
Fred Allen.	Texas Co.	Brownman.	CBS.	W., 9-10.	14,000
'American Album'	Bayer.	B-S-H.	Red.	Sun., 9:30-10.	5,500
'Amos 'n' Andy'	Campbell Soup.	Ward Wheelock.	CBS.	M.-F., 7-7:15.	7,500
'Ask-It-Basket' (Ed East)	Colgate-Pal. Peet.	Ted Bates.	CBS.	Thurs., 8:45-9.	1,200
Gene Autry.	Wrigley.	J. Walter Thompson.	CBS.	Sun., 8:30-7.	3,200
Sam Balter.	Burros Cigars.	Ivey & Ellington.	Mutual.	M. Sat., 7:45-8.	1,000
'Battle of the Sexes'	Molts.	Young & Rubicam.	Red.	Tues., 9:30-10.	1,250
Ben Blue.	Corn Kix.	B-S-H.	Red.	Sun., 6:30-7.	2,800
'Bell Telephone Hour'	Bell Telephone.	N. W. Ayer.	Red.	M., 8-8:30.	7,500
Jack Benny.	Jell-O.	Young & Rubicam.	Red.	Sun., 7:30-8.	18,500
Edgar Bergen.	Chase & Sanborn.	J. Walter Thompson.	Red.	Sun., 8:30-9.	19,500
Ben Bernie.	Bromo-Seltzer.	Ruthrauff & Ryan.	Blue.	Tues., 8:30-9.	6,000
'Blonde'	Camels.	William Esty.	CBS.	M., 7:30-8.	2,750
Major Bowes Amateurs.	Chrysler.	Ruthrauff & Ryan.	CBS.	Thurs., 9-10.	16,000
Burns & Allen.	Spam.	B. B. D. O.	Red.	M., 7:30-8.	11,750
'Campbell Playhouse'	Campbell Soup.	Ward Wheelock.	CBS.	F., 9:30-10.	16,500
Eddie Cantor.	Bristol-Myers.	Young & Rubicam.	Red.	W., 9-9:30.	10,000
Boake Carter.	United Air Lines.	N. W. Ayer.	Mutual.	M., W., Sat., 8:30-8:45.	750
'Cavalcade of America'	E. I. du Pont.	B. B. D. O.	Red.	W., 7:30-8.	5,500
Cities Service Concert.	Cities Service.	Lord Thomas.	Red.	Sun., 8:30-9.	3,000
'City Desk'	Dalgate-Pal. Peet.	Ted Bates.	CBS.	Thurs., 8:30-8:55.	500
'Comedy Theater'	Concord Co.	Erwin, Wasey.	CBS.	M., 10:30-11.	2,250
'Court of Missing Heirs'	Ironized Yeast.	Ruthrauff & Ryan.	CBS.	Tues., 8:30-9.	3,000
'Crime Doctor'	Philip Morris.	Blow.	CBS.	Sun., 8:30-8:55.	3,000
Xaver Cugat.	Camels.	William Esty.	Red.	Thurs., 7:30-8.	2,800
'Death Valley Days'	Pacific Coast Borax.	McCann-Erickson.	Blue.	F., 8:30-9.	1,850
'Design for Happiness'	Liberby-Owens-Ford.	United States Adv.	CBS.	Sun., 5:53-20.	14,000
'Dr. Christian'	Vaseline Products.	McCann-Erickson.	CBS.	W., 8:30-8:55.	4,000
'Dr. I. Q.' (Lew Valentine).	Mars, Inc.	Grant.	Red.	M., 9:30-10.	2,300
Tommy Dorsey.	N.R.'s.	Stack-Goble.	Blue.	Thurs., 8:30-9.	3,250
'Doubt or Nothing'	Feenamint.	William Esty.	Mutual.	Sun., 6:30-9.	1,500
'Easy Aces'	Anacin.	B-S-H.	Blue.	Tu., W., Th., 7:7:15.	3,500
'Everyone's Theatre'	Oxydol.	B-S-H.	Red.	F., 9:30-10.	3,000
Fields & Hall.	U. S. Tobacco.	Arthur Kudner.	CBS.	M., 8:30-9.	4,000
'First Nighter'	Campagne Sales.	Aubrey, Moore & Wallace.	CBS.	Tues., 8:30-8:55.	3,000
Fitch Bandwagon.	F. W. Fitch.	L. W. Ramsey.	Red.	Sun., 7:30-8.	12,000
'Gang Busters'	Sloan's Liniment.	Warwick & Legler.	Blue.	F., 9:30-10.	3,000
'Gay Nineties' (starting date Feb. 24)	U. S. Tobacco.	Arthur Kudner.	CBS.	M., 8:30-8:55.	4,000
'Golden Hour'	Forced Yeast.	Ruthrauff & Ryan.	Blue.	Sun., 10:30-11.	2,500
'Grand Central Station'	Pringle Albert Tobacco.	Ruthrauff & Ryan.	Red.	Sun., 8:30-9:30.	2,500
'Grand Ol' Opry'	Prince Albert Tobacco.	Young & Rubicam.	CBS.	Sat., 10:30-11.	7,500
Helen Hayes.	Lipton Tea.	Erwin, Wasey.	Mutual.	M., 9:15-1.	500
Gabriel Heatter.	Forhan's Toothpaste.	Erwin, Wasey.	Mutual.	Th., Sat., 9:15-1.	1,000
Gabriel Heatter.	Macfadden Publications.	Erwin, Wasey.	Mutual.	W., F., 9:15-1.	1,000
Gabriel Heatter.	R. B. Semler.	Tums.	Red.	Tues., 8:30-9.	3,500
Horace Heidt's Treasure Chest!	American Oil.	Joseph Katz.	CBS.	M., F., 6:05-6:15.	4,500
Edwin C. Hill.	Pepsodent.	Lord & Thomas.	Red.	Tues., 10-10:30.	9,500
Bob Hope.	Calif. Fruit Growers.	Lord & Thomas.	CBS.	M., W., F., 6:15-6:30.	1,000
Hedda Hopper.	Andrew Jergens.	Lennen & Mitchell.	Red.	W., 8:15-8:30.	1,500
'How Did You Meet?'	Fleischmann's Yeast.	Kenyon & Eckhardt.	Blue.	M., 8:30-9.	2,500
T Love a Mystery.	Lucky Strike.	Lord & Thomas.	Red.	F., 8:30-9.	8,500
'Information, Please'	Cartier Liver Pills.	Street & Finney.	Blue.	Tues., 9:35-10.	550
'Inster Section Mystery'	Philip Morris.	Blow.	CBS.	Fri., 9:30-10.	4,000
'Johnny Presents'	Philip Morris.	Blow.	Red.	Tues., 8:30-9.	4,000
Johnny Presents	Coldine Corp.	Shed & Marquette.	CBS.	Sat., 8:30-9:35.	3,800
Wayne King.	Colgate-Pal. Peet.	W. Kastor.	Red.	Sat., 8:30-9:35.	2,200
'Knickerbocker Playhouse'	Drene.	D'Arcy.	CBS.	Sun., 4:30-5.	f 6,000-7,000
Andre Kostelanetz.	Coca-Cola.	J. Walter Thompson.	Red.	Thurs., 9-10.	11,500-12,500
Kraft Music Hall.	Kraft-Phenix Cheese.	Lord & Thomas.	Red.	W., 10-11.	7,000
Kay Kyser.	Lucky Strike.	Benton & Bowles.	Red.	Sat., 10-10:30 a.m.	1,100
'Lincoln Highway.'	Shinola.	Benton & Bowles.	CBS.	M., 10-10:30.	3,500
Guy Lombardo.	Lady Esther.	J. Walter Thompson.	CBS.	M., 9-10.	8,500-11,000
'Luz Radio Theatre'	Lux.	Young & Rubicam.	Blue.	W., 8:30-9.	850
'Manhattan at Midnight'	Emergine.	B-S-H.	Red.	Sun., 9:30-10.	3,000
'Manhattan Merry-Go-Round'	Dr. Lyon's Toothpowder.	Lennen & Mitchell.	Red.	Thurs., 8:30-9.	3,000
Tony Martin.	Andrew Jergens.	Lord & Thomas.	Red.	Thurs., 8:30-9.	3,000
Maxwell House Coffee Time.	Maxwell House.	Benton & Bowles.	Red.	M.-F., 3:31-5.	2,000
Miss Mary McBride.	Florida Citrus Commission.	Arthur Kudner.	CBS.	Tues., 9:30-10.	7,000
'Fibbie McGee & Molly'	S. C. Johnson.	Needham, Louis & Brorby.	Red.	W., 7:30-8.	2,300
'Meet Mr. Meek'	Neftub.	William Esty.	CBS.	Sat., 8-9 to finish.	*See notes
Metropolitan Opera.	Tuna Co.	Buchanan.	Blue.	Red.	3,000
Metro. Opera Auditions.	Sherwin-Williams.	Warwick & Legler.	Red.	Tu., W., Th., 10-10:15.	3,500
Glenn Miller.	Chesterfields.	Stack-Goble.	Blue.	Tu., W., Th., 7:15-7:30.	2,000
'Mr. Keen, Tracer of Lost Persons'	BioSol.	Newell-Emmett.	Red.	W., 9:30-10.	2,800
'Mr. District Attorney'	Vitabis.	Alka Seltzer.	Red.	Sat., 9-10.	3,750
'National Barn Dance'	Tender Leaf Tea.	Wade.	Red.	Sun., 8:30-9.	4,000
'One Man Family'	Andrew Jergens.	J. Walter Thompson.	Red.	Sun., 9:15-9:30.	1,500
'Parker Family'	Camels.	Lennen & Mitchell.	Blue.	F., 7:30-8.	8,500
'Al Pearce'	Bugler Tobacco.	William Esty.	CBS.	W., 8:30-9.	1,800
'Plantation Party'	Illinoian Meats Co.	Russel M. Seeds.	Red.	Mutual.	1,700
'Play Broadcast'	Velvet Tobacco.	Neisser-Meyerhoff.	Blue.	Thurs., 8:45-9.	14,700-5,200
'The Goldfarb'	Paul F. Beach.	Stack-Goble.	CBS.	Tues., 9:30-10.	4,000
'Professor Q'	Alka Seltzer.	Newell-Emmett.	CBS.	Sun., 8-8:30 p.m.	800
'Peter Quill!'	Wade.	W. Kastor.	Red.	W., 8-8:15.	3,000
'Quis Kids'	Big Ben Tobacco.	Wade.	Red.	Thurs., 8:30-9.	9,500
'Renfro Valley Folks'	Welch Grape Juice.	H. W. Kastor.	Red.	M.-F., 3:31-5.	2,000
Irene Rich.	Rinso.	Ruthrauff & Ryan.	CBS.	Tues., 9:30-10.	7,000
Edward G. Robinson.	Franco-Amer. Spaghetti.	Ruthrauff & Ryan.	CBS.	F., 7:15-7:30.	9,500
Lanny Ross.	Pet Milk.	Gardner.	CBS.	Sat., 9:45-10:15.	2,200
'Saturday Night Serenade'	Gulf.	Young & Rubicam.	CBS.	Sun., 7:30-8.	13,500
'Screen Guild'	B-S-H.	B-S-H.	CBS.	Tues., 7:30-8.	2,800
'Second Husband'	Bayer.	Young & Rubicam.	Mutual.	Sun., 4:30-5 p.m.	1,800
'The Shadow'	D. L. & W. Coal.	Russel M. Seeds.	Red.	M., 9:30-10.	5,500
'Show Boat'	Avalon.	Redfield-Johnston.	Mutual.	Sun., 6:30-7.	13,500-4,000
'Show of the Week'	Local sponsors.	Young & Rubicam.	CBS.	Sun., 6:30-7.	6,000
'Silver Theatre'	Inter. Silver.	B. B. D. O.	CBS.	F., 8:45-9.	10,000
Kate Smith.	Grace Guts.	Young & Rubicam.	CBS.	Sun., 10-10:30.	5,500
Phil Spalin.	Gen. Electric.	B. B. D. O.	Red.	Sun., 9:45-10.	1,500
Elli Sternagle.	Colgate-Pal. Peet.	Sherman & Marquette.	Blue.	Sun., 5:30-6.	1,500
Col. Steppenagle.	Mennen Co.	H. M. Kiesewetter.	CBS.	M.-Thurs., 6:30-6:45.	1,000
Paul Sullivan.	Raleigh.	B. B. D. O.	CBS.	Sun., 9:45-10.	11,000-11,000
'Sunday Evening Hour'	Ford.	J. Walter Thompson.	Mutual.	M., F., 10-10:15.	1,200
Raymond Gram Swing.	General Cigar.	B. B. D. O.	CBS.	Sun., 10-10:30.	1,800
'Take It or Leave It'	Eversharp.	J. B. Williams.	Red.	Fri., 7:30-8.	4,000
Alec Templeton.	Alka-Seltzer.	J. B. Williams.	CBS.	M.-F., 6:45-7.	3,500
Lowell Thomas.	Sun-Oil.	H. W. Kastor.	Red.	Sun., 6:30-9.	1,200
'Those We Love'	Drene, Teel.	Compion.	Red.	Sun., 5:30-6.	1,400
'True or False'	J. B. Williams.	J. Walter Thompson.	Red.	Sun., 6:30-9.	1,400
'Truth or Consequences'	Ivory.	Young & Rubicam.	Red.	Sun., 10-10:30.	12,500
Orrin Tucker.	Vitaminized Yeast Tablets.	Stack-Goble.	Blue.	Tues., 8:30-9.	2,500
'Uncle Ezra'	Camels.	William Esty.	Red.	Sun., 10-10:30.	1,500
'Uncle Jim's Question Bee'	Spray.	Ruthrauff & Ryan.	Ruthrauff & Ryan.	Tues., 8:30-9.	1,800
'Uncle Walter's Dog House'	Raleigh.	Russel M. Seeds.	Red.	Tues., 10-10:31.	19,500-10,000
Body Valley.	Sealest.	McKee & Albright.	Red.	Thurs., 10-10:30.	19,500-10,000

(Continued on page 27)

BMI DECREE PUZZLES PUBS

ASCAP Jibes 'Non-American' Album

Editor, VARIETY:

When and where is American music "given the air"? On the air. I am referring particularly to Frank Hummert's popular program, "American Album of Familiar Music" which was broadcast over the Radio Network Sunday (28) night at 9:30. Hummert has consistently produced over the years, a first-rate musical program. We sympathize with Hummert who has been placed in a musical straitjacket by the chains. His task is a tough one and the repertoire of Sunday's program certainly showed it. On a program ostensibly devoted to familiar American music prominently featured were "Wine, Women and Song" of Austrian descent; "Santa Lucia" and "Shadow Song" ("Dinorah") from the Italian, and "I Dream I Dwell in Marble Halls," a well-known English composition.

All great songs, but why mis-label them as American?

The selections included in the program clearly demonstrate the musical void on the networks created by the chains' boycott of ASCAP music. It is especially difficult for this man for Hummert who has had the wide repertoire of American music from which to draw in building up his program. Thanks to the chains, he must be content with a few drops which trickle through the public domain.

One good thing, at least, for the sponsor, is that the music will probably create a greater demand among radio listeners for Bayer's Aspirin. But it is more likely, that out of resentment, they will use another headache remedy.

A. P. Wazman,

Public Relations Counsel, ASCAP.

DID GOVERNMENT OR RADIO WIN?

Wisconsin Document Is Studied Carefully—Payment at Source Seen Established Regardless of Anything Else—Gloomy Outlook Taken by Some Music Men

ADMEN REACT

Acceptance by BMI of a consent decree from the U. S. Department of Justice yesterday (Tuesday) got a mixed reaction from among lawyers in the music industry. Some questioned whether the document would be upheld by the higher Federal courts in the event of a fight from ASCAP, while others regarded it as a highly serious turning-point in the career of ASCAP. One thing that all these sources of comment did agree on was that the decree has complicated the situation more than ever and that the radio-music war may prove the most costly controversy in the history of the amusement business.

What makes the decree ominous for ASCAP, according to some of these established lawyers, is that it establishes a settlement which will encourage the Department of Justice to press through as far as ASCAP is concerned. It is the very pattern which had been suggested when Andrew W. Bennett was in the department in 1935. Bennett later became associated with the National Association of Broadcasters in its state legislative campaign against ASCAP.

These same lawyers were all of the opinion that if ASCAP wants to file the consent decree action in the U. S. supreme court, it will win, but there is the question as to how long the music industry would be able to withstand the pressure from BMI in so far as current sheet music sales are concerned or how effectively it would be able to adjust itself to new methods of exploitation and merchandising.

On the other hand, ASCAP might find it more expedient to come to an agreement with the Government on an entirely legal basis and, that is, that while it is a legal combination it might have been using improper methods, such as the exclusive use of a blanket license, and that such methods might be revised without destroying the purpose and existence of ASCAP.

Want to Fight

So far the overwhelming majority of writer and publisher members of ASCAP are intent on fighting the issue through to a finish.

One thing in the consent decree that has given these writers and publishers much heart is the accession of the networks by court order to the principle of payment of this source. It was the inclusion of this principle in the new ASCAP contract,

Sound the ASCAP-BMI Dischords

Milwaukee, Jan. 28.

Extent of the campaign of ASCAP to "educate" the people of the hinterlands was illustrated in the appearance in many Wisconsin towns in the past fortnight of Samuel Sorin, New York pianist who won the 1939 \$1,000 award of the National Federation of Music clubs, under whose auspices he appears. Managing his tour is Mrs. Grace Towne, of New York, who is urging the local clubs to back the ASCAP fight and to assist him to teach the radio music "boycott" of American music. Besides Milwaukee, Sorin appeared in Waukesha, Stevens Point, Manitowoc, Beloit, Janesville, Oconomowoc, Burlington, Ashland and Superior—all a long, long way from Tin Pan Alley.

All three Milwaukee newspapers—The Journal, The Sentinel and The Evening Post have already devoted pages to the ASCAP-BMI fight, all running serialized stories purporting to give both sides of the story day after day, some of the articles accompanied by pictures of principals. Editorial page comment, too, has been extensive, with the radio columnists doing their daily bit. Battle also has gotten into local radio quiz shows, vaudeville bills, platter programs, night clubs and wherever else either side could get a chance to make itself heard. As a result, the public at large is probably better informed on the subject than anywhere else and it is a common topic of discussion.

Robert A. Hess, Wisconsin counsel for ASCAP, and George D. Skinner of New York, public relations department of BMI, have made speeches to business clubs, etc.

Coca-Cola On 66 Only, And Using ASCAP

F. W. Coste, v.p. in charge of the D'Arcy agency's New York office, declared last week that regardless of the fact that the list of stations broadcasting the Coca-Cola series has been reduced from 209 to 66 the account will continue to buy ASCAP music from its recordings. Coca-Cola has decided, he said, that if it's necessary to stay off the air until the music war is settled it will do so.

Meanwhile, Coste added, those connected with the beverage company's Sunday matinee show on CBS are experiencing growing concern with the fate of that program because of the limitation of material. Account has been considering the use of Frankie Masters and other network pickup men, but has not yet decided whether this series will start until the music situation has been settled.

The music conflict, stated Coste, has seriously upset Coca-Cola's radio plans, but the agency and local bottlers have sought in no way to bring pressure on stations to signature contracts. Coca-Cola's contract with Singin' Sam has until June 30, 1941 to go and he will go on recording programs until then if only for a limited number of stations.

GROVES TO MAXON, BELL TO UNCLE SAM

U. B. Groves has replaced Gordon Bell as time buyer for Maxon agency. Bell has been induced into the U. S. Army.

He is in the anti-tank division at Fort Dix, N. J.

William C. Gillepsie, of KTUL, Tulsa, in Miami.

Talent Costs

Continued from page 1

ning programs on NBC and Columbia are spending, as the peak of the 1940-41 season approaches, a total of \$479,000 for talent. Mutual's one-time schedule accounts for another \$15,000, which would make the total for the three webs \$494,000. Talent costs for network daytime programs, including Saturday and Sunday matinee, are estimated to run in the neighborhood of \$125,000 a week.

Only night of the week where the talent expenditure has gone up a big way is Sunday night, but not only night, because the talent outlay continues to lead in that phase of network underwriting but compared to a year ago the accumulative talent outlay has jumped from \$98,000 to \$122,000.

An outstanding addition from the coin angle has been the Helen Hayes stanzas (Lipton's Tea).

Night By Night.

Wednesday remains the second leading money night of the week, while Thursday night has slipped to second to last rating. The bottom spot, for which Saturday has always held the trophy, this time represents a total of \$26,000.

About a year ago the commercial outlay for talent on NBC and CBS Saturday was \$36,000.

At that time the schedule included "Gang Busters" (\$3,500), "Sky Blazers" (\$4,000) and "Bob Crosby, et al" (\$4,000).

Another marked shift in the week's alignment of talent costs concerns Monday night. Latter now ranks third, with the accumulative cost having increased from \$81,000 to \$70,000.

Following is an estimate of the night by night talent costs of commercial programs on NBC and Columbia schedules:

Sunday	\$122,000
Monday	76,000
Tuesday	65,000
Wednesday	75,000
Thursday	64,000
Friday	65,000
Saturday	26,000
Total	\$479,000

[See Page 26 chart for detailed breakdown of commercial program costs.]

Estimated Network Program Costs

(Continued from page 26)

PROGRAM	ACCOUNT	AGENCY	NETWORK	AIR TIME	PROGRAM COSTS
"Voice of Firestone"	Firestone Tire & Rubber	Sweeney & James	Red.	M. 8:30-9	3,500
"Fox Pop"	Penn Tobacco	Rutherford & Ryan	CBS	Thurs. 7:30-8	2,500
"Waltz Time"	Phillips Chem.	B-S-H	Red.	Fri. 9:30	2,600
Fred Waring	Chesterfields	Newell-Emmett	Red.	M. F. 7:7-15	12,000
"We, the People"	Sanka	Young & Rubicam	CBS	Tues. 9:30	13,750-4,500
With Williams	Amer. Safety Razor	Federal Adv.	Mutual	Tu. Th. 8:15	600
Mike Williams	Peter Paul	Platt-Fortes	Mutual	Sun. 7:45-8	300
Walter Winchell	Andrew Jergens	McClellan	Blue	Fri. 10:15-11	5,000
"Wings of Destiny"	Wings Cigars	Russell M. Steds	Red.	Fri. 10:10-11	1,700
Tony Woods	Hill Bros.	Henri, Hurst & McDonald	Red.	Tu. Th. 11:15-12:30 and Sun.	4,15-4,30
"Your Dream Has Come True"	Quaker Oats	Rutherford & Ryan	Red.	Sun. 5:30-6	2,800
"Your Happy Birthday"	Axton-Fisher Tobacco	Weiss & Geller	Blue	F. 9:35-10	2,500
"Your Hit Parade"	Lucky Strike	Ted Bates	CBS	Sat. 8:05-45	3,500
"Your Marriage Club"	Continental Baking	Lord & Thomas	CBS	Sat. 8-8:30	3,200

* Lump sum of \$250,000 paid for season of 16 broadcasts covering time, opera, commentator, etc.

† Depends on salaries of guest stars.

"VIRGIL"

PARAMOUNT'S —————
THRILLING
TECHNICOLOR ROMANCE
REAL BOXOFFICE WHAT
HUGE GROSSES IN
CHARLOTTESVILLE, LYNCHBURG,
N.W.M.P."* IN RICHMOND



*...and remember, "N.W.M.P."

NA!
WHAM!

**ONCE "VIRGINIA" HAS
MI! EXCEEDS "N.W.M.P.'S"**
NEWPORT NEWS,
ICHBURG AND EQUALS
OND AND NORFOLK!**

?." played at advanced prices!



ANTI-WISECRACK ON MUSIC

PAIN, IKE LEVY DEBATE, 32 LISTEN

Philadelphia, Jan. 28. John G. Paine, of ASCAP, and Isaac D. Levy, of WCAU, staged what is believed to be the first public debate ever held of both sides on the ASCAP-radio question yesterday (27) and both came to the same conclusion:

The entire squabble will be settled shortly.

Ley said the settlement would come as the result of governmental pressure. Paine said it would come because of ASCAP's feeling of responsibility toward the music-loving public.

The debate was held before the newly-formed Pennsylvania Radio Council, formed by the radio committee of the Pennsylvania Federation of Women's Clubs to co-ordinate publicity to the radio industry.

Paine took the floor first and outlined the history and growth of ASCAP. It was formed, said Paine, to protect American genius.

He wound up his main address by charging that the broadcasters were "cheating" listeners of great music.

"There are only three nations in the world in which American music is banned," he said. "Germany, Italy and the United States."

Levy signed his address by asserting that broadcasters "wanted to play ASCAP music."

"We would be delighted to play it if they would only tell us what it costs," he said. "We want to buy it, but they won't tell us. We would like to play 'God Bless America,' but I don't think that songs like 'Up-Sy-Downdsy,' 'Cuckoo in Clock' and 'Shoot the Sherbet to Mr. Herbert' build culture."

Ley outlined the growth of fees from broadcasters levied by ASCAP. In 1924 a broadcasting station paid \$500-a-year. In 1940 the same station paid \$50,000, Ley said.

"All we say to ASCAP," Ley said, "is this: Place a price on every piece of your music."

"Or use some other method whereby we can use some music that the public wants and we will pay you for that music. We refuse to pay you for programs where we do not use your music."

"ASCAP continually says that its doors are open. That's right, their doors are open, and as soon as we stick our heads in there, they will crack us with a blackjack."

In rebuttal Paine declared that the broadcasters were misrepresenting the case in asserting that ASCAP wanted \$9,000,000 and that the society discouraged the writing by immigrants. "As a matter of fact," he said, "ASCAP is and always has made special efforts help immigrants in a very practical way—by getting experts to give them advice and guidance."

The debate, held in the WCAU auditorium, was attended by only 32 persons. WCAU officials said it "proved" that the public wasn't interested in the ASCAP controversy. ASCAP rep blamed the poor attendance on the weather, but it was shown to have been yesterday morning.

There was little advance publicity on the debate. WCAU carried no advance notice at all. Only one daily newspaper printed any advance mention of the event.

'ASCAP Parade' on KABC

San Antonio, Jan. 28. Station KABC here has been selected as one of the outlets to air ASCAP's on Parade, educational program through transmissions. Airings are produced by Bill Rose, who is known by Oscar Hammerstein and announced by Deems Taylor.

Station KABC is both ASCAP and BMI licensed. Station KMCA is only other local outlet with ASCAP license. Stations WOAI, KTSA, and KONO are BMI licensed only.

Hopeful

Chicago, Jan. 28. With the regular theme music of the orchestra banned from the ether because it is an ASCAP tune, Dick Jurgens has his orchestra play its regular theme immediately after coming off the air.

Jurgens says he doesn't want the boys to forget how to play in case the music battle is ever settled.

INDIES WIRE ASCAP AFTER PROGRAM

Washington, Jan. 28. If Gene Buck meant what he said Saturday (25) in the "ASCAP on Parade" program, he can count the National Independent Broadcasters to do business. Before the show had begun, Buck said the indicator was on the way to the ASCAP president offering to sit around the table again—with a big IF. All they want is assurance that Tim Pan Alley will consider a license arrangement such as that embodied in the consent decree between BMI and the Justice Department. Recalling the several days of unfruitful talks last autumn, the NIB bosses sent the following wire right after hearing the first of the ASCAP program:

This is in response to your radio appeal to broadcasters in your radio program "ASCAP on Parade" to meet with you regarding contracts for the broadcasting of ASCAP music in order that the public will be deprived of it. National Independent Broadcasters representing the independently owned and operated broadcast stations in the United States again request a license in behalf of its members which will require the payment of license fees only on programs in which ASCAP music is used and which does not require the payment of license fees on programs which do not use your music. This same request was made in writing last October and after lengthy discussions was refused. Such a license has been issued to newspaper-owned broadcast stations for the past eight years. If you will state definitely that you will issue such a license to our members we will be very happy to continue the discussion, but will not discuss further for a five-year license which requires our members to pay you license fees on programs which do not use your music. This same request was made in writing last October and after lengthy discussions was refused. Such a license has been issued to newspaper-owned broadcast stations for the past eight years. If you will state definitely that you will issue such a license to our members we will be very happy to continue the discussion, but will not discuss further for a five-year license which requires our members to pay you license fees on programs which do not use your music."

Wire carried hancocks of Harold LaFount, Ed Allen, Andy Denton, Lloyd Thomas, and Ed Spence.

Stephens College Survey Gives ASCAP an Edge

Columbia, Mo., Jan. 28. Stephens College for girls one of the more publicized institutes of the Midwest, has conducted a music situation with the results of a survey conducted among the students. The girls' reports James Kilpatrick, the college's p. a., are listening more to records and less to radio. Feeling irritated that Jerome Kern and Cole Porter are locked up as far as radio is concerned.

Sheet music sales, according to the survey, have become practically n/a, while phonograph record sales have picked up in big way. Boys' records, Art Shaw and Tommy Dorsey are given as the girls' disc faves, and the preference for sweet swing in contrast with all-out swing is two to one. Kilpatrick states that 900 of the school's 1,700 students were polled for the foregoing abdaba, and that the girls who are still listening in give "Frenesi," "I Hear a Rhapsody" and "I'll Give You My Word" as their choice dance tunes. Latter are all in the BMI catalog.

While the ASCAP-Radio feud has been played up in the Nashville press, it's gotten considerable play among Nashville high school students. The only editorial comment in local press was pro-radio however. But the high schools have decided to take the ASCAP-Radio battle as their annual inter-school debate topic. First round was completed Friday (17) with East High winning over Cohn High. Radio officials were gratified, winners had defended radio's side of the argument. Jack Harris, WSM publicly chief, has been cooperating with debaters in furnishing pro-radio teams their ammunition.

ASCAP JOKES ARE CALLED OFFSIDE

National Association of Broadcasters' Sixth District Passes Resolution—Edwin Craig in Mailing Out the Statement Deplores Bob Hope Quip

NO HUMOR SEEN

Nashville, Jan. 28. Despite a sort of third party to see him in certain respects of the current music war between ASCAP and the radio industry, the broadcasters in this zone don't appreciate wisecracks, gags—comedy references. Especially not over the air. Edwin Craig of WSM here who is director for the sixth district of the National Association of Broadcasters has declared:

"Certainly radio owners ought to

The Dark, Brown Taste

Hollywood, Jan. 28. Biggest trouble maker around NBC is that gal named Jeannie Queen of public domain last week got in the light brown hair of Wendell Williams, net's chief censor here, when Bob Hope insisted on using a gag on the much-kicked-around older. Comic shouted up to Williams in the control room, "I'm going to rehearse it so you better rehearse the cut."

Sure enough, he did and on the eastern broadcast, Williams ordered the knob turned for a fade. Piece of bid had to do with Hope's scoring a golf match. "I was so good at it they called me the genius with the light brown pencil," he quipped. Studio audience howled, but it never rode the ozone.

able to prevent their own properties from being used against them."

This quotation is from introductory remarks by Craig to the publicity release on a resolution recently passed here by the N.A.B. district meeting.

Craig also said: "Bob Hope has tried to bring the ship on his program last night." This is the text of the resolution:

"Whereas, It has come to our attention that certain radio comedians and entertainers are using the current music controversy between the radio industry and the American Society of Composers, Authors and Publishers as a basis for their wisecracks and gags;

Therefore, be it resolved by the radio broadcasters in district convention assembled at Nashville, Tennessee, that the advertisers, agents, and the public hereinafter requested to eliminate from their programs all mention of this music controversy, favorable or unfavorable, whether by direct statements or by inference.

Be it further Resolved, That copies of this resolution be sent to the heads of program departments of the major networks."

WSM Gives Debate Data

While the ASCAP-Radio feud has been played up in the Nashville press, it's gotten considerable play among Nashville high school students. The only editorial comment in local press was pro-radio however.

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Under BMI we are maintaining a higher publishing schedule than anyone ever achieved before," said Skinner. "We have reached such a point that we now have nine printing houses going overtime. We are shipping five railway express carloads of music weekly. We employ over 100 musicians, studio engineers and so on. Last week we sold over 100,000 copies of our music Best seller lists include more BMI numbers than those of any other publisher.

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FOUR AMERICAN, ONE BRITISH TELEVISION SYSTEMS VIEWED IN N.Y. BY THE FCC

Dumont, RCA, Bell, CBS Color and Scophony Are Visited — Rivals Have Chance to Strut Their Stuff—FCC Policy May Be Defined

Members and staff of the Federal Communications Commission came from Washington to view a series of television demonstrations in New York City last Friday and Saturday (24-25) preparatory, presumably, to the commission making up its mind on future policy. American television has been held in abeyance, more or less, since the FCC smacked RCA-NBC for being over-zealous in going after sale last spring.

Three demonstrations, Dumont, RCA and Bell Lab, were held Friday. Columbia Color television and the British Scophony system were viewed Saturday. This was the general trade impression of what the FCC saw:

1. DUMONT

Method (which is affiliated with Paramount Pictures) seemed to have made little progress since its publicity splurge in the early days of the first year at the N.Y. World's Fair. It has been understood recently that the New Jersey transmitter was actually behind a Chicago sending unit of the same company.

Dumont's demonstration purported to prove that pictures could be transmitted at 625 lines—15 frames without flicker or blur in comparison to the present standard of 441 lines—30 frames methods. The demonstration viewed presented little proof. The picture projected by two machines, one with a cathode-ray tube type 20-inch cathode ray tube on a screen 11x16 inches and a second via a 14-inch tube on an 8x12 screen, was alternately vague and shadowy and not at all consistent, particularly the closeup views of Dr. Thomas T. Goldsmith, Jr., director of research for Dumont. It was definitely not of satisfying clarity, though, Dumont claimed, there was a distinct improvement.

Purpose of developing transmission of pictures at 625 lines—15 frames, according to Dumont, is that the increased number of lines makes for a clearer picture and the lessened number of frames will allow the use of a narrower broadcast band, which will work numerous benefits both to transmission and reception.

Demonstration originated on the same floor as the reception sets, the two points being directly connected by wire. Material consisted of still shots, taken from films which depicted the progress of 1940.

Dumont preceded the showing with the unreeling of motion pictures of two types, first taken at 15 frames a second which was supposed to prove that motion is not blurred or jerked at that photographic rate. Second were short clips of flowers and scenes taken at present regular motion picture rates of 24 frames a second. Dumont claimed that the 15 frame pictures did not blur and showed them as a means of proving that its 15 frame television transmission would not blur. It was right in that the films did

not have that quality, but they were jerky and unreal in comparison to the present day speed of 24 pictures per second.

2. RCA—NBC

Demonstrations were held in the RCA building, Radio City, and at the New York theatre. First exhibit was the American Camp Upjohn at Yaphank, L.I., and a smoothly produced, directed and written session with "The Aldrich Family," headed by Ezra Stone. RCA and NBC, apparently, went to great lengths on showmanship.

All pictures were sharply defined and without a trace of flicker or interruption of any kind. Only segment that was not clear was when the pickup shifted to mobile units at Camp Upjohn. These were murky and indistinguishable, but the dark and light areas were well compensated for most of the lack of clarity. Only noticeable difference between the pictures offered by the differently sized screens was that the larger didn't seem as accurate as the smaller in distinguishing black from white. The 13x18 seemed to merge the two colors into a film gray.

Large screen demonstration at the New York Theatre was highly satisfactory. Using a 15x20 foot screen, RCA projected, with perfect clarity for nearly demonstration, varied entertainment subjects which were taken into the theatre via "specially balanced telephone lines" from the RCA studios. Picture presented at first gave off a rounded edge, lined impression similar to the effect of a standard 8x10 picture, especially in closeups, but as the showing progressed the figures smoothed out either because of correction of the projection machinery or because the projection machinery was balanced on the screen the same way as motion pictures.

Material used for the large screen demonstration came from the RCA Bldg. studio, except for one return to Camp Upjohn. That the poor quality of some scenes was due to bad weather and lack of sunlight, holding at the pickup point was proved when a closeup of the Long Island transmitters and back. It came the 68 miles, as did the shots from Camp Upjohn, via two booster

Tele's Next Act?

National Television Standards Committee report appeared Monday (27) subsequent to the big sky-pictures weekend. Chairman Fly of the FCC also let it be known that public hearings in Washington will precede final enunciation of American tele standards.

CBS color is the big ? of the situation.

relay points, to the Empire State, broadcast by RCA, then into the theatre over the wires. Difference between the differently picked up closeups was negligible.

3. BELL LABS.

Television test at the Bell Laboratories in downtown Manhattan consisted of demonstrations of transmission over a distance of 200 miles. While television transmission over a coaxial cable was used in 1939 on the Research National Convention in Philadelphia, with this event received in New York, this FCC saw probably the most extensive test use of the coaxial cable. And the first time it has been compared with ordinary telecasting over short distances (from the next room, in this case).

Signals from the scanner in N.Y. Bell Labs were transmitted to Philadelphia and back to New York where the pictures were viewed. It was possible because there are two coaxial cables between the two cities. For the 200-mile transmission, 40 amplifiers were employed by the Bell System. Test was made to illustrate to FCC experts the negligible difference between short-distance telecasting and transmission over 200 miles.

Motion picture film was especially prepared for the test, a special projector and the Bell-developing machine device were used throughout the 40-minute demonstration.

Image director tube used was a Farnsworth invention, with Bell Laboratories employing its own cathode-ray tube and transmitter, developed primarily as testing instruments for engineers studying television transmission.

Bell Lab experts explained that future plans are to extend the wider bands, but that the wider the band the more it costs to operate. It was pointed out that tests 2,700,000 cycles per second for television produced a very good grade picture and that higher frequency transmitting costs more.

American Telephone & Telegraph system, of which Bell Labs is a part, also has a coaxial cable line extending from Milwaukee to Minneapolis to Stevens Point, Wis. It was installed as part of the new phone line between Chicago and Minneapolis. By various loops of this 200-mile stretch, tests this winter are expected to prove the workability of television over 800 miles of coaxial cable.

4. COLUMBIA COLOR

The method that the CBS network has evolved has been making notable strides in experimentation. To its recently worked out "live pick-up" the Goldmarkites have added other technical successes. The Saturday demonstration stressed, in CBS own words, these aspects:

Live pickup itself.
Pickup under moderate amount of light.

Progress in solving color break-up synchronization of receivers for direct power supplies.

Complete receiver (lab built for demonstration).

Quiet color disc.

Cool fluorescent lights and 24-frame scanner.

Progress in actual program techniques.

CBS' demonstration had many clever touches and was, in detail and in total concept, calculated to propagandize for color. It was, in effect, a continuous blast against black and white television.

It would be impossible to guess what the FCC members thought, but on the whole it may be surmised that CBS color, in spite of its shortcomings (it stole the two-day show or was detracted from the undoubtedly advanced skill and production versatility displayed by RCA-NBC).

5. SCOPHONY

FCC paid a courtesy visit to the British television system offices

AND IN ENGLAND—



JOHN BAIRD'S COLOR TELEVISION

Although television operations ceased at the British Broadcasting Corp. with the outbreak of war in September, 1939, television pioneer John Baird held a color demonstration a few weeks ago at his private laboratory in Sydenham, outside London, to display color television described as based upon a "spotlight" principle at 600 lines and 25 frames a second. Flicker is reported reduced and definition said to be sharp. A cathode ray is the source of light. Revolving disk fitted with blue, green and red filters is employed.

The above photograph is of a recent Baird private demonstration in England.

WFMJ's RCA Tele Tieup

Feltis Heads Ad Club

Seattle, Jan. 28.

Youngstown, O., Jan. 28. WFMJ, in conjunction with the Youngstown Vindicator, has arranged with RCA for a television (circuit) demonstration during the Youngstown Home Show, March 19-24. There will be two contests tied up with the event. One will be to pack Miss Television who will receive an all-expense-paid trip to New York for television tests by NBC. Other, a television talent, will offer money prizes.

Station has started plugging the stunt with weekly voice audition broadcasts.

around the corner from CBS. Only 10 days before Solomon Segal, promoter of Scophony, unveiled his mirror drum, long-burning cool-type of large-screen television for the benefit of the New York daily and trade press. Scophony has two types of large screen, as previously reported, and would probably go into competition aggressively if the conditions for competition were established, these including presumably commercialization, standardization of lines, frames, interchangeability, etc.

Philadelphia—F. M. Sloan, for six years a member of the KYW engineering staff, goes to Boston as chief engineer of WBZ and WBOS. All three are Westinghouse-owned stations.

George E. Haggerty succeeds Sloan as assistant to the chief engineer at KYW.

WDRC

CONNECTICUT'S PIONEER BROADCASTER

FOR TIME BUYERS

When you're scheduling radio in Connecticut, remember that WDRC is the only Basic Columbia Station for miles around — with more than a million listeners. What a buy for \$1,000 at WDRC's rate! Write Wm. Malo, Commercial Mgr., for further information.

WDRC, Hartford

5,000 Watts

ACETATE
Recordings
Processed and Pressed
In Canada
Vertical or Lateral
Also line
Recording of
the highest
Quality
Many
Satisfied
U.S. Clients
Compo Company Limited,
Lachine, Montreal, Canada
Transcription headquarters
For Canada.



Texas Legislature

To Scan ASCAP
Austin, Tex., Jan. 28.

Bill to investigate the control of music by the American Society of Composers, Authors and Publishers is to be introduced to the present state legislature now in session here by Representative Joe Skiles.

Attorney General Gerald C. Manly will be asked to inquire into possible ASCAP violation of the state anti-trust laws.

LAFOUNT'S STAFF

Rogers As WOV G. M.—Hyla Kizcales As His Aide

New lineup of executives has taken charge at station WOV, which moved into its new quarters on Fifth avenue, N. Y., last week. Harold A. LaFount is in charge of all Arde Bulova stations. Naylor Rogers is general manager of WOV. Hyla Kizcales, formerly manager, stays on as his assistant. Stuart Johnson is program director, with John C. Schreiber, formerly program head, as assistant. Whiting N. Hall is chief engineer and Sydney E. Leipzig remains head of the artist bureau. No sales manager has been selected.

Station is now broadcasting experimentally under its temporary 10,000-watt permit and will do so regularly as soon as its permanent license comes through from the FCC. The station also has an application in for television and FM licenses. And, in anticipation of its forthcoming boost in wattage, it is revising its whole program schedule.

According to LaFount, it is still planned to hook up the four Bulova stations into a network whenever WCOF, Boston, can be put into full-time operation. The station now has a full-time license, but with reservations, depending on the ability of engineers to direct its signal as not to interfere with other stations on the same wavelength in neighboring areas. There is already a line connecting Bulova's Philadelphia station, WPEN, with his two New York outlets, WOV and WNEW. There is not even a remote plan for a larger network, LaFount says.

TOLEDO
A Fort Industry Market

70%

Of the ten leading national programs (as rated by the CAB) are Broadcast exclusively on

WSPD

IN TOLEDO . . .

and

NORTHWESTERN OHIO

These 7 out of 10 top audience shows are heard thru WSPD:

Jack Benny

Chase & Sanborn

Fibber McGee & Molly

Bob Hope

The Aldrich Family

Kay Kyser

One Man's Family

Representative: Katz Agency

**WSPD**

TOLEDO, OHIO

RADIO ANNOUNCERS!

Fine opportunity for two announcers in new Baltimore station. We require:

1 Specialty Announcer for Morning Show
1 Regular Announcer

All-around experience necessary. Please tell complete story in first letter. Tell background, experience, salary desired. Transcription must accompany letter. Photo will help. Be sure to state which position you are applying for. Station WITI, Baltimore.

The Odds on FCC Decision Delays**Type of Case**

NO HEARING REQUIRED—
TESTIMONY REQUIRED—
POLITICAL EDGE—

Probable Time on Docket

FOUR MONTHS+
SEVENTEEN MONTHS+
TWO MONTHS+

Washington, Jan. 28. Why applicants and their attorneys get gray hairs and burrowed brows doing business with the FCC was shown last week in one of the exhibits compiled by the attorney general's committee on administrative procedure. Great delay was observed in sample check of cases moving through the radio regulatory mill.

In 99 cases involving changes in facilities disposed of during last May and June, average time required from start to finish was four months and six days. The period in instances where hearings were held (11 cases) was 17 months 10 days. But people who encountered no opposition had a friendly political push got their applications disposed of in two months and 17 days on the average.

Breakdown showed the longest wait when a hearing was involved was 34 months, 29 days; speediest action was nine months, 25 days. Lag between filing of plea and designation of case for hearing ran from one month, one day, to five months, eight days; between designation and testimony-taking it was from two months, three days to seven months, 25 days; between hearings and issuance of proposed findings of examiner's report it was from one month, 12 days to three months, 11 days.

Marked contrast in cases where no hearing was required. Average of two months, 27 days was required to dispose of applications for new facilities two months, 13 days in case of changes; and two months, 17 days for assignments of license.

Recommends the Old Way

Meanwhile divorcement of policy-making and judicial functions from routine administration and investigation—which would mean establishment of a

system similar to the old examiner set-up abolished two years ago by Frank R. McNinch—was recommended for the Federal Communications Commission Friday (24) by a special advisory committee. Administrative procedure. Many other changes FCC technique would occur if the sweeping report of group named two years ago by former Attorney General Frank Murphy . . . Congressional approval.

The long-delayed, bulky report contained acknowledgement of general criticism that Federal regulatory agencies have tended to disregard the distinction between judge, jury, and prosecutor capacities and that heads try to pay attention to too many picayune details. Delay, inordinate expense, inconsistency, and confusion were charged in general against all of more than a score of units, including the FCC.

Drastic Congressional action to rip away the snarl of red tape that injures and exasperates people doing business with Uncle Sam was recommended by the 11-man advisory group. They could not agree just what sort of remedies should be prescribed, but seven of the committee hitched their names to draft of proposed legislation that would be of great importance to everyone in or hoping to enter the radio business.

Though there was no mention of the fact, ironical touch was the assertion that referees—protected from influence on the part of business—should be used every administrative outfit, in order to minimize the possibilities of arbitrary action and speed the disposition of business. In the fall of 1938 the FCC wiped out its semi-independent examining staff on the contention that faster action and more uniform policies would result.

SELL MORE FOOD IN THE WEST FOR LESS!

Your audience on the Columbia Pacific Network is one of the greatest marketing places in the world!

As little as 19¢ per town* puts your product 'on sale' in the giant Super-Market of Columbia-Pacific

The West is a rich market. Richest in the nation! Its people earn more and spend more. They buy 35% more FOOD per capita.

If you have FOOD (or any other kind of product) to sell, come West — via radio.

You'll find that only radio covers the whole West economically, knits all of its thousands of prosperous communities into a single unified market. You'll also find that the Columbia Pacific Network does it best!

Food advertisers prefer Columbia-Pacific
In the West, food advertisers place

more hours of business on Columbia-Pacific than on any other Western network. Bigger, faster sales tell them that the huge audience of the Columbia Pacific Network is one of the world's greatest marketing places.

*For as little as 19¢ per town.

It costs as little as 19¢ per town (for time and talent) to give your product full "front window" display before 2,587,000 families in more than 3,000 Western cities and towns—with your own Hollywood produced program over the Columbia Pacific Network.

It's the best buy in the West.

COLUMBIA Pacific NETWORK

A DIVISION OF THE COLUMBIA BROADCASTING SYSTEM
Columbia Square, Los Angeles • Palace Hotel, San Francisco



• Radio Daffodils •

New York—NBC broadcast the pulsebeat of a canary Friday night (24) over a 69-station blue (WJZ) network. It will be rebroadcast Sunday (2) by shortwave to Europe and South America.

U. S. A.—Woodbury Soap's program, 'How They Met,' gives prizes to citizens who supply dramatic statements of where he or she met her or him. One recent communication:

Hicksville, O.
1-1-41

Mr. Woodbury,
Dear Sir, I met my
wife in a Water-melon patch
and that was all of it.

Sincerely
H.W.

Black River Dissolves

Albany, N. Y., Jan. 22.—Black River Valley Broadcasts, Inc., Watertown, have been dissolved. Papers were filed with the Secretary of State in Albany by Conboy, Wise & Conboy, of Watertown, N. Y.

Springfield, O.—WIZE, new Springfield, O., station, has added the following to its staff: Pat Williams and Carol Ball to the sales staff; Helen Heppner, bookkeeper; Maxine Bassett as receptionist; Dick Hunt, John Heppner, and Myron Marks, announcers.

FIRST TIME IN RADIO!

YOU CAN'T LOSE
A NEW DEPARTURE!

RATING GUARANTEED

AS REPRESENTED, OR YOUR

MONEY BACK

A guaranteed minimum audience rating (Crossley, Hooper or Ross Federal) for any period of the day or nite for any program, spot or network.

Station guarantees audience on money back basis. Wires to Binghamton buzzing—John Blair men all over U. S. submitting programs to station for rating. Ratings are considerably higher than even fondest dreams of time buyers and producers.

WNBF

Binghamton, New York

ASK ANY JOHN BLAIR REPRESENTATIVE
OR WRITE DIRECT

Saddens P.A.'s

New York Sun is reducing the space devoted to radio in its Saturday issue to a maximum of one page and it may be less. It has been long one place where a press agent could hope for a break.

WSAI, WCPO DIVVY REDS

Cincinnati, Jan. 28.

Airings of the world-champion Reds' games this season will be on the same order as for the past several years: separate outletting by WSAI and WCPO and Socony-Vacuum Oil as co-sponsors. Broadcasts will be sold to General Mills, which upped 10% over 1940, by the Cincinnati Baseball Company, making the price around \$36,000.

Ball club's proxy is Powell Crowley, Jr., head of WSAI.

WHIO, Dayton, O., will continue to relay WSAI's play-by-play descriptions of the games.

For the Crosley station, Roger Baker and Dick Bray will team up for their third consecutive season of miking. Harry Hartman is on the job for his 14th season of baseball announcing on WCPO. His assistant is Al Stephan.

Theme Song, Cocktails, Baby All Named to Bally KYW Going to 50Kw.

Philadelphia, Jan. 28.

KYW this week began its "salutes" in the 15 counties in Pennsylvania, New Jersey and Delaware, which are included in its new listening area—added by the recent hiking of the outlet's power from 10,000 to 50,000 watts.

Station has added a new theme song to mark its upped wattage—'\$0,000 on the Red,' clefeted by staff musician Martin Gabowitz. New hostess at the outlet is Ann Swan, a beauteous red-head, in keeping with the 'Red' motif.

The event was ballyhooed by full-page ads in the daily 50,000-watt cocktail in nearby KYW, KYW in beauty shops, etc.

Eric Wilkinson, KYW organist, became father of a boy during the week dedicating the new transmitter. He named the lad Kirk Varwood Wilkinson—the initials—KYW.

TESTS BENNY GOODMAN AND STEBBINS BOYS

As the new agency for the Old Gold account J. Walter Thompson has embarked on a policy of testing out various programs regionally instead of immediately launching them right on a cross-country promotional campaign. Already planned for the test are Benny Goodman and the 'Stebbins Boys,' a serial laid in the Maine backwoods.

Goodman, who did several seasons for Camel, is to get his start for Old Gold on WJZ, N. Y. If he clicks his iron outlet will be extended into a network.

'Boys' will be cleared over the Yankee Network, in a serial in which Parker Fennelly and Arthur Allen created the character hasn't been on the air since 1933.

A.P.'s Radio Subsidiary

Associated Press has set up a separate subsidiary for the radio service phase of its business. The new subsid will operate under the tag of Press Association, Inc. W. J. McCormick is heading up this particular operation.

The radio news servicing division will have its own rewrite and editing staff and its own wire circuits and its quarters will be on a different floor from that of the AP's newspaper division in Radio City.

Benjamin Strawway, WLN's merchandising director, is scheduled as principal speaker for the Indiana Flour & Feed Association's annual banquet Thursday (30) in Muncie, Ind.

From the Production Centres

IN NEW YORK CITY . . .

Al Hitler doing new five-minute sports series seven nights a week over WOR... Joan Brooks replaced Jimmy Blair as vocalist with 'The Band Goes to Town'... Betty Handall, new vocalist on 'Easy Does It', has Jameson subbing for the ailing Raymond Edward Johnson as m.c. of 'Inner Sanctum Mystery'... WQXR's 'Breakfast Symphony' now starts at 7 a.m., adding an extra half hour to the show... Kenneth Roberts, out of the hospital after flu attack, left for Florida and then Nassau for recuperation... Charles Davidson the first WOR engineer to be drafted... Harry Karmer had breakfest-roundtable-jam session Friday (24) over WINS with Mitchell Ayres, Alvino Rey, Four King Sisters, Mary Ann Mercer and the MacFarland Twins.

WFLA taking his quiz show on a tour of army camps... American Legion of Patriotic Service and WAFB have joined Maurice Davies, the owner of WAFB, in launching a national radio production steam engine, has taken on another assignment, a five-week interview series over WOV... Harold A. LaFount, in charge of the four Arde Bulova stations, spent last weekend in Washington... Henry Morgan has dropped all his WOR announcer assignments to concentrate on his own WOR-Mutual series... Iris Ashley bedded with flu, was up to direct his 'Grand Central Station' shows both last week and last night (Tuesday)... Anna Erskine going to the Coast for an extended loaf when her 'Met Auditions' series finishes its season the end of March.

WMCN's first publicity since Edward Noble's takeover promises emphasis on public service, but no details on what that might mean this far... WOR to be produced on 'The Schneiders' next night migrates to WHN... Russ Clancy gone to A. E. Barone, Mel... Von Poell's speech for President's Birthday campaign over WINS... Columbia University Quarterly published piece by Eric Barnouw on 'Radio and the University'.

Edward W. Wood, Jr., Mutual sales manager, back at the old stand after a two-week absence due to flu... Wythe Williams has a new book, 'Riddle of the Reich,' to be published in a couple of weeks by Prentice-Hall... Mary Astor and William Gargan co-star on Friday's (31) 'Campbell Playhouse'... Douglas Fairbanks gets the call next week... Gerald Cock, BBC representative in North America, spoke over WAFB last week to plug the 'Mile o' Dimes' campaign... Maxine Keith doing a new six-week femme chanteuse series over WINS.

Charles Davidson, WOR engineer, who has been working on the station's program (for Mutual), 'So This Is Fort Dix,' went on the air, via the army camp shot, for the first time Sunday (26). Davidson told emcee Tom Slater he expected to be inducted about Jan. 30 and to be sent to Dix.

Wylis Cooper, who writes 'You're in the Army Now,' has adapted the Lillie Bloock story, 'Mrs. Fane Comes of Age,' into a radio skit for use on the Campbell Playhouse, Jan. 31... William Gargan, and Mary Astor scheduled to play the leads... Jane West, who scripted 'The O'Neils' on the radio, has finished writing a new serial for broadcasting.

IN HOLLYWOOD . . .

Jack Benny takes a week's layoff from his Jello program for a much-needed rest. Scripters Bill Morrow and Ed Beloin will write one of those 'we can't find Jack' things for the Feb. 2 broadcast. He'll fake in the Broadway plays and otherwise disport himself in sabbatical fashion... Harry Lubcke moving his staff of television wizards to new studio for WEXAO atop Mt. Lee overlooking Hollywood. Televising will be resumed within 30 days from the site after many weeks of dark panels... Joe Ligonio taking up the baton from Ed Bergen and his right-hand pine-lobster withdrawal... Dick Mack due to leave... Jimmie Durbin has joined the cast of 'The Schneiders'... Don Quinn has been added to the cast of 'The Orphan Annie' spin-off 'Little Orphan Annie' is spinning again on the Don Lee net under Quaker Oats underwriting... Don Quinn did a double shift for 'Fibber McGee and Molly'... he could put away the quill for two weeks. Hell's loaf around Chicago... Edith Meiser here for a month to knock out those 'Sherlock Holmes' scripts... Bob Coryell now rustling radio bit for Berg-Alenberg clients. Takes over from Corny Jackson, elevated to agency's literary department... KNX production contacters, Glenn Middleton and Ernie Jarvis, leased 680 acres, half hundred miles from Hollywood, for a dude ranch they'll operate... John U. Reber hustled back to New York to get his Old Gold regionals started.

IN CHICAGO . . .

Philis Dobson and Louise Fitch added to 'Backstage Wife' cast... Arnold Grimm's troupe gets Kathryn Card, Hope Summers, Henry Hunter, Dorothy Francis, Maurice Cliffer, Bill Bouchier, Arthur Kohl and Mary Young and drops Genelle Gibbs, Butler Mandeville, Frank Dane and Bret Morrison... John Hoyack and Jane Green join 'Girl Alone' with Michael Rennie and Helen Vinson... 'The Thin Man' is being produced at National Wisconsin on 'Guiding Light'... William Bendix added to 'The Armstrong'... Angelina Orn again using that name after calling herself Angela Hedrick for awhile... Dinnin sisters joined 'National Barn Dance' with Florence Pulos and Danny Duncan dropping off... Helen Stevens Fisher new to 'National Farm and Home Hour'.

Helen Vantuil, Art Jacobson, 3d, Karl Weber, Betty Jeffries, Jackie Harrison and Arthur Kohl added to 'Bud Barton,' while Hugh Muir, Bonita Kay, Ray Johanson and Arthur Peterson stepped off... Constance Crowder, Loretta Poynton, Franklin Adams, Sharon Grainger, Pat Crusinberry and Byron Keith off cast of 'Mary Martin'... Bob Griffin, Bertram Lippert, Eddie Foy, Jr., and Eddie Foy, Sr., in 'The Wizard of Oz'... Lyle Curtiss, DeWitt Miller and Curtis Dahl added to 'Toni's' company... Clarence Hartzael and Joe Rockhold newcomers to 'Uncle Ezra' show... Henry Hunter replaced Carlton KaDell in 'Wings of Destiny' cast.

Don McNeill, emcee of the Breakfast Club and other programs out of NBC's Chicago studios, is vacationing at Miami. McNeill announced on the network that anyone wishing to have him as guest on a yacht, at a barbecue, etc., could communicate with John McCloy (general manager) of WKAT, Miami... Bob Brown is substituting for McNeill, as he did two weeks ago when the latter took half of his vacation... Nancy Martin, NBC Chicago entertainer, on a vacation in the Caribbean.

John Hodiak replaced Carlton KaDell in 'Wings of Destiny' cast... Ernest Graves added to cast of 'Backstage Wife'... Constance Sherman dated for an appearance before the Colorado Miners Ass'n. in Denver late this month... Balaban & Katz television outfit, WXBK, was in wire operation last week to telecast the Paramount execs at the Barney Balaban testimonial spread at the Drake hotel... Guests on the next three 'Celebrity Circles' programs on WBBM will be Edgar Guest, Lou Holtz and Rosemary Lane... King Park, WBBM promotion chief, is the father of a new baby girl.



WBXN

YOUR BEST NATIONAL SPOT BUY
A NEW APPROACH TO THE NEW YORK MARKET

How to woo a woman

WHEN HER HUSBAND IS AWAY

.... and after he returns,



as well!

THE TIME

Morning, Noon and Night

THE PLACE

Over the Blue Network of NBC

THE COST

The lowest of any national advertising

THE PROOF

Our ever-increasing list of contented clients

"Sales Thru the Air with the Greatest of Ease" is more than just an advertising slogan for the Blue Network of NBC. It's a proven fact. And we have 47

clients right now (they're increasing every month) who keep proving it for us.

When it comes to pleasing women, there's a bit of the Casanova in us. And we wouldn't have it otherwise—not with women controlling some 80% to 90% of all purchases made—either doing the outright buying or choosing the product for the family.

So, when the ever-loving husband is away we entertain the wives with an especially suitable menu of daytime programs. And, judging by the repeated renewals of our daytime clients (who find this advertising as economical as it is effective) we're doing pretty well at the job.

But when evening falls and friend husband returns, we're the living proof that

three can be good company. In fact, of the 25 new accounts bolting to the Blue in the last six months, 15 have bought time in the evening.

Such popularity—with advertisers—must be deserved. One important reason for it is that the Blue's coverage is concentrated in the Money Markets where the heaviest buying power is wielded. Another is the famous Blue Network Discount Plan which allows your network to expand with your budget, provides national coverage at the lowest cost of any medium.

So, if you have a product with which you'd like to court the woman of the household, put it on the Blue Network and let us do the wooing.

NATIONAL BROADCASTING COMPANY

A Radio Corporation of America Service



ASCAP OF PARADE

With W.H.N., Berlin, George M. Cohan, Richard Rodgers, Joe E. Howard, Robert Russell Bennett, Gene Buck, Deems Taylor, Benny Fields, Hollee Shaw, Mixed Chorus (18) Songs, Band, Talk.

AMERICAN SOCIETY OF COMPOERS, AUTHORS & PUBLISHERS

Saturday, 8 p.m.

WMCA, WHN, WNEW, WOW, N.Y.

For the first time since the outbreak of war, ASCAP and the American Society of Composers, Authors and Publishers took to the air last Saturday night (25) to tell of purchased time, its side of the case. While it about the same in the two cases, possibly meeting Billy Rose's unfamiliarity with radio, the program proved good entertainment and, on the whole, cleverly contrived propaganda. ASCAP presented its story with dignity, restraint and a "no information" attitude.

ASCAP obviously sought to convey that its strongest argument is in its repertoire and the writer personalities constitute its main strength. In either instance, the performing rights organization put its best foot forward. The program played up the nostalgia angle in a big way, spotlighted the careers of such stars as Miss Victoria Horne, Bertie, Richard Rodgers and Lorenz Hart, George M. Cohan and Irving Berlin, interspersed a few portions that were riding high in public favor with the broadcast. Much was made of the fact that ASCAP had organized a "big" party between musical occasions, bit of ASCAP's organizational background, some sly dig at the network's moves to get along without the ASCAP report, too, and tried to broadcast enough to sit down at the conference table and settle the fracas so that the public won't be deprived of the music it loves. The plan was delivered by Gene Black, ASCAP president.

Actor Harry Secombe, II, who did a wonderful job of the continuity, got in his most telling propaganda when the program sought to recall some of the theme songs that have been eliminated from network programs. Most of them were connected with not only the playing of Philip Morris' "Whim theme number, 'On the Trail,' but the accompanying call of 'Little Johnny,' the product's picture and the like. Secombe, incidentally, Deems Taylor, the show's commentator, remarked, "that will be the last free commercial that you will hear on this program tonight."

Another of Hammerstein's smartly phrased passages was a sketch in which Black, Secombe, Eddie Cantor and Cohan as John Q. Public, discussed the issues involved in the music-radio controversy. B.M.I., N.A.R., NBC, CBS, MBS and I.B.C.A. could aver that they had seen very much like an alphabet-hodge-podge to him. He preferred R.A.F. Black explained that B.M.I. had 250,000 tunes and agreed with Cohan that he had seen a few good ones, but added Cohan had seemed to him that half of the 250,000 tunes were called "Turkey in the Straw" and the other half was about some girl named Jessie. The reason, he said, was Cohan was remarking that it looked to him as though he had been put in the middle of a boy-colt and that he was going home to write stations and advertisers about getting together with ASCAP and settling the fight.

What stood out in the musical portion of the program were the orchestrations, with Robert Russell Bennett conducting and Ira Wolfson accompanying on piano. Benny Fields, the chorister of 18 voices was also a strong asset, but his work was frequently marred by poor monitoring and mixing at WMCA. As for the composition of the program, Billy Rose, the show's producer, could have availed himself to great advantage of the counsel of some one who has gone much farther in the world of production than Al Johnson, magazine editor, Elmer Bernstein, Benny Fields, Cole Porter and Johnny Mercer. *Odecs.*

LIFE OF ANNA HELD

With Ann Shepherd, Fred Tozer, 60 Mins.—Local

Sustaining.

Sunday, 5 p.m.

WNYC, New York

New York municipal station, WNYC, aired one of its infrequent dramatic shows Sunday (26) with this "Life of Anna Held, Manhattan's First Glamor Girl." It should not be judged too highly, particularly by those who have not seen it yet. However, the piece was at least twice too long and, while going pretty exhaustively into Miss Held's life with Florene Ziegfeld gave no account of her life after the end of her day. If it wasn't enough to have the script say she was beautiful and singular—it should have made the listener sense that for himself, at least, the moment. It never did, but the show was just innocently tiresome.

Whole thing was in the manner of a romantic Sunday supplement feature. Miss Held was drawn as, not only the loveliest woman of her age, but also as the epitome of sweetness, sincerity, simplicity, modesty, etc., etc. Ziegfeld was ever the affectionate, kindly, generous, lavish man who only wanted to do what was right and had lots of sentiment. Some of the incidents were transparently unbelievable such as the insistent prying of the reporters of that day, but were operable. The show was overblown, sentimentality over such comparatively trivial stuff as the everyday conversations between Anna and Florene, and the fact that such meager salary was paid for 60 hours of work done. It could easily have been done in 30 minutes, if anybody cared.

Ann Shepherd and Fred Tozer played Miss Held and Ziegfeld, respectively, as directed, as heard. Howard Cook was adapted by Ralph Burton. Incidentally, whoever played Billie Burke has a dulcet, low-keyed voice, while any filmgoer knows Miss Burke actually has a thin, high-pitched, almost shrill voice. Hobe

studio audience. Every number by either the orchestra or the soloists was followed with a salvo. After a while these intrusions became an annoyance.

After opening with a brightly balanced Victor Herbert medley, the program moved into the "Gershwin" section with a couple of his numbers, namely, "With a Song in My Heart" and "My Heart Stood Still." The next spot went to E. Howard Cook, who accompanied the choir.

"When You Wish Upon a Star," followed with a salvo. After a while these intrusions became an annoyance.

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More Comment on 'Radio Acting'

(A fortnight ago in VARIETY radio actor Joseph Julian raised the issue of radio acting and radio as a director's, not an actor's, medium. The following is addenda to the reaction of articles, letters and comment already published.—Ed.)

Hollywood, Jan. 28.

Chester Lauke of "Lum and Abner" disagrees entirely. My act has never had a director; but it has been on the air 10 years with quite a following. Other similar acts, such as "Amos 'n' Andy," directly contradicted Julian's assertion. I also feel that the stagnation is entirely up to the actor, whether he's on the stage, in pictures or on radio."

Donald Woods of the stage, screen and "Those We Love": There is some

truth in Julian's statement, whether or not an actor permits himself to come to an artistic stop by leaving everything to the director; but that depends on the individual actor. I believe that radio drama is more one person's medium than the author's and not the director's or actor's. Any actor worth his salt must keep thinking for himself whether he's on the stage, in pictures or the air."

Paula Winslowe, radio stock actress: "Stagnate! Never! The radio actor must be on the alert at all times because of the variety of roles he will play on the air during a week's time, and often on short notice. He must be able to digest the mechanics of a radio drama has little to do but take care of the mechanics, assist the actors and make suggestions. How can any actor stagnate artistically if he is continually creating some new role? It's the stage actor in a long-run play who really stagnates."

Elliot Lewis, Silver Theatre and Screen Guild Show: "Under the star system the radio director does wield the big stick in that he must keep his radio people toned down so their performances won't overshadow those of the screen actors with whom they are familiar and are not radio technique. However, I disagree that radio is wholly the director's medium. By the very nature of the business the speed is essential in the preparation of a radio drama; but that does not mean that the actor can get slovenly in his work."

Conrad Nagel, film and radio player-director: "It's neither the director's nor the actor's fault—it's the writer who holds the way hand. An actor may be used as the material that is supplied him, and the director is powerless in his efforts to coordinate action and direction unless the radio playwright has given him a thoroughly worked-out script."

Gene Autry, film and radio actor: Julian is a bit off the track. I think that radio broadcasts are just the same as motion pictures; that directors must depend on the actors and actors are at loss without a director. Both of them we're lost without a good author. I think it's a three-way medium—author, director and actor."

JOE JULIAN IN GENTLE REPLY TO HIS CRITICS

New York.

Editor, VARIETY:

I seem to have opened Pandora's box—or something. While most of the reactions in last week's VARIETY to my article of the previous week, entirely disregarded my basic premise, I found them very interesting because they illuminate the general confusion that exists on the entire subject of radio acting—in fact all acting.

However, the general tone of the replies tend to create an impression that I wrote the article in a white heat of anger or disgust with radio, as such: One of the comments even referred to my "daring" in risking the resentment of agency executives and directors by openly stating my views. I would like to clear up any such misconception. In the first place, the radio industry provides me with quite a decent living, and anyone who doesn't have a healthy respect for his medium is either a fool or a professional iconoclast. About risking the resentment of directors—I didn't even think in those terms. I assumed, I suppose, they would accept it as intended, not as destructive criticism, but an attempt at a purely objective analysis and comparison of the creative possibilities of actors in radio in relation to the other entertainment fields.

I recognize the validity of radio itself as a powerful art form, but not radio acting. Acting is the art of form, not radio acting or stage acting or film acting. The actor's approach to his part is the same in all three mediums. His tools are basically the same. He uses his emotions, personal experience, his powers of concentration, imagination, observation, his voice and his body. Even in radio he uses his body. He twists, turns, and gestures within the confines of the like "beam," because his main function is to create out of his material the greatest possible

reality for himself, not for his audience. If he believes what he is acting, the audience believes. And this is true of acting in any medium. But radio has more mechanical structures and distractions to prevent his building this reality for himself, than in other acting fields. Therefore in radio he has less opportunity to use his creative energies. One of my knuckle rappers considers this a healthy challenge. True, the lack of real contact with his fellow performer stimulates the radio actor's imagination to a certain extent. He can dig deep into himself for the emotions that would flow more naturally from proper adjustment to his co-actors. But this virtue, I believe, is more than offset by developing in the actor a tendency towards an introverted kind of acting that can become artistically as unhealthy as can an introverted way of living. It knocks a scene out of gear, just as it causes a maladjusted life.

And the distractions of holding scripts, reading the next line, and reading directions for scenes, etc. Are these a healthy challenge? Does it make an actor sharpen his powers of concentration? If they do, then why not sharpen them sharper by bringing even more distractions into the studio? Maybe a little man could be hired to do nothing but run around the studio distracting the actors—making funny faces at them while they understand one another.

Erik Barnouw makes the point that for centuries poets have kept busy writing sonnets with just a line or two containing rhyme scheme, whether that could just as well write loose edes. Working within imposed limits is a part of the gratification of any art.

I disagree. The poets who turned to sonnets didn't impose these restrictions on themselves out of sheer masochism, or for the gratification they got out of overcoming handicaps. In all progressive art, form is derived from content. One doesn't select a form to sell a form; one sells it in with the story. This stuff determines the form it needs. That's why the poets wrote sonnets, because to them it was the best way of expressing a particular poetic concept.

But the radio actor doesn't select radio acting because it's a better method of expression for him than the stage. It's usually because it gives him a much better living.

I'm strongly tempted to argue other points made by your corre-

Liquor Board Explains Operations

Radio Stations Spot Publicity Material in Late Evening Time

Shared Mania

Boston, Jan. 28.

Secret for happy family life:

Here were two CBS engineers who left Boston for New York—Frank Gow and Lloyd Morse—married sisters, who became amateur radio operators like their husbands for a spare time hobby, each with their own station. With the wives reading dots and dashes faster than their husbands.

Typical conversation at the dinner table concerns "the plate curve of a pentode output tube in the final stage" and "trapezoidal figures in amplitude modulation." All are happy because they understand one another.

Renewed Interest Shown By Socony, Barbasol And Household on Spot Plugs

Socony, Barbasol and Household Finance Corp. last week showed some renewed interest in spot broadcasting. Socony was featuring on news, Barbasol inquired about sports programs, while Household Finance was just looking around.

B.B.D.&O. Chicago, has the HFC account. Sterling Getchell, Socony, and Erwin-Wasey, Barbasol.

spondents. I feel much good can come of a pre and con discussion of the subject, even if it only makes for a greater awareness in actors of the tools of their trade (a strong step forward, in my opinion).

I am a little afraid that prolonging the argument might lay my motives open somewhat to question. You know—actor-publicity, etc.?? So—I better gather up all my split infinitives and dangling participles and run along. I'm late for rehearsal.

Joseph Julian.

Albany, N. Y., Jan. 28.

Public Information Service of New York State Liquor Authority, reporting recently on scripts it prepared for county ABC boards to be used over local radio stations in introducing the sale made in the seven years since the 18th amendment was replaced by the 21st, stated "A few boards were refused time on the ground that no mention of alcoholic beverages was permitted, either for or against." Ten stations were shown in the first compilation, to have given time. Nine of these extended their facilities to county boards, all but one allotting a quarter hour.

WGY, 50,000 watt, broadcast a five-minute on a late evening spot. WENY, Elmira, WGBB, Freeport, WFAS, White Plains, and WSLB, Ogdensburg, outlets 15-minute programs after 8 p.m. WMFF, Plattsburgh, WKIP, Poughkeepsie, WOLF, Syracuse, and WKNY, Kingston, aired scripts on quarter-hour afternoon periods. In New York City, WABC, the capital station, WNYC, Morris, a question-answer shot by Jacob Glaser, chairman of the Alcoholic Beverage Committee of the Federal Bar Association, and Mrs. John S. Shepard, only women member of the Liquor Authority.

The Authority's Information Service pointed out that "many counties, of course, have no broadcasting facilities." Other boards, not reporting at the outset, have since done so.

Suit Against WSPD

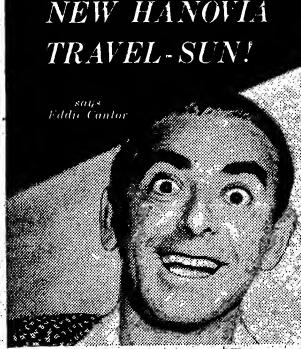
Toledo, O., Jan. 28.

Suit has been filed in Federal Court at Toledo against WSPD, charging copyright infringement. The petition, filed by Frankel and Frankel, Cleveland law firm, for the Crawford Music Corp., asserts that the Toledo station on Jan. 2 gave an unauthorized performance of the song "Howard Myself," a composition of Howard Dietz and Arthur Schwartz. Suit seeks a judgment of \$250.

My eyes really popped.

WHEN I SAW THE NEW HANOVIA TRAVEL-SUN!

says
Eddie Cantor

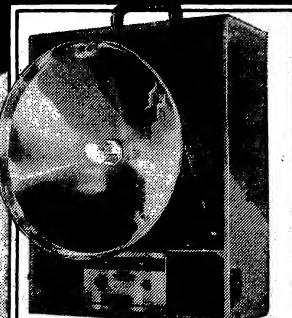


[Heard each Wednesday night at 9:00 P.M., over NBC network.]

"I'D BEEN looking for a sun lamp to help build up my pep and energy these dangerous winter months," says Eddie Cantor, "and when I saw the new Hanovia Travel-Sun, believe me, my eyes really popped!"

When you're working late and don't get much sleep or rest, you need the extra boost and vital sunshine that only a fine sun lamp can give, too. For like all Hanovia lamps, the new portable Travel-Sun gives you all 12 effective bands of ultra-violet—substantially more than any other make. It's easy to carry...can be used anywhere...and can be easily tucked away in a closet when not in use. It's ideal for a small apartment or hotel room.

Like Eddie Cantor, get one of the new Hanovia Travel-Sun. It will help keep you in tip-top shape.



\$5.50 (F.O.B. Factory)

HANOVIA'S 5 EXCLUSIVE FEATURES

1. Hanovia with its pure quartz tube is the lamp that produces all sun-like effects in bands of ultraviolet.

2. Scientific design, tested and proven for 35 years in world-wide markets.

3. Hanovia's famous quartz mercury arc tube.

4. Hanovia lamps have a LONGER EFFECTIVE LIFE.

5. Hanovia Alpine Sun lamps are ECONOMICAL to operate.

Write Dept. V-2 for free booklet, "Your Place In The Sun."

HANOVIA ALPINE HOME SUN LAMP

Prices from \$59.50 F.O.B., Convenient budget terms if desired.

See Hanovia Lamps at department, electric and medical stores and our showrooms.

HANOVIA

Chemical & Mfg. Co.
Newark, N. J.

NEW YORK 159 W. 77th St.
CHICAGO 77 East Lake St.
BOSTON 543 Boylston St.
DETROIT 5013 Woolsey Ave.

SAN FRANCISCO 455 Powell St.
NEWARK 1 N. Broad St.
CANADA 1924 Chestnut St.
TORONTO 86 Bloor St. West.

Ask any Radio Sales Office
for more information about
WBBM, one of the sixteen
CBS 50,000 watt stations.

National Spot Accounts Currently Active

(According to Report from VARIETY'S 'Radio Market Cities')

ACCOUNT	AGENCY	TIME PURCHASES
American Popcorn	Buchanan-Thomas	Announcements
Beaumont Labs.	H. W. Kastor	1/4 Hours, Announcements
(4 Way Cola Tablets)	Newell-Emmett	Announcements
Beech-Nut Gum	Raymond Spector	9 Hours
Blackstone Products	Lord & Thomas	Announcements
Calavo Growers of Calif.	Sherman & Marquette	1/4 Hours
Dr. W. B. Caldwell	Erwin, Wasey	1/4 Hours
Campbell Cereal	Street & Finney	Announcements
Carnation Co.	Benson & Dal	Full Hours
Carter Pills, Arierid	Atherton & Currier	5-Mins.
Consolidated Drug Products	Joseph Katz	Announcements
J. C. Eno, U. S. Ltd.	Young & Rubicam	1/4 Hours
Ex-Lax	Ruthrauff & Ryan	Time Signals
Foster Milburn (Doan's Pills)	Spot Broadcasting	Announcements
Fruit of the Loom	McCann-Erickson	Announcements
Gude's Paper Manuf.	Morse International	Announcements
Health Aids (Serutan)	Ruthrauff & Ryan	1/4 Hours
International Harvester	Aubrey, Moore & Wallace	Announcements
Kellogg's Bran	Kenyon & Eckhardt	Announcements
Lever Bros.	Young & Rubicam	Announcements
Lever Bros. (Spry)	Ruthrauff & Ryan	Time Signals
Lever Bros. (Lipton's Tea)	Young & Rubicam	Announcements
Swan Soap	Arthur Rosenberg	Announcements
Longines-Wittnauer	Dillard Jacobs	Announcements
Mentholumate Co.	Franklin Bruck	1/4 Hour News, 5-Mins
North Am. Accident Insurance	Presba, Fellers & Presba	Announcements
Olson Rue	Compton Adv.	1/4 Hours, News
P & G (Duz)	Platt-Forbes	5-Min. News
Peter Paul (Ten Crown Gum)	Featherstone Adv.	Announcements
Pennzoli	Hutchinson Adv.	Announcements
Philsbury Flour Mills	Stack-Goble	Participations
Philsbury Flour Mills	Erwin, Wasey	Announcements
Lydia Pinkham	Lake-Spiro-Shurman	Weather Reports
Pho. Co.	Lord & Thomas	Announcements
Southern Pacific RR	McCann-Erickson	1/4 Hour Ski & Snow News
Standard Oil of Calif.	McCann-Erickson	Time Signals
Standard Oil of Indiana	McCann-Erickson	Temperature Reports
Studebaker Corp.	Roche, Williams & Cunningham	Announcements
Sunkist Lemons	Lord & Thomas	1/4 Hour News
Swift & Co. (Sunbrite Cleanser)	Hutchinson Adv.	Participations
Tuna	Stack-Goble	1/2 Hours
United States Lines	J. Walter Thompson	Announcements
Vick Optical	Morse International	Announcements
Ward Bakelite	Shepard, Ellis	Announcements
Washington State Apple	J. Walter Thompson	Participations
White Laboratories	Wm. Esty	Announcements
Women's Home Companion	McCann-Erickson	1/4 Hours

DEPARTMENT STORES BUYING RADIO TIME LAST WEEK

STORE	CITY	TIME PURCHASES
Hearn Dept. Store	New York City	Full Hours
McClanahan's Dept. Store	Salt Lake City	Announcements
O'Connor-Moffatt Dept. Store	San Francisco	10-Min. News

PALMOLIVE IS SEEKING SPOTS

F. Ward Wheelock agency, which recently took over the Palmolive account, sent out a hurry-up call for spot announcement availability last week. The query sought info on all the announcement periods that stations in key markets had open. Stations were asked to give their coverage and lots of other sales material. All of this had to be in the hands of the agency's radio department within two days. The inquiry also required that the agency be given an option on the periods submitted.

Campaign, it was disclosed, called for about 21 announcements a week. Stations would be given 52-week contracts but there would have to be a clause permitting the account to take a break of from eight to ten weeks. This kind of arrangement established in network advertising is something new for spot announcement contracts.

Frito Increases News

Fort Worth, Jan. 28. Frito, of Dallas, has just signed for an extra quarter-hour to be added to its present four newscasts per week on KGRO. Neil Hackett handles.

Ray K. Glenn Agency placed.

DES MOINES SNAPPY

Local Picks Up Plenty Points—Web Hurts Total

Des Moines, Jan. 28.

Though the figures themselves aren't impressive, most of the units hereabouts staged a good comeback during the past week. Sporting only a plus 5%, local biz nevertheless did some age climbing to pull out of its previous minus 10%.

[Jan. 25 Compared to Jan. 18]

Network	Local	National	Total
Units	Units	Spots	Units
7,813	2,685	2,894	13,302
8,137	2,557	2,844	13,538
-4%	+5%	+17%	-1.1%
Included:	(KRNT, KSO, WILO)		

[Jan. 25 Compared to Jan. 18]

Network	Local	National	Total
Units	Units	Spots	Units
9,930	6,250	2,242	27,455
9,915	6,269	11,287	27,501
+0.2%	+0.8%	+1.7%	-0.2%
Included:	(KFRM, WENR, WGN, WGN, WJJD, WLS, WMQ)		

WEI MAY INHERIT GAMES DENIED WICC

New Haven, Jan. 28. Boston baseball looms as summer plum for WEI, which joined John Shepard's 3rd New England axis in latter 1940.

New Haven station, one of Bulova string, would solve problem of Southern Connecticut outlet for big league games, which are denied Shepard's WICC, Bridgeport-New Haven because transmitter of latter is within Greater New York zone limited by metropolitan ball clubs.

WGN PERKS UP LISTLESS CHI

Chicago, Jan. 28.

It is between-seasons in Chicago and there is little new activity, with WGN indicating the best stride for new business. Has been putting on a great drive for contracts during the past few months and the drive has been proving successful.

WGN: Biss Cosmetics, two station break announcements, five days weekly; Burroughs, Bertram, Pabco Agency; Heileman Brewing Co., one station break announcement daily five days weekly, through the Ramsey agency; W. A. Shafer Pen Co., one station break announcement six days weekly, through Russell M. Seeds; Marshall Field & Co., one station break announcement for five Sundays and one announcement for five Mondays, through Charles Daniel Foy; Barbosa Co., 15 minutes three days weekly, through Ervin, Wasey; Anchor Pain Reliever, five minutes five days weekly, through H. W. Kastor; Quaker Oats Co., 15 minutes five days weekly, through Ruthrauff & Ryan.

WBMM: California Fruit Growers Exchange, time signal announcements, one daily, through Lord & Thomas.

[Jan. 25 Compared to Jan. 18]

Network	Local	National	Total
Units	Units	Spots	Units
9,930	6,250	2,242	27,455
9,915	6,269	11,287	27,501
+0.2%	+0.8%	+1.7%	-0.2%
Included:	(KFRM, WENR, WGN, WGN, WJJD, WLS, WMQ)		

Insurance and Yodels

Fort Worth, Jan. 28.

Texas State Mutual Fire Insurance Co. is presenting a one-day program, Friday, quarter-hour segments with Zack Hart as mc. Hillbilly and Hawaiian music by the Crystal Springs Ramblers, and the Desert Drifters.

Broadcast on KFJZ.

Another SIGN OF LEADERSHIP . . .

KTUL AWARDED ARMOUR'S SILVER MERCHANDISING PLAQUE

Presented to KTUL by impartial judges is this silver plaque reflecting KTUL leadership in promotion and merchandising.

Advertisers reap the benefit of the prestige KTUL has earned through its constant service and self-improvement.



KTUL

TULSA, OKLAHOMA

5000 WATTS CBS

FREE & PETERS, INC.

NAT'L REPRESENTATIVES

FLASH!

Tulsa awarded \$10,000,000 Bomber Plant to be operated by Douglas Aircraft. Plant will employ 15,000 to 20,000.

WLW'S 'CONSUMERS' SEAL'

1,500 HOUSEWIVES AS TEST PANEL

Cincinnati Station Embarks Upon Elaborate Set-Up—Will Award Products Passing Exams a 'WLW Consumers Foundation' Okay.

SPECIAL STAFF

Cincinnati, Jan. 28. Operation of a consumers' foundation, in which 1,500 housewives will participate as product testers, has been started by WLW. Movement is linked with a program aired Monday through Saturday at 8:45 a.m., which offers information on new products, the daily trend of food and

clothing markets in the mid-west, and news of interest to modern homemakers. It also ties in with existing field work with consumer groups in WLW's area.

Bob Dunville, the station's sales manager, is supervising the foundation's organization. Marsha Wheeler, who conducts the foundation's programs, is director of the set-up. Her husband, Robert E. Wheeler, manager, joined the Cincinnatian staff last week.

Selection of product-testing housewives is to be made by WLW's field staffs in 14 key market cities and by one rural representative.

Housewives will receive unlabeled samples of products, identified by letters. They also will receive questionnaires bearing statements of claims for the products made by their manufacturers. Housewives will be asked if the claims are fulfilled.

Products passing the consumer test, said Dunville, will be given the right to use 'WLW Consumers' Foundation seal of approval.

Approval of two program ideas and rejection of another were voted by 50 members of prominent Cincy women's clubs who attended the inaugural conference of the WKRC

Board of Listener Control Friday (24). A news show by a reporter and an analyst, with slants of femme interest, and a serial by Jimmie Scribner of two colored women characters got the board's nod. Idea-tossed out was a dramatic serial. The women decreed it too sad.

WKRC's Clubwomen

Also new in local broadcasting al-

though tried in other sections is the setting up by WKRC, the Times-Star station, and Mutual affiliate, of a board of listeners control, composed of more than 100 prominent Cincy club women. Group's first monthly conference was held at the Hotel Alms, in which WKRC is quartered.

Representatives of local ad agencies invited to sit in on the initial session.

Ideas for new programs are presented to the females for discussion and constructive criticism. In charge of the powwows are Hubert Taft, Jr., general manager of the station; Herman E. Fast, sales manager, and Brad Simpson, program and production chief.

BUREAU OF MISSING BUSINESS

ARMOUR, SWIFT TURN TO RADIO—WILSON MAY FOLLOW—MEAT ADVERTISING, LARGELY ABSENT FROM AIR, MAY BE RETURNING BIG.

Chicago, Jan. 28.

Long-awaited aboutface on the part of the meat packing industry as to the use of radio is taking place. In the space of a week two of the world's biggest meat packing outfits signed over to the air. Early last week Armour okayed a six-day schedule on Columbia, riding 15 minutes daily Monday-Friday and 30 minutes on Saturday, with the Wayne King orchestra and Buddy Clark as vocalist. Deal set through the Chi Lord & Thomas agency.

Also later that week Swift broke away from the no-radio policy to ink a contract with NBC here calling for a 15-minute slice of the NBC 'Breakfast Club' program three days weekly, taking Thursday, Friday and Saturday.

Starts on Feb. 8 and will go from 8:30 to 8:45 a.m. CST over 63 NBC radio outlets, set through the Ch. J. Miller Thompson agency. On the show regularly are Mr. Don McNeill, the Walter Blaustein-directed orchestra, Jack Backer, Evelyn Lynne, Nancy Martin and Bob Brown.

For years the absence of the meat packer was a bitter capsule for radio, but late in 1940 Armour broke the stalemate with a flock of disk shows for its 'Treat' product and at the conclusion of that series not only went for a new waxed series for 'Treat' but, okayed the CBS deal. Spam (Hormel) this year also began sponsoring Burns & Allen.

With these two acts safely in the bag, the other salaried men, bounding down the aisle to get the other packers into step, figuring that the iron will never be hotter than now, for striking purposes; and indications point to sharp leanings towards radio by the rest of the meat industry, especially Wilson which has been on the verge of big radio purchases for some time now; but, now looks ready to take the real plunge.

Church, Undertaker With KFRO From Beginning

Longview, Tex., Jan. 28. This month station KFRO completed six years on air. With it two advertisers completed 312½ weekly programs. Some 25 other advertisers have been using announcements on the station during the full six-year period.

Welch Funeral Home heard each Sunday morning and the First Baptist Church of Longview were sponsors of the weekly broadcasts setting the record.

WCPO Strip Culminates In Auto to Amateur Baseball Best of Year

Cincinnati, Jan. 28. Award of a Hudson auto to Cincinnati's most popular amateur baseball player this year is the punch of a five-minute news strip WCPO will carry for Pepsi-Cola during the Reds' National League season. Contract was closed last week through the Walter Haeffner agency, local. Airings will be right ahead of broadcasts of the Reds' games. Votes will be cast with the sponsor's bottle caps. Auto is supplied by a dealer in exchange for announcements of his name and location.

WCPO's ace sportscaster, Harry Hartman, who doubles as salesman, came up with the idea.

Last year the station had a series of sponsored programs which permitted listeners to vote for the most valuable player on the Reds' team. Prize also an auto, went to Frank McCormick, who later became the National League's most valuable player award. Stunt caused some ill-feeling among other star Redlegs and was thumbed down for repetition.

KREUGER BEER SEES FTC AS 'FINICKY'

Washington, Jan. 28. Too finicky, Kreuger Brewing Co. (big spot announced this week), Federal Trade Commission last week in answer to a complaint that the printed and airwaved ballyhoo was misleading. Reply to the summons set the way for hearing to decide who's right.

The Newark brewer acknowledged there is something besides barley malt and hops in its product but denied that quaffers are duped by the emphasis placed on these ingredients which certainly result in a distinctly different product. Kreuger also told the Federal blue-sky that last summer (answer said to have been prior to July 24) the same squawk had been considered and put on the shelf. Now involves Ambassador brand of beer.

Robert S. Playfair has resigned as promotion director of Yankee and Colonial Networks. No successor has been named.

Again WNAX wins recognition for Distinguished Performance

1939

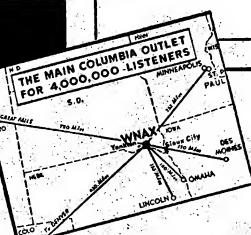
IN THE INTEREST OF *Listeners*
VARIETY FARM-SERVICE AWARD

1940 . . .

IN THE INTEREST OF *Radio Development*
BILLBOARD EXPLOITATION AWARD

1941 . . .

IN THE INTEREST OF THE *Advertiser*
ARMOUR AND COMPANY
MERCHANDISING AWARD



All these awards, and other recognition won by WNAX, have been gained not through special award-seeking activity, but through the normal consistent day-to-day performance of the station and its staff. In short, WNAX delivers. With a population of 3,837,323 in its daytime primary, WNAX can deliver your selling message effectively to this great region in America's Money Belt.

WNAX 570 KC-CBS
A COWLES STATION
STUDIOS AT YANKTON AND SIOUX CITY
WNAX BUILDING ORPHEUM BUILDING
5000 WATTS L.S.
1000 WATTS NIGHT
REPRESENTED BY THE KATZ AGENCY

Frisco's 1st Foreign Government Account, Brazil, on KGO Through NBC

Frisco gets its first crack at foreign sponsorship on NBC this week. KGO is being sent to carry Brazil's Drew Pearson-Robert Allen show.

John A. Hughes, ace Coast newscaster, signed KFRC and his agent, Larry Allen, has cooked up a transcontinental other deal whereby he will become the first western commentator to be heard in the east. Starting Monday (27), Hughes will do five quarter-hours weekly, hitting the east around 5 p.m. The Mutual release will get a sustaining ride pending sponsorships. Hughes already carries 11 commercials weekly on Coast webs, five for Langendorf Bread, three for Jackstone Advertising, two for Sennett's and one for Look magazine.

New series is predicated on fact that Coast is an important national defense center, the jumping-off place for Oriental troubles, and the whole is a long way off so far as easterners are concerned.

Art Linkletter, prolific free-lance man, has sold himself to Gump's, exclusive store no radio salesman has been able to crack to date. Will air a series of Sunday celebrity interviews. Art Kroll will work portions during the week if necessary to catch visiting personalities. Linkletter also does interview shows for Samuels Jewelry and Roma Wine.

KFRC: Dr. B. L. Corley (diet), through Rufus Rhodes, 53 quarter-hours, one weekly, health talk (renewal); Rainier Brewing, through Buchanan & Co., 50 one-minute spots; W. L. Hughson (autos), through Harry Elliott agency, 180 spots; Maxfield Jewelry Co., through Yeomans & Foote, 39 participations in "Milady's Mirror," three weekly.

Jan. 25 Compared to Jan. 18			
Network	Local	National	Total
Units	Units	Spot Units	Units
10,826	3,290	1,921	16,037
10,691	3,216	1,974	15,881
+1.3%	+2.3%	-2.7%	+1%
(Included: KFRC, KGO, KJBS, KPO, KSFO)			

Trenner Imparts Details Of WNBF's 'Money Back' Guarantee to Sponsors

HARRY TRENNER, commercial manager of WNBF, Binghamton, N. Y., last Thursday (23) explained to some 30 agency time buyers his station's new and unusual plan of guaranteeing ratings to advertisers using listening ratings to advertisers using 15-minute period either network or spot. Idea calls for making an coincidental survey at the end of the 13-week period and if the resultant rating does not exceed that guaranteed by the station, the advertiser's bill for the entire 13 weeks is cushioned by WNBF. Trenner did his explaining a luncheon arranged for George Boling, of the John Blair Co., in the Roosevelt hotel.

Trenner pointed out that already several tests with advertisers have been made along this line by the station, and that it had found that even though the station had been quite conservative for its own protection the margin of velvet was in each instance of such proportions as to make the money-back offer an established policy of the station. Plan also provides that if the coincidental check shows a rating not over .10, WNBF guarantees to pay all expenses for cost of the survey. Angle that drew much comment from the time buyers was the plan's requirement that the advertiser pay the survey's bills if the coincidental worked in the station's favor.

Trenner explained that the check would cost between \$130 and \$150 and that the satisfied client could divide this by 33 and figure that his weekly time bill had been so much more.

SAN FRANCISCO — Hal Chambers, manager of KIDO, KFPI, KJRN, KXDF and others, added to KHOW staff, replacing Bob Goerner, on leave of absence due to ill health.

Spot on the House

Current gas going the rounds of agency time buyers has it do with a station announcer who had failed to read his script in advance, pushed to the mike and said,

"The time is 8 p.m. It comes to you with the courtesy of . . . There's a pause while the announcer scans the script. 'Well,' continues the announcer, 'I suppose this one will have to be on the house.'

Johannes Steel on WOR

JOHANNES STEEL, international affairs commentator over WMCA, New York starts Feb. 9 a series of twice weekly programs over WOR, New York, for Aspinarte headache remedy. He will be heard at 9:30 p.m. Sunday. His spot was recently vacated by Raymond Gram Swing so he could do his weekly news cable for the London Sunday Express.

Steel got a preliminary sustainer build-up date on WOR last Sunday (26) and gets another next Sunday (2), before starting the commercial series. He will continue his regular shows over WMCA. He is also completing a book, "Things I Could Never Tell Before."

Suds Singer on WLAC

NASHVILLE, Jan. 28.—Rutherford & Ryan Agency, Chas. Rutherford, Inc., placed a new order in behalf of Southern Brewers Co. for 15-minute six days a week airshow over station WLAC. Program will be called "Sterling Singers" and will run for one year.

Uses Fred Waller, tenor, accompanied at the organ by Mary Elizabeth Hicks. Show is aired daily at 5:30 p.m.

WHITMAN H. HALL, formerly WCOF chief engineer, has shifted the same job at WOV, New York. He was succeeded by Roland C. Hale, previous WCOF engineer in charge of operations. Richard Johnson was added to the engineering staff, coming from WOBC, Barnstable, Mass.

Kidding the Advertising Still

Pretty Shocking—To Advertisers

Radio's Anti-Axis Group

Number of leading writers and actors have formed an organization, The Free Company, for a radio campaign to present the principles of American freedom. Will incidentally attack foreign propaganda in the U.S.

James Boyd is national chairman of the group, with Robert E. Sherwood in charge of the writers' division, Burgess Meredith heading the actors' division, and William B. Lewis, CBS vice-president in charge of programs, handling the radio division. Ideas is to use a series of network broadcasts, with the various writers contributing scripts and name actors appearing in them. No date has been set for the start.

Among the writers who will participate are Sherwood, Marc Connally, William Saroyan, Maxwell Anderson, Stephen Vincent Benét, Paul Green, Archibald MacLeish, Edward Wood, Anderson, Elmer Rice, George M. Cohan and James Boyd. Orson Welles is listed among the actors.

B.B.D. & O. SCOUTING RADIO SHOW IDEAS

B.B.D. & O.'s radio department has gone in for a vigorous drive for new radio business. One move in this direction has been the assignment of Bill Spier and Charlie Underhill to the job of scouting the field for available program material and building shows for presentation to accounts that are either in the house or can be sold on changing agencies.

Spier and Underhill, who have a separate staff with them in this task, are working under the supervision of Arthur Pryor, Jr., v.p. in charge of the radio department.

Henry Morgan, who does a screwball comedy series on WOR-Mutual, gave Chase & Sanborn a severe ribbing last week for deciding not to accept his services. Chase & Sanborn's officials admitted they didn't like the way Morgan kidded out of the spot announcements on his show, plug for a cold cure. Notified him that it had decided not to buy participation on the series because his clowning "isn't dignified." Morgan read the message over the air, made a crack to the effect that Charlie McCarthy isn't so dignified and otherwise spoofed the coffee outfit.

Following night he read a wire from Olson and Johnson congratulating him on his program, asserting they grossed more than \$3,000,000. Being ungratified with "Hellzapoppin" and renewing their spot announcement contract with him. On Saturday night's (25) edition, Morgan read the same spot blurb for the cold cure, then observed that "thank goodness" the contract for that was concluded, "we won't have to hear that announcement again and more." Spier, although his spot was cut, but the entire sequence was considered the topper so far, even for him.

Apparently Morgan's antics haven't frightened other stations however. WINS this week started airing what it hopes will be a similar series. It's spied by Dayton Allen, young m.c. and comedian for the last few years on several low-watt New York outlets. Hearst station is taking wacky ads in tonight's (Wednesday) Hearst paper, the N. Y. Journal-American. Blurb: "Warn the public against a madcat whom the station hasn't been able to keep off the air."

John Crandell with Kudner

John Crandell has joined Arthur Kudner, Inc., as time buyer.

His previous agency connection was Benton & Bowles.

The Nation's Station deeply appreciates the Armour Plaque for our merchandising efforts in behalf of an outstanding daytime program, "Your Treat."

Particularly gratifying is the fact that this Plaque-winning merchandising job for Armour & Company was not a "special." All our merchandising activities were handled in the course of normal assistance available to any advertiser to meet a specific problem.

Equally comprehensive jobs were done for other advertisers in 1940 without any reward in view save that of making their expenditures on this station as effective as possible.

WLW

**The NATION'S
most merchandise-able
STATION**

Blackstone Remedies' 1/4 Million For Radio; Gotham Still Ailing

Units showed some sign of life in New York during the past week, but it was a feeble spark.

Blackstone Household Remedies, which four months ago spent less than \$30,000 annually for advertising, has so far earmarked more than a quarter million for radio during 1941. (Drug companies do not have appropriations, thus the figure may be augmented if results justify.) Concern, sponsoring Johannes Steel on WOR twice weekly, is spending \$100,000 in time and talent costs in the Gotham area. Raymond Specter, who handles, has Steel under contract for any future commitments.

WHN: Ward Baking Co. (Tip-Top Bread), through Sherman K. Ellis, daily announcements. Monday through Saturday, one-week contract; The Dill Co. (Eggnog), station break announcements, 52-week contract; Roxy Theatre, through Kayton-Spiro; "Tall, Dark and Handsome" spot announcements; S. A. Schonbrunn & Co. (Savarin Coffee), through Gusow-Kahn, announcements, 52-week contract; The Center Theatre, through Donahue & Co., "It Happens on Ice," spot announcements, 13-week contract.

WINS: Servus Clothes, through Klinger Advertising, 12 one-minute announcements; The Morris Plan Industrial Bank of N.Y., through Gotham Advertising, six 30-second announcements weekly; Brain & Brown, Inc. (Uncle Sam Magazine), weekly quarter-hour program, "Voice of Reason," 13-week contract.

WMCA: Dime Savings Bank, through American Advertising Agency, renewal, five daytime five-minute programs weekly, 13-week contract; Music Box and Lyceum Theatres, through Kayton-Spiro, one-minute announcements; Jack Daniels' Restaurant, direct three half-hour programs weekly; Hebrew Evangelization Society, through Tom Westwood Advertising Agency, one-half hour program weekly for 50 weeks.

WNEW: American Society of Composers, Authors & Publishers, through Blackstone Advertising, "ASCAP on Parade," 13-week contract; Theatre Restaurants Corp., direct, 10 announcements weekly; on Milkman's Matinee, 13-week contract; Paramount Pictures Corp., through Buchanan & Co. ("Make Believe Ballroom," quarter hour three times for one week); Ward Baking Co., through Sherman K. Ellis, nine announcements weekly for nine weeks; Tapin's, direct, transcribed music.

WOR: Hecker Products, through Maxon, Inc., one-minute live announcements on "Danseuse," one-week contract; Quaker Oats, through Ruthrauff & Ryan, Little Orphan Annie's quarter-hour program, Monday through Friday, 13-week contract; Gordon Baking Co., through Barto A. Stebbins, "Musical Revue," five-minute spot, Monday through Friday, 13-week contract; Blackstone Products, through Raymond Specter Co., quarterly one program, 13-week contract; Quaker Oats, through Ruthrauff & Ryan, Little Orphan Annie's quarter-hour program, Monday through Friday, 13-week contract; Gordon Baking Co., through Barto A. Stebbins, "Musical Revue," five-minute spot, Monday through Friday, 13-week contract; Blackstone Products, through Raymond Specter Co., quarterly one program, 13-week contract; Young & Rubicam, one-minute announcements, 17 week contract; R. H. Macy & Co., through Young & Rubicam, five minutes on "9-10 Shoppers' Club," Monday through Saturday, 52-week contract; Select Theatre Corp., through Blaine Thompson, one-minute announcements on Henry Morgan's program, twice weekly for six weeks.

WQXR: Zionist Organization, five half-hour periods from Feb. 13 to April 10; Witty Brothers, through Norman D. Waters and Associates, "Quincy Howe," five-week renewal; Twentieth Century-Fox Film Corp., through Kayton-Spiro Co., Inc., renewal, 300 spot announcements over 13 weeks; Morris Plan Industrial Bank Co. (Aqua Velva) through J. Walter Thompson, renewal, three station breaks daily, 13-week contract; The Morris Plan Industrial Bank of New York, through Gotham Ad., renewal, six spot announcements, ten-week contract.

Jan. 25 Compared to Jan. 18

Network	Local	National	Total
Units	Spots	Units	Units
165	10,576	8,804	19,545
165	10,610	6,638	19,411
•	-0.3%	+1.9%	+0.7%

No change.

WNW.

WQXR.

DETROIT REVIVING

Local, Nat'l Spot Perk Up—P. Lorillard on WJR

Detroit, Jan. 28.

Still moving sluggish, local business is not having much, which means a slow upward slope, though made their first appreciable gains last week when both advanced approximately 2%. National time continues to mark time at such a constant that the fact no fight came through last week, which usually adds 60 minutes, left it just about where it was.

Accounts evidently on the verge in Detroit, for each week station sales expect to report a decided climb upward which still is in the offing.

WBKB: Holbrook Market, 15 minutes five times weekly, newscast, 13 weeks; P.W.H. Publishing Company, 15 minutes five times weekly, newsreels, race results and scratches, 13 weeks; Bertram's Service, 15 minutes five times weekly, newscast, 13 weeks.

WJR: P. Lorillard Co., 15 minutes three times weekly, Jimmy Stevenson newscast, 13 weeks, through Lender & Mitchell; Eckert & Becker Brewery, 15 minutes, five times weekly, studio orgs., 26 weeks.

Jan. 25 Compared to Jan. 18

Network	Local	National	Total
Units	Spots	Units	Units
9,434	11,650	4,172	25,456
9,440	11,597	4,003	25,120
•	+2.2%	+1.9%	+1.3%

* No change.

Included: KCLW, WJBK, WJR, WMBC, WWWW, WXYZ.

LOCAL HELPING IN BALTIMORE: OTHERS NSG

Baltimore, Jan. 28.

Continued uneventful doing here with network count dipping down because of time devoted to Inauguration. Some slight action on local front accomplished under pressure and helping the general picture somewhat. Little noticeable change, except that the new year brought improvement looked for momentarily.

WBFB: My-T-Fine Dessert, through BB&D, five daytime spots a week; Wm. H. Wise (books) through Northwest Radio, six five-minute a.m. electric transcriptions a week; Carter Products (medicine), three spots a week via Street & Finney; Ex-Lax renewed through Jos. Katz, five one-minute spots a week; The Mart (specialty), 15 minutes, two recorded transcriptions of "Right or Wrong," through Courtland Ferguson.

WBAL: Ulne Ice Arena (Washington), five spots for current ice show through Courtland Ferguson; Martin Gillett (House of Lords and Heno Tea), 13 one-minute electric transcriptions through Wm. A. Schatz, Inc.; Cloverland Dairy, 26 quarter-hour transcriptions of "So This Is Magic."

Jan. 25 Compared to Jan. 18

Network	Local	National	Total
Units	Units	Spots	Units
8,455	4,032	1,274	14,361
8,455	4,423	1,285	14,313
1.6%	+4.6%	-1.2%	+0.3%
•	WBAL	WCAO	WGBM

WBAL.

Seek Toledo Station

Toledo, O., Jan. 28. WTBS Radio Co., Inc., Toledo, O., was recently incorporated with the Ohio Secretary of State, with \$100,000 authorized capital, officers being: Paul Block, Jr. president; Daniel Newell, vice presidents; William K. Block, secretary; Amos W. Harnish, assistant secretary, and Stanley C. Speer, treasurer.

The company has filed an application with the Federal Communications Commission for authority to operate a new 1,000-watt radio station in Toledo on a frequency of 600 kilocycles and on a 24-hour basis.

Jan. 25 Compared to Jan. 18

Network	Local	National	Total
Units	Spots	Units	Units
165	10,576	8,804	19,545
165	10,610	6,638	19,411
•	-0.3%	+1.9%	+0.7%

No change.

WNBW.

WQXR.

WQXR.</

ANTI-ASCAP LAWS UP AGAIN

Harms Warns Disc Firms on Number

Calls 'I Look at You' Infringement Upon 'My Heart Stood Still'

Phonograph record companies last week were put on notice by Harms, Inc., of the Warner Bros. publishing group, that the BMI publication, 'I Look at You,' is an infringement of 'My Heart Stood Still.' Letter number, written by Richard Rodgers and Lorenz Hart, was published by Harms in 1927. Title page reads: 'Song by Rodgers and Hart, Melvyn Thorner and Via Gainer' as the writers.

Victor has already cut 'I Look at You' under its Bluebird label. Mitchell Ayers' band did the job.

It's the first claim made by an ASCAP member against a BMI publication. In serving notice instead of immediately filing an infringement suit Harms apparently is taking advantage of the provision in the copyright law which makes it possible to collect more than \$500 damages. This provision states that the \$5,000 maximum need not apply if the infringement continued after warning had been served.

BMI reports that it has received a similar notice of warning and that it has advised Harms that it saw no similarity between the two numbers.

BRITISH GET U. S. REBATE

London, Jan. 28.

Successful battling by Performing Rights Society has garnered a \$200,000 melon for British clefes. Sum represents recovery from U. S. Internal Revenue of over-taxing on foreign remittances for years 1932-37 inclusive.

Composers and author members were cut in on the new coin when usual quarterly share-out (20) wrote fims to the year.

Shuberts Linked To Music War By New Grand Rights Corp.

Jake and Lee Shubert injected themselves in the radio-music war last week with the announcement that they had formed a corporation to license the grand performing rights of operettas in the Shubert-Music Publishing Corp. which they also own and which last year became an ASCAP member. The new Shubert corporation will call itself the Performing Rights Society of the Theatre.

ASCAP reacted phlegmatically to the announcement. It saw nothing to get excited about until one of these operettas is actually produced on the air released by stations that have no ASCAP licenses. ASCAP counsel have always been of the opinion that the exemption provided in the ASCAP membership contract for grand rights is limited to stage performances but it is doubtful whether they will advise bringing a test suit on the issue. Network commercials haven't made extensive use of such grand rights since the blowup of 'Palomino's Beauty Box Revue' five years ago.

One sidelight that ASCAP did note was that the law firm which made the announcement for the Shuberts was that of William Klein, regular Shubert counsel, Sidney M. Kaye, Broadcast Music, v.p., formerly worked in Klein's office.

Announcement from Klein's office stated that other Broadway producers, such as Sam Harris, Max Gordon and George Desylva, would be asked to come into the grand rights pool. Desylva is a high-ranking writer member of ASCAP.

WGN, Chicago, has been feeding some of the operettas to Mutual without an ASCAP performing right license, and ASCAP hasn't taken an official recognition either way.

More Jeannie Gags

ASCAP publisher in New York has been showing friends the manuscript of a song he intends getting out. It's complete with lyrics.

Tunes titled, 'Jeannie's Light Brown Hair is Turning Gray.'

MUSICIANS MAY DONATE THEIR SERVICES

Toronto, Jan. 28.

Blanket permission to musicians to give their services free in all benefit performances during the forthcoming campaign to promote the sale of War Savings Certificates is announced by the Musical Protective Association.

At earlier benefits in which big names in radio and on stage and screen had donated their services, plus possible interference with their earnings through journeying to Canada, musicians had always collected union scale.

For the trans-Canada tee-off Friday (31) of the Canadian radio industry's series of one-hour benefit broadcasts exhorting this Dominion's citizens to invest in War Savings certificates, Paul Fairbank, manager of the 'Contented Home,' will fly from Chicago to his hometown here to direct the all-star variety show which leads off this special series of broadcasts in this war savings drive. Jean Dickenson, Montreal-born coloratura of the Metropolitan Opera, will journey to Toronto for the first of the patriotic broadcast series. Also set are Al and Bob Harvey, Canadian comedy team; Eddie Lang, violinist, and Bert Peal, m.c. of 'The Happy Gang,' Canada's oldest commercial. Rupert Caplan is up from Montreal to direct.

'RED LABEL' NOT FOR VICTOR ALONE—CLAIM

The Times Appliance Co., Inc., distributor of Columbia Phonograph Co.'s records, filed an answer in the N. Y. federal court Monday (27) to the suit of the RCA Manufacturing Co., Inc., against it, and Columbia Pictures Corp. Answer denied claim by RCA of infringement of the 'red label' copyright on classical recordings, and seeks a dismissal of the suit.

RCA claimed that Columbia last year issued classical records under a red label to which it claimed exclusive rights. An injunction, accounting of profits and damages were sought. Times Appliance Co. says that other companies used the label before RCA did in 1932, and that it is the third party domain. It asserts that the only distinctive mark RCA can use is the 'dog' and the trade mark 'Victor.'

CBS' 'Blitzkrieg' Taboo

Boston, Jan. 28.

CBS told Dean Hudnut that the word 'Blitzkrieg' was taboo to the title of an original instrumental number featuring drums that he wished to program from the New Kenmore Hotel, Albany, (20).

Hudson argued to no avail that he introduced the song and played it several times via his Mutual broadcasts from Blue Gardens, Armonk, N. Y., and had received fine comment in fan mail.

BUT HUEY LONG'S CLASSIC DIES

Michigan and California Active as Louisiana Legislation Finally Is Off Books

TENNEY'S HAND

New Orleans, Jan. 28.

For all of its headaches in battles with BMI, ASCAP has at least one tablet of aspirin, supplied by the Louisiana Supreme Court. That body has upheld the decision of District Judge Robert L. Rovane of Jefferson parish which enabled ASCAP to collect royalties once more in Louisiana without having its agents subject to prosecution by the state courts.

It all goes back to 1934, when ASCAP organized its agencies to collect copyright royalties from every Louisiana person, corporation or other institution which publicly played ASCAP-controlled music for profit.

Agent and representative for ASCAP in the state was J. Studebaker Lucas, who, with his employees, check up on the use for profit of ASCAP music. A little dance hall in some swamp settlement would import a three-piece band for a Saturday night stomp, only to find the additional payment to the musicians, an annual fee, would have to be paid to ASCAP.

Meanwhile, ASCAP was demanding a really big fee from the Roosevelt hotel in New Orleans—to say nothing of the other big night clubs here and in other large Louisiana cities.

Operators of these entertainment places, and particularly those of the small country dance halls deluged Huey P. Long, then United States senator, with complaints about ASCAP's exacting fees.

'I'll fix that for you boys,' Huey promised, and had the legislature, at its regular session of 1934, pass act 137 of that year; a simple bit of legislation which made it a penitentiary offense to seek to collect copyright fees for the use of music in restaurants, bars and night clubs.

A fee of \$5,000 a month, based on the state treasury for every parish in which such collections were sought. There are 64 parishes in Louisiana, and 64 times \$5,000 is a little matter of \$320,000 a year which ASCAP would have had to pay for the privilege of collecting royalties in Louisiana.

Quite cheerfully, the operators of amusement centers, for the swankiest of New Orleans, added the dance halls of unpainted pine in the swamp settlements, told ASCAP then to go whistle for its money. ASCAP went into federal court, instead, and obtained injunctions restraining amusement places from playing any copyright music without paying any copyright music without paying the fee.

The lawyers for ASCAP and for the tories became well acquainted with one another, and who didn't do the same halls of unpainted pine in the swamp settlements, told ASCAP then to go whistle for its money. ASCAP went into federal court, instead, and obtained injunctions restraining amusement places from playing any copyright music without paying the fee.

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The tories, however, had been pacified, for the ministry has assured him that coin will be forthcoming to subsidize the entire season, which is slated to open in February at the Palace of Fine Arts (National theatre).

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Frank Skinner on vacation after completing the musical score for 'Back Street' at Universal.

Omaha N.A.B. Meeting Is Told 'ASCAP Fight Won'; Also 'No BMI Tune Dearth'

Income Tax Help

The Internal Revenue Section of the United States Treasury has again assigned special income tax experts to the VARIETY office, 154 West 46th street, New York, to assist members of the entertainment profession in filling their income tax returns.

Government return will be available during regular business hours starting Feb. 3 and continuing until March 15. There is, of course, no charge for the assistance.

LARRY CLINTON ALIGNS WITH BMI

Larry Clinton has signed a three-year contract with Broadcast Music, Inc. He makes the first band leader who formerly held an ASCAP membership to align himself with BMI on a writing basis. Clinton's membership agreement with ASCAP expired Dec. 31, 1940.

BMI deal applies to pieces that Clinton has composed since Dec. 31 and not published by an ASCAP member or anything he writes during the term of the BMI contract. Miller Music, Inc., which is an ASCAP member recently at Clinton's request, signed a similar manuscript to that it had taken from him and not published. Such of his tunes as 'My Reverie,' Dixie Doodle and 'Study in Brown' are not affected by the BMI agreement since they are all controlled by ASCAP publishers.

Small Hotcha Segments, Forming Within Larger Memberships, on Increase

Small jive combinations from within big bands are increasing. In the past couple months five musical sized outfitts have formed curtailed combos to compete in the world of the groups. Newest ones are Woody Herman's Four Chicks; Alvin Rey's Princes of Rhythm; Bill Bradley's Trio; Artie Shaw's Gramercy Five; and an yet unnamed quintet from Jack Teagarden's outfit. Yet ones are Benny Goodman's Septet; Raymond Scott's quintet; Bob Crosby's Big Band; Tommy Dorsey's band; Seven Seven and various combinations from the Duke Ellington band.

Reason for small combinations is mostly to allow the 'jazz session' urge of musicians to assert itself. Such musicians are hampered by the confines of big band arrangements. It's particularly true of leaders who are outstanding on certain instruments.

Carlos Chavez Gets Com-

Miami Beach, Jan. 28.

Sharp but not short complaint has been made to the ministry of finance by Carlos Chavez, director of the Mexican Symphony, that the current federal budget makes no allowance for the support of his orchestra. This money was forthcoming every other season.

Chavez, however, has been pacified, for the ministry has assured him that coin will be forthcoming to subsidize the entire season, which is slated to open in February at the Palace of Fine Arts (National theatre).

Frank Skinner on vacation after completing the musical score for 'Back Street' at Universal.

He plans to bring in big name bands and other important attractions.

Omaha, Jan. 28.

BMI chief in Omaha attending the tenth district assembly of the National Association of Broadcasters at the Fontenelle hotel last Saturday (25), said they felt certain that the battle against ASCAP had been won. Carl Havelin of New York, director of station relations for BMI said, 'I feel the battle has been won by BMI. Certain forces have fostered the idea that BMI and the broadcasters are poverty-stricken in their quantity of music, but that is incorrect. BMI has secured the performance rights from affiliated publishers for more than 200,000 pieces. BMI definitely has the edge over ASCAP in Latin-American music, a type that is becoming more popular with the spread of the good neighbor program.'

Right, he said, is not between ASCAP and the networks and big stations alone. Of 333 independent stations, more than two-thirds, he says, have signed with BMI alone. Of 42 low-powered stations, more than 350, he declared, have signed with BMI despite attractive ASCAP offers.

C. E. Arney, secretary of the National Association of Broadcasters, said he thought ASCAP was beaten on a national basis. Both representatives said they thought the reaction

Deserted

Philadelphia, Jan. 28.

A notice on the WDAS bulletin board reads:

'Playing or singing of Jeannie with the Light-Brown Hair strictly forbidden.'

(Signed) Pat Stanton,

General Manager.

of the public was better than they could possibly have expected.

Some 48 representatives of 29 stations in Iowa, Nebraska and Missouri, and the two men analyzed the fight between the two elements at the meeting. John Gillin, Jr., general manager of WOW and a director of the national association, presided.

Others who spoke briefly were Earl H. Gammons of WCCO, director of the 11th N.A.B. district; the Father W. A. Burke of WEW, St. Louis; Merle S. Jones, of KMOX, St. Louis, and Arthur B. Church of KCMBC, Kansas City, Mo.

MIAMI AS PLUG CENTRE

Miami Beach, Jan. 28.

Jack Robbins, vacationing here with Mrs. Robbins for a month, thinks Miami and the Beach is so active a plug spot now that he's going to give up his present engagement himself in exploitation of Dobins, Feist and Miller tunes. Plenty of good bands and vocal plugs hereabouts.

Robbins, who has a special music corporation bearing his name set up in Cuba, goes to Havana next month to contact the congarumba joints.

C. J. Fox Is Building Big Twin City Hoofery

Minneapolis, Jan. 28.

A \$175,000 ballroom, the largest and most elaborate in the Northwest, is in the course of construction midway between Minneapolis and St. Paul. C. J. Fox, who has ballrooms in several North and Dakota towns, is building the dance hall and will operate it.

He plans to bring in big name bands and other important attractions.

Bands at the Boxoffice

(Presented herewith, as a weekly tabulation, is the estimated cover charge business being done by name bands in various New York hotels, dinner business (7-10 P.M.), not rated. Figures after name of hotel give room capacity and cover charge. Larger amount designates weekend and holiday price.)

Band	Hotel	Weeks	Covers	Total
	Fri'day	W'eek	W'eek	W'eek
Orion Tucker	Biltmore (\$1-\$1.50)	3	225	750
Leighton Noble . . . Waldorf (\$1-\$1.50)	2	1325	2,650	
Lani McIntire . . . Lexington (\$00-\$1.50)	2	1,375	2,750	
Guy Lombardo . . . Roosevelt (\$00-\$1.50)	16	1,150	21,350	
Woody Herman . . . New Yorker (\$00-\$1.50)	5	1,525	9,650	
Jimmy Dorsey . . . Pennsylvania (\$00-\$1.50)	1	2,150	2,150	
Tony Pastor . . . Lincoln (225; 75-\$1.50)	17	600	7,150	

* Asterisks indicate a supporting floor show, although the band is the major draw.

Anti-ASCAP Laws Up Again

Continued from page 43

penalty for noncompliance with a fed- eral law — to wit, the copyright act, thus infringing on the right specially granted by the statutes of the United States of America.

Judge Riviard upheld this demurral. On behalf of the state, Assistant Attorney-General Niels F. Hertz appealed this decision to the supreme court, and the tribunal unanimously upheld the Riviard de- cision.

Revival in Michigan

Detroit, Jan. 28.

Even though an anti-ASCAP bill was vetoed by the governor of this state, a couple of years ago, a couple of upstate members of the House of Representatives have again introduced a measure to standardize copyright charges and eliminate arbitrary fees fixin' in the music field. This time the bill, if passed, would also apply to radio-owned Broadcast Music, Inc. The intro- ducers are James G. Stanley of Kal- amazoo, and Robert G. Sawyer of Monroe.

The bill is similar in most respects to pieces of anti-ASCAP legislation introduced or passed in other states. Only one distinguishing difference between this one and the others is that it would curb the infringement investigator. The new Michigan bill makes it a misdemeanor, with a heavy fine, for "any songplumber," other than the composer, to make a business of requesting the playing of copyrighted music as the basis for bringing infringement suits. It also imposes a franchise tax of 25% on the gross receipts collected for performing rights, requires investigators of infringements to declare themselves and pay an annual license fee of \$25 to the state, compel the copyright owners to file a copy of their licenses with the state and outlaw the songplumber as well as the investigator unless the former agrees to let our license and pay a \$25 fee to the state.

Jack Tenney's Act

Sacramento, Calif., Jan. 28. Music war in the political arena, with four bills prepared by Assemblyman Jack Tenney aimed at the American Society of Composers, Authors and Publishers. In its dispute with the broadcasters, Tenney is a songwriter, not a member of ASCAP, and a former president of the Los Angeles Musicians Union.

Four bills, according to Tenney, are designed to "protect the individual song writer and copyright owner." Three of them are copied from laws drafted in Washington, Florida and Nebraska, and the fourth is a combination of the others. They use their best points as models.

Cross of the argument between ASCAP and radio industry is mentioned in the Washington State legislation, which insists "rates assessed on a per piece system of usage." ASCAP is reported ready to dicker on that basis if a formula on an equitable premise can be worked out.

Measure that specifies "It shall be unlawful for two or more persons holding or claiming separate copyrighted works under the copyright law of the U. S. to band together or to pool their interests for the purpose of fixing the prices on the copyrighted works, or to pool their separate interests or to compete federally or locally together for the purpose of collecting fees in this state or to issue blanket licenses in this state for the right to commercially use or perform publicly their separate copyrighted works; provided, however, such persons may join together if they issue licenses on rates assessed on a per piece system of usage; provided further, such per piece system of licensing must not be in excess of

WEINBERGER FILES

Lawyer-Manager Sets Up a Protection Society for Leaders

Andrew D. Weinberger makes the latest lawyer to come into the music publishing and licensing outfit. Weinberger calls his American Copyright Protection Society, Inc. The leaders that he represents are Artie Shaw, Dick Hieber and Jose Morand.

The ACPS, according to Weinberger's office, will act as a clearing house for the works of band leaders, make certain that their arrangements of public domain compositions are properly copyrighted, license the copyrighted works for performing and recording and engage in the publications of whatever of these works that come in for piano copy demand.

Move Arthur Parks

San Francisco, Jan. 28. Arthur Parks, band booker for MCA, here, moves to corporation's motion picture department in Beverly Hills Feb. 10.

Reuel Freeman steps up to take charge here, aided by visits from Earl Bailey, late of the London Office, and Lyle Thayer.

Wallerstein on Cruise

Edward Wallerstein, president of the Columbia Phonograph Co., left last Friday (24) for Central American cruise. He will stop off at Panama, Costa Rica and Guatemala. His office stated that he will combine business with pleasure.

Wallerstein is due back Feb. 15.

OHIO TEST OF MUZAK ISSUE

Cleveland, Jan. 28. injunction suit filed by the Ohio Music Corp. against the Cleveland Musicians' Local for interfering with its distribution of Muzak wired recording service in this territory had its first hearing yesterday before a common pleas Judge Dan T. Hall, the union time to submit a demurral. Although case is in status quo, Lee Repp, union prez, said that the Ohio Music Corp. will remain on the "unfair" list here until it stops displacing musicians by installing Muzak in certain dance-and-dine spots. Spots involved are the Cleve- land Athletic Club, Pirchner's Hofbrau, Allendorf's restaurant and Bolton Square Hotel.

Until Muzak entered local field the Hofbrau had a concert trio; the Allendorf had Herbert Voges on the organ, the hotel a girl orchestra, while the C. A. C. had a girl orchestra for 20 years now up to 18 months ago, declared Repp, in pointing out how many musicians the service has ousted.

Russell Sanmer, vice prez of the distributing company here, is pressuring the court to keep wired dinner music from being placed on the union's national "unfair" list.

Significant angle in the battle which threatens to grow to country-wide proportions is that in this case is being fought in Ohio. State laws here regard secondary boycotts as being illegal, particularly when they involve a third "innocent party" in the dispute. Although statutes on this point are not exactly in union's favor, Repp said he had high hopes of having injunction set aside, to overturn a recent record, according to Ross Alvarez, union's attorney and city law director, 31 applications for injunctions were denied by local courts.

Sues Recordgraph Corp.

Madison, Jan. 28. First legislative crack at ASCAP in present session of the Wisconsin legislature was taken Friday (24) when State Senator Cashman, of Denmark, introduced a bill designed to put additional teeth in the law governing copyright music—the law recently made constitutional by Judge F. Ryan Duffy in Federal Court in Milwaukee.

Cashman's amendment would require music brokers as well as investigators of alleged copyright infringement to be licensed and the secretary of state would be made the enforcing officer.

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St. Louis, Jan. 28. Muser's Resort on the Lake of the Ozarks, near Eldon, Mo., was destroyed by fire last week, with a loss estimated at \$55,000. Name bands visited this spot during the summer season.

T. W. Muser, the owner, said his loss was partly covered by insurance.

Nat W. Flinston is scoring the Metro picture, "Blonde Inspiration."

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Frisco Agents Balk at AGVA Terms; Actors Call Meeting for Strike Vote

San Francisco, Jan. 26. With a strike vote called for Monday (3) by the Motion Picture Guild of America, its local here, open warfare broke out last week between AGVA and the Northern California Entertainment Managers Assn. over AGVA's new working code. Agents headed by Earl Caldwell, are bargaining over provisions which require that acts' salaries must be net even after agency deductions. In other words, an agent booking an act into a Class A night spot would have to get at least \$67 in order to receive his 10% and the act get \$60 net.

With the new contracts to go into effect Sunday (28), AGVA has now delayed action until next Monday's membership meeting, at which time a strike vote will be taken.

"We feel this is the only arbitration," said Caldwell. "We desire no trouble, but if AGVA pulls its acts we will simply book band entertainers who belong to the musicians' union. Business is bad enough as it is without aggravating matters."

Defending AGVA's efforts, Vic Connors, executive secretary of the union, pointed out that agents have collected "unconscious amounts of money...causing an unproductive waste in the entertainment dollar which is as much to the disadvantage of the actual employer as the performer. We are determined to stop this parasitic practice, once and for all."

"In many cases," Connors said, "the agent gets a package price from the person buying the show, out of which they hire the performers. The percentage the agent retains is often as high as 50%, and this is in addition to the 10% charged the performer."

These small agencies are conducting their business in a manner which is not a credit to the community from a labor or employer point of view. No wage or working condition dispute exists; the question is how long

the actor must shoulder the inner burden of the booking agent."

At present, approximately 18 agencies in San Francisco and Oakland are represented by the Entertainment Managers Assn., including all but two or three large agencies such as Music Corp. of America, Bert Levy Office and Consolidated Radio Artists (Larry Lamb). Spokesmen for the latter group said they had no quarrel with AGVA, and Connors pointed out in his statement that "the major agencies are not members of the association."

New Act in Theatre

QUENTIN REYNOLDS

Talk.

5 Mins.

Strand, N. Y.

Quentin Reynolds, in bulk and measured talk, is reminiscent of Heywood Broun. That also goes for his measured talk, which he has played in 15,000 theaters in the U. S. plus the second British propaganda short, "Christmas Under Fire," now also current at the Strand, have considerably enhanced his reputation as a speaker. He is the one who can live in shatters. He has a quiet personality and delivery that nevertheless command and hold attention, should be a lecture-platform rage. His talk is well timed and contains something of a novelty for both himself and the theatre, but an enthralling one.

Reynolds virtually closes the show seated behind a table on the organ elevator and talking into a mike which is heard by the audience directly by a group of friends. The Henry Busbe hand behind him is masked in a white sash and a pale spot outlines the leonine head of the writer as he sits in his son's English, feathered hat. He begins with his story about the Spitfire pilot who, nearing 20, lost his life going after his 20th German plane; he hands out a wry laugh in telling about the bombing pilot who was killed by his first experiences in London under fire. When those b' ones drop from 20,000 feet up, Reynolds relates, they scream down with a sound approximating tearing paper, and many make mistakes. Londoners, however, grown accustomed to sleeping through anti-aircraft fire, but nobody, Reynolds discloses, can sleep through the scream of the 2,000-pounders.

It's not probable that Reynolds will accept this offer, though he has an appearance before going back to England; so he can pick his spots for best b.o. and other effect. It's understood part of his salary at the Strand and from an subsequent personal appearance he will make is going to the Spitfire (plane) Fund. He makes it very clear that he has great affection for the kids who daily stand in the way of the Nazis in the sky over England. Shoo.

Unit Review

Renfro Valley Barn Dance

(PARAMOUNT, ANDERSON, IND.)

Anderson, Ind., Jan. 24. "Ain't Idy and Little Cliff," Gene "Honey Gal" Cobb, Coon Creek Girls (5), Slim Miller Band, Homer and Jethro, Shorty and Elmer, "Melody Ranch" (Rep.).

For the home folks this hillbilly show is probably the business, but for the non-inoculated ganderer it's something that would be a far cry from a good time. Piped from WLW every Monday night for several years, the Renfro Valley folk have gained a considerable following in this territory and played their second annual engagement at this strand Wednesday and Thursday (22-23).

Toplined are "Ain't Idy and Little Cliff," folksy pair, and Gene "Honey Gal" Cobb, supposedly black-face comic who worked in natural make-up, caustic and "wacky" by far cry. Cobb is a natural favorite on the radio show and gain substantial welcomes. Backing up are Slim Miller, Hick comic, the Coon Creek Girls, warbling fivesome, and others.

Except for two of the latter act, stage presentation is not as appealing as the show-causing appeal. While specialties are being presented, rest of the performers sit about the stage, apparently amusing themselves by counting the house. Should contrive a better way to get them on and off when needed.

Cobb serves as m.c. and straight man, coming on late for his own patter. "Ain't Idy makes a brief appearance, while the show is carried on by Little Cliff, mute foil and later on the stage, winding up with requested vocalizations backed by the string ensemble. Not especially strong material, but it gets over with the audience.

Grotesque fivesome is Shorty and Elmer, the latter a six-foot female. They are succeeded by the Coon Creek Girls (5), who were on as a specialty act, and then because of illness. Youngsters all, they are attractive despite their outlandish attire, and reel off several tunes in Kentucky patois. Homer and Jethro close the show with mingling vocals.

Unit works in front of a simple haymow drop. Business goes well.

More intimate class spots like the Embassy, Ciro's, Faisan d'Or and the Alvarce Palace roof cater as much to the big international crowd as to local society. They use bands only, and, aside from singers, have no acts. The fare is not likely to change unless the high license fees for show permits is lowered.

Different Story in Rio

Rio is another story. The Copacabana, Atlantico and Urca are gambling casinos using shows to attract the crowds, and they have the coin and setting to do things right. Copacabana has been building its shows around a girl line supplied by Howard Da Silva, and Lillian Bennett and others in similar assignment at the Atlantic.

The Rio casinos usually shop in New York for their talent, but in the past have often taken attractions from the rest of S. A. or from Europe. With the latter cut off, U. S. talent will undoubtedly increase. In Brazil's coffee metropolis of Santos, the Casino Sao Vicente takes Copacabana acts for an additional two or four weeks while the Atlantic often imports the Atlantic shows.

Elsewhere on the South American continent the field for niteries is not extensive. Vina del Mar, located on the California-like Pacific coast about two hours from Santiago, Chile's capital, has a big municipal casino which uses class attractions—U. S. and European. Similar casinos—with similar requirements—are running full blast in Mar Del Plata, where Argentina is the summer, and Punta Del Este in Uruguay, across the River Plate.

It's noteworthy that in practically all these places it's the U. S. music and style that are featured and the native stuff is second placed. Trend is all in this direction, even if lots of it is as bad an imitation of the real thing. U. S. pix are of South America.

Saranac Lake, Jan. 28.

By Happy Benway

Thanks to Arthur and Tootsie Holmes and ditto to Mr. and Mrs. Eddie Delroy for their timely gift to the Colony. They are ex-troupers.

Helen Mann, who saw a mess of ozoning at the Will Rogers, shot into a New York City hospital for a spinal o.o.

Charles S. Smith, ex-theatre owner of Noonan, Georgia, who has been strictly in bed for so long, has been okayed for an up routine.

Don Drew, who did his bit here, terminated his orch ban on the Mary-Pearl nitery, Boston, and is

Pa. License Law Causes Arrest Of 5 Maestros for Booking Acts

Rio S.A.'s Top Nitery City

By RAY JOSEPHS

Buenos Aires, Jan. 28.

In the South American scheme of things, niteries a la New York have a far less important place than in the U. S. The number of spots in B. A., Santiago, Lima, etc., is extremely small, considering the size of the cities. Rio has a number of big ones which rank with anything in the U. S. or Europe—but Rio is in the exception.

Everywhere in S. A. the gents often go out with a gang of the boys rather than the señoritas, who are more or less housewives, and hundreds of houses, which are more coffee houses than taverns, cater to them. Many of these places have some entertainment—tango orches, U. S. jazz outfits, all-gal combos, etc. The bands usually sit up in a little balcony and keep pounding away despite the everlasting clack of the dice used in playing Bidou, S. A.'s national game.

Jointly under one steady customer who like the music or the atmosphere, or the convenience of the location. Jukeboxes are just coming in, and they don't seem to be doing so well.

Every important city has a number of U. S. or European-style boites which correspond to night clubs and these the going is pretty sober. Only one spot in B. A., for instance, imports a steady list of drag queens. The Teatro Rio, which also has some stunts (some work in the floor show) and gets most of the tourists as well as the big local spenders. There is no gambling there.

More intimate class spots like the Embassy, Ciro's, Faisan d'Or and the Alvarce Palace roof cater as much to the big international crowd as to local society. They use bands only, and, aside from singers, have no acts. The fare is not likely to change unless the high license fees for show permits is lowered.

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Philadelphia, Jan. 28.

The long threatened crackdown on bandleaders booking acts without licenses occurred here Friday (23), when five of them were arrested on warrants sworn out by Anthony J. Sharkey, agent-in-charge of enforcement of the booking licensing law here. Those pinched were Jack Lewis, Harry Wells, Bernie Berle, Karl Beubek and Morton Braude.

All were arraigned before Magistrate Jacob Dogole and fined \$50 and costs. Because it was their first arrests on the charge, the fines were scaled down to \$25 later, with warnings that more stringent penalties would be imposed if they continued to violate the State law.

Sharkey declared that he was preparing warrants for other unlicensed bookers and he would continue the drive until he had stamped out the practice in the Philly area.

The evidence against the bandleaders was obtained by the seizure of bids in the books of clubs and orchestras. Under the state law, even the submission of a bid for the sale of talent is a violation if the subscriber is operating without a booking license.

Benny Davis' Nitery Date Holds Back Theatre Tour

Miami Beach, Jan. 28.

Opening of Benny Davis' Starlets for Joe Moss' refurbished Mayfair here means that Davis' Greenwich Village Foilles' unit tour will be set back.

The songwriter-entertainer bought that title for a traveling unit.

BEST BUY IN DETROIT

Books from \$1.50 single and \$2.00 double. Special weekly rates to the profession.

Every room has sunbathing tub and shower, private entrance, separate cocktail bar. Completely rehabilitated office and downtown district.

HOTEL WOLVERINE

Frank Walker, Manager

58 E. Elizabeth St., Detroit
(Same management as Hotel Chicago, Chicago)

NOTICE TO GOOD ACTS

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CYNDI GLENN

OPENING JAN. 30th AT WALTON ROOF

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Something New Under The California Sun!

ART BORAN

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Young Arthur Boran, versatile ventriloquist, master of ceremony, singer, dancer, comedian, etc., is a top draw.

Denton Walker, N. Y. City, LDN.

Div: EVERETT N. CROSBY AGENCY, LTD.

AGVA Exec Secs Meet in Toledo, Score Nat'l Bd.'s Shortcomings, Give Haddock Vote of Confidence

Toledo, Jan. 28.

Midwest conference of the American Guild of Variety Artists was held here Saturday (28) with AGVA execs of its constituent units sitting in for a general gabfest along with the executive secretary, Hoyt Haddock. In for the meet were Jack Irving, exec sec in Chicago; Bob Edwards, chief of Cincinnati; Les Goldstein, of Detroit; and Nat Nazzaro, Jr., of Pittsburgh.

All matters concerning midwest operation were discussed, with an eye also on the national situation. Midwest execs hastened to register a complaint against the national board for failing to work more closely with the various local boards, and asked that the national board speed up its action on the various local queries and cases which demand immediate attention and decision.

Voted that each board would handle its own money and would send headquarters a statement of account each month. In fact, the general tone of the meeting was towards greater local authority to handle their problems, cases and monies.

Of national import was the discussion relating to the buying and selling of AGVA members' acts. It is planned that no hotel or cafe will be granted any certificate from AGVA to act as seller as well as buyer of members' acts, nor hotel or cafe to be a direct buyer of AGVA acts. Instead, these acts must be obtained through registered agents okayed by the AGVA offices.

There is also under consideration a rule regarding the deduction from acts for the rentals of rooms and board by the hotel using these acts.

Upon the request of the assembled members, Haddock was asked to leave the meetings and their motion was adopted and went on record giving a full vote of confidence to Haddock as national executive secretary with a recorded recommendation that he receive more cooperation from the national board. Assembly also unanimously recorded that any published evils of AGVA are not in any way due to the Hoyt Haddock administration.

The four midwest execs also seek immediate representation on the national board.

DANTE MAKING IT EASY FOR OTHER MAGICIANS

Pittsburgh, Jan. 28.

Click of Dante's Nickelodeon of weeks ago has revived theatrical interest in magicians all along the tri-state area. Result is that magic units, which have heretofore gone begging, are now finding a welcome sign on the doors of all bookers. First to get a break as a result of Dante's clean-up is Blackstone, whose tab show is getting flock of dates in WB, nabe and suburban spots. Unlike that he'll play Stanley circuit, he's decided to come here, however, instead as manager. He is saving that time for Dante when his touring legit show is eventually condensed.

Incidentally, it was reported couple of weeks ago that Loew's office looking over Dante show with an eye to tabbing it later for film houses. It was the William Morris office. Instead, under auspices of which magician will play vaude this spring.

Cuban Union's Dues

Havana, Jan. 28.

The local Asociacion Cubana de Artistas Teatrales compels all U.S. artists to join for a minimum of three months dues \$4.75 or \$10 for a full year, while Cuban artists who apply to American talent whose local engagements don't exceed the three-month period, ACAT patterns itself after AGVA with a sundry benefits.

There is no income tax for U.S. or other artists.

Gary Stephens, replacing Frank Howard, as violinist with the new Charlie Spivak band.

Wooly Herman holds over another four weeks at the New Yorker hotel, New York, beyond his originally booked 12. Set now till April 10.

Heller Sticks in Miami

Pittsburgh, Jan. 28.

Jessie Heller, vaude and nitery singer, has canceled deal to play Sally Rand unit in Chicago week of Jan. 31 in order to stick out remainder of season in Florida. Heller flew there 10 days ago for big one-night stage show put on by Dr. I. Q.'s sponsors.

Went into the Beach theatre there Friday (24) and plays the Olympia coming week. After that he's going into one of two nitery shows for which are now being worked out.

B'way Nitery Asks For Reorg, Listing \$44,642 Liabilities

Minneapolis, Jan. 28.

Aside from the comparative few top personalities and established bands, pictures are what bring the vast majority of patrons into theatres, and many films still can draw profitable patronage unsupported by vaude while the number of stage shows that can turn that trick is infinitesimal, according to Mort H. Singer, circuit owner. Latter uses occasional stage shows at his Orpheum here and other houses.

Singer expressed the opinion that the present stage show activity does not portend any comeback for vaudeville. Even the curtailment of film production, which may necessitate the elimination of double features won't create a substantial stage show demand increase, in his opinion.

The public is attracted to the theatre by a stage show only when there's something new and different to pantomime to see," said Singer. "The public doesn't want vaudeville as a regular fare, according to my experience."

MPLS. RIENNOSE IS GUILTY OF PERJURY

Minneapolis, Jan. 28.

A district court jury found the Rev. H. J. Soltau, vice crusading head of the Law Enforcement league, responsible for the clamping down of the lid here, guilty of perjury in connection with his activities. Two other indictments for subornation of perjury and one for operating a detective agency without license are pending against the minister.

The law provides a prison sentence of five to five years for the offense of which the Rev. Soltau was found guilty, but it is indicated that he will receive probation. The specific charge against him in this case was that he testified falsely that he himself made an illegal liquor purchase before the transaction actually involved one of his agents.

Several of the minister's agents had pleaded guilty to and been induced to extort and attempted extortion. Indictments resulted from a proposed deal whereby the agents would have laid off of slot machines and gambling for a stipulated sum in Shakopee, near here.

LANE-WARD DOUBLING IN REVUE AND VAUDEVILLE

Columbus, O., Jan. 28.

Federal Judge Mel G. Underwood has ruled that a hotel that makes no admission charge to its grill room or bars is not required to pay a federal amusement tax, even though it provides an orchestra for entertainment. This upholds an appeal of the Deshler Hotel Co. from a tax assessment of \$6,000.

The court room concession brings in \$1250 monthly. The club mentions in an affidavit that liquidation now would bring in only about \$10,000. It states that its difficulties can be traced to underworld characters who have stayed behind the place in an attempt to exact "stockholders" into paying for a shakedown. This situation is being cleared up, it is stated.

HOTEL NOT UNDER AMUSEMENT TAX

Philadelphia, Jan. 28.

Harvey Lockman, who operated the defunct Cotton Club, the Ubangi, Cocoanut Grove and other night spots around town, is planning a new nitery and comedy theater. Eddie Goldstein and Milton Kellam, band leaders, are set to open a restaurant in the center of town.

Harry Weinberg is planning to reopen the Lexington Casino soon. The spot was severely damaged by fire a few months ago.

Lockman's New Biz

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Harry Weinberg is planning to reopen the Lexington Casino soon. The spot was severely damaged by fire a few months ago.

Income Tax Help

The Internal Revenue Section of the United States Treasury has again assigned special income tax experts to the VARIETY office, 154 West 46th street, New York, to assist members of the entertainers' professions in filing their income tax returns.

Government men will be available during regular business hours starting Feb. 3 and continuing until March 15. There is, of course, no charge for the assistance.

PUBLIC DOESN'T WANT VAUDEVILLE, SEZ SINGER

Minneapolis, Jan. 28.

Aside from the comparatively few top personalities and established bands, pictures are what bring the vast majority of patrons into theatres, and many films still can draw profitable patronage unsupported by vaude while the number of stage shows that can turn that trick is infinitesimal, according to Mort H. Singer, circuit owner. Latter uses occasional stage shows at his Orpheum here and other houses.

Singer expressed the opinion that the present stage show activity does not portend any comeback for vaudeville. Even the curtailment of film production, which may necessitate the elimination of double features won't create a substantial stage show demand increase, in his opinion.

The public is attracted to the theatre by a stage show only when there's something new and different to pantomime to see," said Singer. "The public doesn't want vaudeville as a regular fare, according to my experience."

Miami Gets Record \$9,274 Fine From Slapsie Maxie Raid

Miami, Jan. 28.

City court gauntlet records were shattered here last week when Judge J. R. Kirchik put into the fine and forfeiture fund \$9,273.95 of the money seized in recent raid at Slapsie Maxie Rosenblom's nitery, and ordered the remaining \$17,638 held pending further litigation.

The verdict was delivered after a trial on charges of violating Bally's defense attorney openly charged that the raid was part of a police vice squad plot to squeeze opposition to the so-called "home boys" syndicate in control of gambling in this city.

Sam (Gameboy) Miller, one of the operators, was fined \$100 and costs, and 48 of the arrested employees and 16 who faced charges of \$50 and costs, all of the equipment seized, totaling \$15,000, was ordered destroyed.

Riley centered most of his attack on what he termed was a plan by Lieut. C. O. Hutton, who led the raid, to entrap Miller, not for the purpose of enforcing the law, but to close up opposition to local boys' operations.

Riley contended that these places are operated by Miller's rivals with the full knowledge of law enforcement officers.

The law provides a prison sentence of five to five years for the offense of which the Rev. Soltau was found guilty, but it is indicated that he will receive probation. The specific charge against him in this case was that he testified falsely that he himself made an illegal liquor purchase before the transaction actually involved one of his agents.

Several of the minister's agents had pleaded guilty to and been induced to extort and attempted extortion. Indictments resulted from a proposed deal whereby the agents would have laid off of slot machines and gambling for a stipulated sum in Shakopee, near here.

Lane-Ward Doubling in Revue and Vaudeville

Chicago, Jan. 28.

Couple of snags have been hit in the continuing negotiations between the local office of the American Guild of Variety Artists and Balaian & Katz on a proposed agreement. Jack Irving, AGVA chief here, and B. & K. representatives, Morrie Leonard and Nele Platt, have not been able to get together on a couple of clauses.

Indicated that while this and next week also fail to bring about an agreement, AGVA will take active steps to protect its vaude standing.

Givot, Herman Bernie Settle Out of Court

Chicago, Jan. 28.

For the first time in memory an act this week is doubling between two theatres in the Times Square district. It's not infrequent how-

ever to find a double between theates and pitries.

Turn is the acrobatic dance team of Bobby Lane and Edna Ward, who open today (Wednesday) at the Paramount — Broadway, and tomorrow Thursday with the re-opening of "Crazy With the Heat" will bicycle to the 44th Street legit house, which is just up the street from the Tab's stage door.

Team was in "Heat" when it opened and folded quickly less than two weeks ago. Not figuring that the show would reopen, Herman Citron, the agent, accepted a date in the Paramount. Ed Sullivan, who is now presenting "Heat," insisted that they stay with the review even though it would be virtually impossible to keep them at a much lower stage in the film theatre.

According to the terms of the settlement, Berni will act

Givot's manager for radio only, will receive \$750 cash plus an additional \$1,250 from Givot's first radio earnings in addition to his \$10,000 breach of contract suit against him.

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Givot's

Variety Bills

THIS WEEK (Jan. 24)
NEXT WEEK (Jan. 31)

Numerals in connection with bills below indicate opening day of show, whether full or split week.

Loew

NEW YORK CITY
Paramount (15)
Knight Site
Franklin
Dinner & Show Co
Lou Parker
Kitty Carlisle
James Cagney
COLUMBIA
Broadway (31)
Ted Weems Oro

Gone Sheldon
Helen Hayes
Dennett & Dae
WASHINGTON
Capitol (31)
Rhythmic Rockers
Carmen Miranda
Colin O'Dowd
Lil Le' Rose
Romano Bros
3 Sailors

Cabaret Bills

NEW YORK CITY

Armand's
Garden
Pudding
Marie Staudinger

Bearcat Room

Michael Loring Orc

Edna Valderas

Olympia (30-32)

Sammy Kaye

Metropole

Nick Lucas

J. J. McKenna

Chicago (31)

Orchestrions Tr

Orchestra

Samuel-Toro & II

New Lake (31)

Strogers

Jackie Or

Ruthie Barnes

Chorus Girl

Johnnie

Red Bishop

Sammy Morrison

Harold Willard

Ruthie Donnelly

Barbie Hause

Cafe Continental

Tasha Datko

Nordstrom's

Woolworth

Al Norman

Geraldine & Joe

Gloria Blake

Lydia & Joanie

George & William

Kathrine & Valencia

Patti & La Raina

Billie & Guy

Chorus Girl

Johnnie

Red Bishop

Sammy Morrison

Harold Willard

Ruthie Donnelly

Barbie Hause

Cafe D'Orée

Tony Gentry

Louise Carroll

Bobbi Bruce

Patricia Pfeiffer

Patricia Ellis

(24)

Key Kiser Orc

BAYTOWN

Colonial (31)

James Stavros Co

Hanover Brauds

CINNINNATI

Adriana & Charly

3 Pitchmen

Wittman

Ada Leonard Orc

Int'l Club Rev

CLEVELAND

Palace (31)

Cabaret Girls

Mills Bros

Avis Andrew

Tom & Jerry

Niven & Aland

6 Cotton Club Boys

(24)

Wally Vernon

3 Armidale

(31)

Streets of Paris

WASHINGTON

Earle (31)

Gao Foster Gte

Samuel-Parkinson

Gene's Cafe

Gas Front

George & Cu

Gene Archer

Wally Vernon

COLONIAL INN, MIAMI

Miami, Jan. 22.

Joe E. Lewis, Sophie Tucker, Harry Richman, Channing, Kahl, Dancers, Marlene Dietrich, Whiteface, Orlon (22), Armando Orch. (8); \$5 dinner or \$4 minimum.

In billing his \$270,000 Colonial Inn as "the greatest event in café history," Ben Marden may not be kidding. It seems all of that, and though some of the biggest names in the big headline bill, it's still the room itself that scores top honors.

Eastman and Clark Robinson have done a corking job in designing, executing and lighting a setting that apparently has no carbon in niteries. The spacious dining room is an authentic southern plantation, decorated in red and white, with twinkling lights, and white leather upholstery. Twinkling stars illuminate a russet ceiling supported by slender white columns set out from the walls, while a low balcony runs around the room, both sides. The dance floor, which is elevated above the dining room, is coupled to the apron of a huge band shell with a proscenium arch extending to the roof. Entire layout is very airy, airy, airy, limning of vastness, but it's almost instantly dislodged by the warmth of the rich appointments and patriotic decor. It's class without starch, and possibly the forerunner of a new vogue in American cafés.

Revue is tabbed "Sand in My Shoes," but it is virtually the identical format, with the exception of the Whiteman, combo and Marianne, as Marden unveiled in his Riviera. Englewood, N. J., last summer. Now that it's Jan. E. Lewis who is in the driver's seat, but both Harry Richman and Sophie Tucker have apparently been wised up, making for a sickerly combine than previous. Old fashioned revue is dead in Miami, making initial bow with a bad cold, which also marked his Riviera debut.

Soph still errr in going overboard on ribald lyrics, notably "The Older They Are, the Younger They Want Them" and "The Bigger the Army the More the Girls." And he's still a bore. She does offset her smoker material to some extent, though, with socko treatment of "The Last Time I Saw Paris," using a reprise written by Ed Sullivan. Richman, too, presents an odd contrast with his smooth and straight twanging. It isn't until he hits "Uncle Sam Gets Around"—his bid for a successor to "I Love a Parade"—that it's the old strutting, can-can, ribald routine again. Even if this transformation is occasioned by his cold, it's understandable, but if it's a preview of the 1941 Richman it needs revising. There's little point now in reversing a b.o. personality to which the customers have been conditioned.

Lewis has never been in better form. He's right in there pitching with an assortment of sinkers and hooks that leave the mob spinning. Material is standard, though, and it's punctuated with the injection of a docket of new dippy ditties, one of which, "The H. V. Kaltenborn Blues," is a wow.

Supporting this triumvirate are Chandra-Kahn and his dancers, Devan and Mount, the Latin Gondola, and Marianne, latter is an exceedingly graceful dancer whose single, a whirlwind routine set to Ravel's "Bolero," is outstanding. The Chandra-Kahn dances are fast, compact, stamped. Mardon revels with them; seemingly inexhaustible repertoire of exotic eastern and Latin-American rhythms. As always they score heavily. Chester Halline is below par both on looks and hoofing.

Paul Whiteman is using 22 musicians in his new band setup, and crossing congarhumba rhythms with Budd Weid's ultra-modern arrangements. It's an innovation for the vet. Who impresses as a soloist. For outright dancing, the combination is superior to the band. Whiteman dissolved when he went into semi-retirement, and deserves plenty credit for his slick handling of it. After a week or so of hard two weeks' rehearsal on Sutton Place, his vocals are likewise clicky. Rhumba reliefs are capably handled by Armando's Latin combo. Les.

BLUE ROOM, N. O.
(HOTEL ROOSEVELT)

New Orleans, Jan. 16.
Jan. Garber, Orch., DiGatano's, Whitson Brothers, Estelle, Sloss, Dorothy Courdrey, Fritz Heilbron and Lee Bennett.

This swank spot, with good shows as well as maintains its standards with Jan Garber, Fritz Heilbron, etc. Only fits nicely here as customers are as concerned over the quality of the music as the food and drinks. Doing swing and sweet tunes with equal ease, he had little trouble keeping the dance floor crowded on opening night (16).

Orc on whole is well balanced, mixing Latin melodies, Viennese waltzes with sweet stuff and orthodox swing numbers. Garber batons the show well. The layout, while modest in quantity, makes up for

any deficiency in this respect by being high entertainment. It moves at good tempo.

The Whitton Bros' acrobatics are socks. Quartet perform their flips and leaps of one number on his back to the feet of another in similar position, sometimes jumping through a hoop for variety. These are same boys. Life mate gave full page spread to in recent issue. Act eight more on edge, fearing boys might miss and fall on the gumbbo. Get plenty of palm pounding from crowd, which wouldn't let go until they contributed enough coins, which was a thriller.

The girls make up no strangers here. They make a nice appearance and are smooth and graceful sweeping through a series of ballroom turns and spins which goes nice response. The female half of team is equally good, though she has less stamina and skill as a tap dancer, offering a number of nifty routines to get her share of the applause.

Garber also provides some vocal talent. Dorothy Courdrey, blonde warbler, works easily, looks good, sings well. Lee Bennett, baritone, has nice pipes. Fritz Heilbron, trumpeter in crew, does vocal imitations of Bonnie Baker and Mary Martin, and is a featherweight that are nifty. Got nice response.

Garber's music has soft brass, smooth reeds, plain drum work and bit of his own violin music, just for effect. The boys render nostalgia to visitors chiefly, and latter don't want to see any road company American talent; they come to something

Accordingly, even Gonzalo and Casimiro while at the States, we out with Latinache terps. Gonzalo has been around in spots like the Nicetel hotel, Minneapolis; Book Cadillac, Detroit; six months last summer, and for six months in adapting his whirling holds and spins to the Cuban meter. Cristina, who reminds of Diane (ex-Dario and Diane), and Gonzalo, whose lifts and holds remind of the Mary Ray and Eddie Davis, are equally very expert ballroom pairs. They also conduct a champagne hour before dinner (9:30) and the midnite show.

Lady Vine, despite that first handle, which is her proper name, was along the Five Clock Club, Manila, Miami Beach and San Francisco, and also handles a neat vocal, etc.

Ira Reyes is a 19-year-old looker, who was Miss Spain 1938, a very personable photogenique-type terper. She has her specialty spot well. Then comes a native native Ne-ruumba specialists who are changed frequently.

Rimac outfit has been standard in variety and dancing, however, for a year, but it's geared just as well into a nifty, even better, in some respects. Particularly now, with the rhumba craze, he's a pushover in the Latin flats. A good showman, his alterations in tempo of the entries, his altering the tempo of the entire program, with some additional options over same period of time, and it's practically a different show each night.

Rimac's unit is just what the doctor ordered for Jose Salas's El Chico. It fits the atmosphere perfectly, packs plenty of Latin-American entertainment, spiced liberally, and the conga-rumba rhythms are right in the groove. Show's in for four weeks with two additional options over same period of time, and it's practically a different show each night.

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Hotel Nacional, Havana

Havana, Jan. 15.
Oswaldo Estill and Conquistadores Cubanos, Matamoros Septet, Gonzalo and Cristina, Lady Ruth Opte Vine, Ira Reyes, \$25 minimum.

The Hotel Nacional is the capital virtually of Havana's social life. Not only tourists but the native socialites start converging on the hotel from the cocktail hour.

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B'way B.O. Improves; 'Lady in Dark' Big \$29,000, 7 Times, Can Do 32G, 'Arsenic' SRO 17G, 'Eileen,' \$16,700

Estimates for Last Week

Key: C (Comedy); D (Drama), R (Revue); M (Musical); F (Farce), O (Opera).

'Arsenic' and 'Old Lace' (Broadway) improved in a number of spots last week and barring bad weather, should continue through February; new night show at the box-office continues and sells out; approximately \$17,000.

'Boys and Girls Together,' Broadway (17th week) (R-1,100; \$4,40). Business here has not been holding up to form and, unless attendance picks up, may go to attendance point.

'Cabin in the Sky,' Broadway (14th week) (M-1,214; \$3,30). After dipping to around \$13,000 began Sunday performances with excellent results that should climb back to profitable figure.

'Crash With the Heat,' 44th St. (R-1,285; \$3,30). After being withdrawn following press paning is slated to resume Thursday (23) with scaled reduced and percentage reduced plus cast additions.

'Flight to the West,' Broadway (4th week) (D-956; \$3,30). Among the shows that picked up in week, increased attendance \$1,000, amounting \$8,000 level favorable followup comment should help.

'George Washington Slept Here,' Lyceum (14th week) (C-1,004; \$3,00). Chances are he will do profit right along and may last through winter, although another show is then due. Sundays have helped; around \$9,000 again.

'Hellzapoppin' Winter Garden (12th week) (R-1,871; \$3,30). Big Sunday nights figure in keeping run revue among best grossers in town over \$26,000 last week.

'I'm Your Hais,' Shubert (M-1,405; \$4,40). Final and 20th week; attempt to keep show going here or to tour seemingly unsuccessful; still making money; around \$20,000.

'It Happens on Ice,' Center (18th week) (R-3,087; \$2,75). Instead of Sonja Henie show at Madison Square Garden hurting, business here went up 20%, with the count around \$30,000; Sunday box, excellent.

'Johnny Belinda,' Longacre (19th week) (D-1,016; \$3,30). One of the modest draws which has been operating well; operating expense paid down; \$4,500 or better; Sundays also help this one.

'Lady in the Dark,' Alvin (1st week) (M-1,257; \$4,40). New Broadway click; counting three previews at boxoffice price, first week close to \$20,000 without midweek matinee; standees since opening last Thursday.

'Life With Father,' Empire (63rd week) (C-1,005; \$3,30). In second season, but standees in at most performances; one of best draws in years, with gross approaching \$18,000.

'Louisiana Purchase,' Imperial (35th week) (C-1,450; \$4,40). Though Victor Moore was out of east all last week, box office still on biggest draw on list.

'Man Who Came to Dinner,' Music Box (67th week) (C-1,013; \$3,30). Further improvement and instances of staying in booking period look okay; went to \$12,000; had very good Sunday start.

'Meet the People,' Mansfield (5th week) (C-1,006; \$4,40). Starting to pick up; bookings from start of week's \$12,000 takings; another show that fares well on Sundays.

'Mr. and Mrs. North,' Belasco (2d week) (C-1,000; \$3,30). Comparative meager draw; bookings from takings apparently satisfactory; second week around \$7,000; expected to do somewhat better.

'My Sister Eileen,' Belmont (5th week) (C-1,004; \$3,30). Evidently having caught public fancy; bookings capacity quoted at \$16,700; would have grossed more but for a party at concession rate.

'Old Acquaintance,' Morosco (5th week) (C-1,000; \$3,30). Washington in aid of national paralysis drive; parties first three days each week helping keep gross to fairly good levels; estimated around \$14,000.

'Patsy,' Barrymore (5th week) (M-1,104; \$4,40). Sales out slightly; somewhat off at matines, which are improving; new musical paced at better than \$22,000.

'Pins,' Hatton's, 40th St. (13th week) (M-1,344; \$4,40). Just in matines of standees with gross exceeding \$20,000 right along, which gives this musical N. 1 rating on list.

'Separate Rooms,' Plymouth (44th week) (C-1,07; \$3,30). Playing again and again and better than \$8,500.

'The Doctor's Dilemma' mentioned for this spot, but may land elsewhere.

'The Corn Is Green,' National (9th week) (D-1,162; \$3,30). Slightly over-

estimated, but drama is pulling out and standees in last times bettering \$20,000 and more weekly.

'The Cream in the Well,' Booth (1st week) (D-712; \$3,30). Looks cold; first week around \$4,500; Claudia Kerr follows to follow probably after next week.

'Tobacco Road,' Forrest (7th week) (M-1,104; \$1,10). Playing twice a week; Sunday shows, which the gross improved; last week, with the gross around \$18,000.

'The Three Musketeers,' Fulton (2d week) (CD-938; \$3,30). Broad-

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Gracie Fields Gets Record \$9,000 in Seattle 1-Niter

Seattle, Jan. 28.

Gracie Fields did her bit in a big way for the British cause, appearing at the Music Hall Friday night (24) in songs and sketches. Harry Parr Davies was accompanist. About 220 loge seats sold at \$10 each, with most of the house at \$5. So the 2,282-seater, scaled down to a few seats at \$1, grossed estimated \$9,000, a record for one night.

Estimated, but drama is pulling out and standees in last times bettering \$20,000 and more weekly.

'The Cream in the Well,' Booth (1st week) (D-712; \$3,30). Looks cold; first week around \$4,500; Claudia Kerr follows to follow probably after next week.

'Tobacco Road,' Forrest (7th week) (M-1,104; \$1,10). Playing twice a week; Sunday shows, which the gross improved; last week, with the gross around \$18,000.

'The Three Musketeers,' Fulton (2d week) (CD-938; \$3,30). Broadway

improved in a number of spots last week and barring bad weather, should continue through February;

new night show at the box-office continues and sells out; approximately \$17,000.

'Boys and Girls Together,' Broadway (17th week) (R-1,100; \$4,40).

Business here has not been holding up to form and, unless attendance picks up, may go to attendance point.

'Cabin in the Sky,' Broadway (14th week) (M-1,214; \$3,30). After dipping to around \$13,000 began Sunday performances with excellent results that should climb back to profitable figure.

'Crash With the Heat,' 44th St. (R-1,285; \$3,30). After being withdrawn following press paning is slated to resume Thursday (23) with scaled reduced and percentage reduced plus cast additions.

'Flight to the West,' Broadway (4th week) (D-956; \$3,30). Among the shows that picked up in week, increased attendance \$1,000, amounting \$8,000 level favorable followup comment should help.

'George Washington Slept Here,'

Lyceum (14th week) (C-1,004; \$3,00).

Chances are he will do profit right along and may last through winter, although another show is then due. Sundays have helped; around \$9,000 again.

'Hellzapoppin' Winter Garden (12th week) (R-1,871; \$3,30). Big Sunday nights figure in keeping run revue among best grossers in town over \$26,000 last week.

'I'm Your Hais,' Shubert (M-1,405; \$4,40). Final and 20th week; attempt to keep show going here or to tour seemingly unsuccessful; still making money; around \$20,000.

'It Happens on Ice,' Center (18th week) (R-3,087; \$2,75). Instead of Sonja Henie show at Madison Square Garden hurting, business here went up 20%, with the count around \$30,000; Sunday box, excellent.

'Johnny Belinda,' Longacre (19th week) (D-1,016; \$3,30). One of the modest draws which has been operating well; operating expense paid down; \$4,500 or better; Sundays also help this one.

'Lady in the Dark,' Alvin (1st week) (M-1,257; \$4,40). New Broadway click; counting three previews at boxoffice price, first week close to \$20,000 without midweek matinee; standees since opening last Thursday.

'Life With Father,' Empire (63rd week) (C-1,005; \$3,30). In second season, but standees in at most performances; one of best draws in years, with gross approaching \$18,000.

'Louisiana Purchase,' Imperial (35th week) (C-1,450; \$4,40). Though Victor Moore was out of east all last week, box office still on biggest draw on list.

'Man Who Came to Dinner,' Music Box (67th week) (C-1,013; \$3,30). Further improvement and instances of staying in booking period look okay; went to \$12,000; had very good Sunday start.

'Meet the People,' Mansfield (5th week) (C-1,006; \$4,40). Starting to pick up; bookings from start of week's \$12,000 takings; another show that fares well on Sundays.

'Mr. and Mrs. North,' Belasco (2d week) (C-1,000; \$3,30). Comparatively meager draw; bookings from takings capacity quoted at \$16,700; would have grossed more but for a party at concession rate.

'My Sister Eileen,' Belmont (5th week) (C-1,004; \$3,30). Evidently having caught public fancy; bookings capacity quoted at \$16,700; would have grossed more but for a party at concession rate.

'Old Acquaintance,' Morosco (5th week) (C-1,000; \$3,30). Washington in aid of national

paralysis drive; parties first three days each week helping keep gross to fairly good levels; estimated around \$14,000.

'Patsy,' Barrymore (5th week) (M-1,104; \$4,40). Sales out slightly; somewhat off at matines, which are improving; new musical paced at better than \$22,000.

'Pins,' Hatton's, 40th St. (13th week) (M-1,344; \$4,40). Just in matines of standees with gross exceeding \$20,000 right along, which gives this musical N. 1 rating on list.

'Separate Rooms,' Plymouth (44th week) (C-1,07; \$3,30). Playing again and again and better than \$8,500.

'The Doctor's Dilemma' mentioned for this spot, but may land elsewhere.

'The Corn Is Green,' National (9th week) (D-1,162; \$3,30). Slightly over-

estimated, but drama is pulling out and standees in last times bettering \$20,000 and more weekly.

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Fred Lynch, Music Hall publicist, back on job after flu.

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Robert Campbell, who fractured his hip last fall, getting around with aid of a crutch.

Dick Murray, Paramount shorts head, returned to his desk Monday after a Miami vacation.

After lauding the premiere of 'Last in the Dark,' Alvin, Sam H. Harris ducked for Palm Beach.

Sidney Erdelstein and Roger Lewis, of Warners' h.c. publicity department, left for Ft. Dix, N.J., as draftees.

Bob Goldfarb, United Artists accessory sales manager, engaged to Madeline Clegg, wedding in June.

Harry New, Metro scenario chief, left for Coast Friday (24) after six weeks or so of Manhattan vacationing.

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Donna Fargo returned to 'Voices, Inc.' transcription outfit, as office manager. She had been away on WMCAs KMPM-Bay City, Mich.

Phil Engel, Warner exploiter attached to the New York exchange, left over the weekend for Boston, Providence, New Haven and New Bedford.

Leslie Whelan, 20th-Fox foreign publicist, chief, expected back in New York City Saturday, this week after spending nearly a month over new product at the studios.

Glen Ford, Hollywood novice who was starred by Joseph L. Mankiewicz in 'So Ends Our Night,' arrived in So Paulo (27) to remain until after pic's prem at Music Hall in February. He was also at Miami open.

Carl Leeserman, Mort Blumenstock, Harry Goldfarb and others of Quentin Reynolds' brothers, James and Don, went down to Washington Thursday (23) for the special showing of 'Christmas in July' short, for which the Collier's writer did the commentary.

Rio De Janeiro

The Children's theatre in Sao Paulo is presenting the operaetta, 'Caprice Hood.'

Robert Schles, foreign manager for Warner Bros., expected to visit Rio sometime in February.

The Feira D'Amostra, Rio's fair and amusement center, located in the Castello section, closed for the season.

'Waterloo Bridge' was brought back to the Metro theatres a week after it had played, by popular request.

Construction of two new Metro theatres, one in Copacabana and the other in Tijuca (Rio), will begin shortly.

Al Seckler, manager of Brazil territory for Universal, who has been in Sao Paulo for the past few weeks, back in town.

Sam Berger, Metro's foreign manager, is expected back in Rio shortly. He has been travelling all over South America.

The Copacabana Casino opened its new Gold Room. Greta Keller, a Hungarian orchestra and local talent comprise the show.

J. Carlo Bavaletta, manager of Fox Film, Rio, has been in Paris, Paris, the sister of his patriotic wife, and home office conferences.

Procopio, Brazilian character actor, is in Sao Paulo, presenting various works, including 'The Devil and the Angel' at the Bela Vista theatre.

Lee Simms, pianist, Ilomay Bailey, singer, and Kollette and Deane, dancers, arrived from the states to join the show at the Casino Atlantic.

The Grill Room of the National Industrial Fair in Sao Paulo will be reopened shortly. It will function Saturdays, Sundays and the four days Christmas.

Louis Goldstein, South American manager for Columbia, arrived in Rio on the S.S. Argentina from Buenos Aires. He will stay in Rio for three weeks.

A 'Strauss Festival Concert' was given in the Fluminense stadium, which is next door to the president's palace. The Brazilian symphony orchestra played under the direction of Szekaner.

Dulcine and Odilon played their last Sunday performance of 'Sinha'

Moca Chorou' at the Sant'Anna theatre. They will leave Sao Paulo shortly and expect to be in Porto Alegre in March.

Pedro Vargas, the Mexican tenor, is doing well at the Bela Vista, Uva, Casino and Petropolis, Rio's summer resort, which is a two-hour drive away. He appears nightly at the Urca, then leaves for Petropolis.

Errol Flynn, who visited Brazil last year, is back again, this time to the Brazilian public for the fine reception he received by way of a few words of appreciation in Portuguese, on a phonograph record which was broadcast by a local radio station.

John Wayne, star of 'The Big Trail,' is in Rio, having just completed his tour of the country.

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Vern Smith, M-G-M assistant booker here, transferred to Kansas City branch as head booker. Mel Turner became promoted from 'cashier' to booker in his absence.

George E. Hardy, now handling Hotel Niccolai, Minnesota Terrace literary publicity, spent five years with Ringling circus and was in vaudeville with William Desmond.

James Zimmerman, M-G-M branch manager, here to explain consent decree, with Sherman Fitch, Sioux Falls, S.D., branch manager, and staff also in attendance.

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It will be quicker, Broder said, to establish a prima facie case of libel in the magistrate's court and seek an injunction later, than to ask for the injunction right off. O'Brien, Driscoll & Rafferty represented Small and U.A.

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OBITUARIES

ARTHUR NELSON

Arthur Nelson, 73, retired acrobat, who long appeared as the head of an act known as the Flying Nelsons, formerly featured with the Ringling Bros. and Barnum & Bailey Circus, died Jan. 24 at Mount Carmel hospital, Detroit, from injuries he sustained in an auto crash three weeks previously. Mrs. Nelson, one-time circus "cycle performer," who had been in the accident, is still "patient" at the hospital.

The son of a famous English acrobat, Nelson was discovered in 1880 by P. T. Barnum, who brought him to America. He soon married, and as his children grew up, each was taught the act's routine. Some 15 years ago, when touring with the Ringling circus, the Flying Nelsons numbered six daughters and a son besides their parents.

Although Nelson and his wife retired some time ago, most of their children remained under the big top. One daughter, Estrella, is the wife of Zack Terrell, owner of the Cole Bros. circus; another, Mrs. Hilda Burkhardt, is also with the Cole Bros. show; and a third daughter, Mrs. Theo Ray Marlowe, is a member of the Ringling Bros. circus.

Also deceased are two other children who have left circus life, a son, Paul, of Mt. Clemens, Mich., and a daughter, Mrs. G. A. Brown, of Detroit.

ISABELLE D'ARMOND

Isabelle D'Armond, musical comedy and vaudeville performer who teamed with Frank Carter and was featured in musicals of the late '90s with Jefferson D'Angelis, died last Nov. 1 at the Boston State Hospital after a long illness, according to word received last week.

Popularly known as "that Dainty Little Wife of '99," Miss D'Armond made her debut Ethel Green as Billy Gaston's partner in a singing, dancing and comedy act which toured the leading circuits in 1910. Gaston, who also wrote a number of songs, died in New York last Dec. 28.

Always a petite figure, Miss D'Armond was described in a VARIETY notice of 30 years ago as "a sprightly little thing, animated, full of giner, of the musical comedies classic." She performed in a "burlesque" costume. She appeared with George Moore late in 1910 and the following year was the partner of Frank Carter, Marilyn Miller's first husband. He was killed in a Maryland auto accident in 1920 only a year after his marriage.

Burial at Medford, Mass.

SYDNEY FAIRBROTHER

Sydney Fairbrother, 68, veteran stage and screen actress, died at her London home Jan. 4. Born in theatrical stock, she traveled with her father's companies, then settled with the Kendals, with whom she played in America, later playing with Lewis Waller and other famous West End stars.

She had also appeared in comedy roles in pantomimes and music hall sketches, most popular of which was "A Sister to Assist 'Er," opposite Fred Astaire.

Mrs. Fairbrother was in the original His Majesty's theatre production of "Chu Chin Chow" during the last war, and played her original part in the pre-blitz revival at the Palace in 1940. She had also appeared in many films. She was twice married, but her husbands pre-deceased her.

WILLIAM E. TRIPPLETT

William Triplett, 65, advance agent and former actor, died Jan. 21 in the Roosevelt hospital, New York, after he had collapsed on a nearby street.

Some five years ago Triplett was assisting in the advance work for the "Tobacco Road" company, which starred Henry Hull. Earlier in his career he trouped with his own stock company, The Triplett Players. He did publicity and exploitation for a number of noted stars, including William Faversham and the Farnums, Dustin and Willians.

Funeral services were held in New York Saturday (25) under auspices of the Actors Fund. Surviving are his mother, Mrs. Minerine Triplett, 82 years of age; a sister, Mrs. Lillian Sterling, a former actress, and a brother, C. Don Triplett, an ex-actor.

CLARENCE K. RUSSELL

Clarence K. Russell, 45, former concertist with the band of the late John Philip Sousa and who also had played with the New York and Boston symphony orchestras, died Jan.

23 at his home in Ridgefield Park, N. J.

Associated with Sousa for 21 years, Russell served as the band's librarian and was a close companion of the composer-bandmaster. Born in Pittsburgh, he later became principal of Pittsfield High School prior to embarking on a musical career.

Surviving are his widow, Maude; two sons and two daughters.

EMANUEL AKST (Ed Mann)

Emanuel Akst, 58, who, Ed Mann, trouped in vaude in an act called Mann and Pinard, died of a heart attack Jan. 24 while driving his car near his home in Freeport, L. I.

A native of Poland, Akst came to America when he was two years old. He performed in vaude and the Hippodrome theatre, the Palace theatre both N. Y. and at one time was with B. A. Rolfe. For several years he was an officer of local 802 AFM. He leaves his widow, Georgie; a daughter, Elaine, and three sons, Harold, Leo and Irving. Harry Akst, the songwriter, is a nephew.

MILTON HAYES

Milton Hayes, 46, variety artist, song and monolog writer, died at Nice, France recently. Starting as a rednosed comic, he essayed as a

comedian, but was soon dropped.

Also deceased are two other children who have left circus life, a son, Paul, of Mt. Clemens, Mich., and a daughter, Mrs. G. A. Brown, of Detroit.

IN LOVING MEMORY OF OUR MOTHER

RHETTA E. DEANES

Who Died Sunday, Feb. 1940.
Wife of the late Harry Deanes.

HARRY DEANES, JR., AND

DOROTHY DEANES RUSSELL

jobs, being in turn journalist, engineer, and vaudeville performer. He wrote and staged many of his own monologs, most famous of which were "The Green Eye of the Little Yellow God," "The Whistler Man I Know" and "The Yukon Trail."

He was an officer in the U.S. Army and his wound left his health impaired, resulting in an early retirement from the stage to the Riviera.

JOHN B. KANE

John B. (Pop) Kane, 65, veteran Pittsburgh exhibition, died last week at the Columbia hospital in that city after a short illness. He was stricken with a heart attack while visiting Film Row on some bookings and passed away a few days later. Up until that time, he had never been sick a day in his life, members of the Kane family said.

The showman had operated the Nemo theatre, Pitcairn, since 1923. He leaves widow, one son and two daughters.

FREDERICK R. HIGGINS

Frederick Robert Higgins, 44, managing director of Abbey theatre, Dublin, died there Jan. 8. Higgins was a foundation member of the Irish Academy of Literature and had published collections of his own poems. He also wrote articles for English, Irish and American periodicals, and was joint editor with B. Yeats of "Broadside." He took the Abbey players on their last American tour.

CHARLES E. WILLIAMS

Charles E. Williams, for 18 years president of the Iowa-Nebraska unit of Motion Picture Owners Assn., died Sunday (26) at Nichols Sanatorium, Omaha, from a stroke.

Operator of the Park, Omaha, Williams' funeral services will be held today (Wed.) at his home in that city, with burial in Selby, Ia.

DONALD S. MUNRO

Donald McAllister Munro, 84, for 20 years treasurer of the Temple theatre, Detroit, died at his home in Detroit Jan. 23.

Munro was widely known in the profession during his long years at the house, one of the Keith circuit. After the closure, he was an auditor with Standard Oil Co. for awhile. He leaves a daughter and three sons.

MARY GANURSKY

Mary Ganursky, 66, music art arranger of the Paramount studio, died Jan. 22 in Los Angeles. Surviving are his widow, six sons and three daughters.

WILLIAM H. STEFFES

William H. Steffes, 79, died in his home in Grosse Pointe Park, Detroit,

suburb, Saturday (18), following a long illness. He was secretary-treasurer of the American Theatre Corp., since its organization. He leaves his widow, three daughters and six sons.

Despite similarity in names, he was not related to W. A. Steffes, the Northwest Indie exhibitor.

ROSARIO RIMAC

Rosario Rimac, 39, wife of Clorina and his former partner in the act, died Jan. 27, in New York, after a brief illness. Rimac, who had been appearing in El Chico in Pittsburgh, rushed to his wife's bedside before she lapsed into a coma shortly before her death.

Born in the Argentine, Mrs. Rimac started her career as a dancer. Besides her husband she is survived by a son, Charles, 24. Funeral services will be held at 470 W. 145th street, N. Y., tomorrow (Thursday) at 2 p.m.

SMILING BILLY MASON

William C. Mason, 53, pioneer silent screen actor, who after his appointment as manager of "Smiling Billy" Mason, died after a lengthy illness Jan. 24 at his home in Orange, N. J.

Mason, who had added parts in several Essanay pictures.

His widow and a brother survive.

UPSIDE DOWN' HARRITY

Edward F. Harrity, who danced in vaudeville for 40 years under the name of "Upside Down' Harrity," died last Wednesday (22) at his home at Crofoot, Pa., of a heart attack. Surrounded by a daughter, Mrs. Charles

Harrity's act consisted of standing on his head and executing taps on a suspended board.

MOSE ENGEL

Mose Engel, 44, one-time circus advance man and former minstrel performer, died Jan. 20 in San Francisco.

A native of Hartford, Conn., Engel went to California more than 50 years ago, and prior to joining the Ringling Brothers & Barnum & Bailey circus, appeared in mining camp minstrel shows.

HENRY YORKE

Henry Yorke, 80, retired actor who for years appeared on the tramp in "Human Hearts" died of pneumonia in Syracuse Jan. 21.

Three weeks previously Yorke sustained fractures of both legs in an auto crash. Pneumonia followed. Leaving the stage some 20 years ago, he later devoted much of his time to fraternal mag writing.

MRS. CATHERINE CARE

Mrs. Catherine Carr, 61, former screen writer, died Jan. 18 in Hollywood. As a film editor in the silent days, deceased moved from New York to Hollywood with the Jess Lasky company and later affiliated with the old Uiversal, Fox and Paramount studios in a writing capacity.

Surviving are two sons.

THOMAS A. CURRAN

Thomas A. Curran, 61, character actor in films and former stage player, died Jan. 24 at his home in Hollywood following an attack of pneumonia. Deceased had been ill for more than 10 years. His last film appearance was in "Her First Romance" at Monogram.

Surviving is his widow.

HOWARD LANG

Howard Lang, 65, veteran stage player and more recently in pictures, died in Hollywood Sunday (26).

Lang was best known as the Irish priest in "Abe's Irish Rose" and had been playing character parts in films.

JOSEPH R. DUFFY

Joseph R. Duffy, formerly a drummer in Al Donahue's band, died suddenly at his home in N. Y. Wednesday (22).

Widow, two sons and a daughter survive.

C. HENRY RINGENBERGER

C. Henry Ringenberger, 34, studio engineer for WGN-WSAI, Cincinnati, died of pneumonia Jan. 23 at a hospital in that city. He had been with the Crosley organization since 1928.

Widow and two sons survive.

EDWARD G. BERGST

Edward G. Berg, 65, pioneer film exhibitor in St. Louis, died of a complication of diseases at his home.

Berg quit the picture business and was active in politics for 20 years. Widow and daughter survive.

Howard J. Swartz, 39, business

agent of State Employee's Local 14 and a backstage man at many Alvin theatres during his career, died in Albany, N. Y., last week, after a long illness.

Mother of Helen Schu, of 20th-Fox in Pittsburgh, and of Marie and Esther Schu, of WB-FN branch in that city, died there last week after a brief illness.

Rutherford H. Pigott, Jr., 36, magician, died Jan. 24 at Parkersburg, W. Va., after an illness of three months.

Wife of A. A. Welland, owner of Pittsburgh nabe house which bears his name, died suddenly at her home in that city.

Wife of Barney Rosenthal, St. Louis film exchange manager, died of heart ailment.

Mother, 61, of Jesse Hibbs, assistant director at Warner Bros., died Saturday (25) at Glendale, Cal.

Alban Cavan, 60, bit player in pictures, died Jan. 19 in Hollywood.

MARRIAGES

Maxine Searle to Nestor Paiva, in Las Vegas, Nev., Jan. 18. He's a stage actor.

Clare Owen to Paul Kelly, in Yuma, Ariz., Jan. 23. Both are film players.

Evelyn Roberts to Stuart Hubble, in Fort Wayne, Ind., Jan. 18. She is with Sally Rand Revue; he is Detroit attorney.

John Marlowe to Ward Morehouse, in Easton, Pa., Jan. 24. Bride's an actress; he's the Broadway columnist of the N. Y. Sun.

Woolcott will be piped from Baltimore, where he will be appearing in "The Man Who Came to Dinner." Hopkins, as the only producer for whom all three Barrymores have worked, will m.c. the show. Shrimlin produces of "The Corn Is Green." Miss Barrymore's current vehicle, will probably introduce her in an excerpt from that play. Miss Colt, the star's address-daughter who has written a book of appearances as a singer, will sing one of the songs from "Captain Jinks" provided they're not ASCAP selections.

Michael Arlen

Continued from page 1

Athens some months ago, Arlen declares, when he saw a man in a silk topper go by under him. Unable to resist, he expectorated on the toppler. The man in the hat happened to be Paul Joseph Goebbels, Nazi minister of propaganda, who immediately ordered all Arlen's works banned in German-controlled territory.

This story got back to England, the writer says, where it was figured that anyone who could make Goebbels so angry was just the man needed for propaganda purposes. So when additional help was required at the Coventry bombings, Arlen was named to handle the district permanently.

N.Y., Feb. 4, 1941. Miss Barrymore's performance as Mme. Trenton won her star billing several nights later. John and Lionel Barrymore are to be piped in from the Coast for the opening. It is thought that the public is anxious to do it, but Metro is understood objecting to Lionel's participation.

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Lombard-Selznick

Continued from page 3

Heads when, as and if, the same are held, a respondent and continue until the full sum of \$27,500 shall have been paid.

Claimant is entitled to receive in addition 10% of all compensation received after July 1, 1940, by respondent for her services rendered prior to Feb. 10, 1940 in motion pictures or other amusement fields. Each party shall bear its own costs.

Lombard demanded cancellation of her contract on the ground that she had not been properly represented by the agency. Myron Selznick entered a general denial, claiming he had secured commitments for the actress which resulted in her salary being increased from \$750 weekly to \$10,000 per picture, or approximately \$18,000 per week.

Lilly Pons' Lead

Company's best box office star is Lilly Pons who finished up her N. Y. season with the last of eight performances Saturday (25) and left the company with estimated net profit of \$10,000 for her efforts. The coloratura soprano grossed \$100,000. She rejoins the Met March 19 on a tour.

Kirsten Flagstad continues to be the largest debutante draw, especially with her Triton, *Und Isolde*, which carried a \$6,500 profit, although the soprano's appearances in "Walkure" just about broke even.

None of the season's foreign or domestic debutantes clicked at the box office. Hungarian baritone Alexander Sved was disappointing. However Salvatore Accioli, Italian basso buffo, looks like a possible matinee idol.

The second half of the season will find Miss Pons, Sved and Jussi Björling absent. The latter, best of the lyric tenors, finishes his season with a performance of the "Duke" in *Rigoletto*, next Saturday.

Nationwide Songs, Inc., has been chartered to conduct a music publishing business in New York. Capital stock is 100 shares, no par value. Directors, each holding five shares, are: Attorney George M. Burgh, Robert M. Pickard and Lucille Sheldon, 28 Madison avenue, New York City.

TURN\$TILE\$ PLAY MERRY TUNES\$!

Reprinted from VARIETY January 15, 1941

STATE, New York

The State comes up with a nifty stage show currently, primarily because Johnnie (Scat) Davis is as much a socko stage personality as he is a bandleader. He's not getting half the salary that some of the so-called name leaders command, but he can give them cards and spades in entertainment.

Davis, out of a welter of wooden-faced bandleaders whose talent is chiefly in their arrangers, appears like a Godsend to vaudeville theatre operators. He is something like spontaneous combustion on an audience, with an infectious grin and chubby physique adding to his talent as a trumpeter, singer, m.c. and all-around front.

Proof of the pudding was Davis' show-stop opening night on his gravel-throated vocalizing of 'Shortenin' Bread,' 'Baby Won't You Please Come Home,' 'I Can't Give You Anything But Love' and still another encore before the audience would let him get away. He also has some excellent specialists. Verne Wilcox does a great one and one-half minute contortion-acrobatic routine; Earl Randall (trombonist) sings 'We Three' nicely; Nick Harper (violinist) gets a semi-comedy chance and gets over, and Julie Sherwin is a shoeless hip-swinger with an Hawaiian war chant, Davis using her routine as a springboard for a laugh. Scho.



The feature in many Warner Bros. pictures

JOHNNIE (SCAT) DAVIS

---and HIS ORCHESTRA

Featuring JULIE SHERWIN, JOE MARTIN, EARL RANDALL, NICK HARPER, and augmented orchestra with full string section—a group of seventeen skilled, versatile artists.

NOW LIMITED THEATRE TOUR

LOEW'S STATE, New York, Week Jan. 9.	PLYMOUTH, Worcester, Feb. 3-4-5.
FLATBUSH, Brooklyn, Week Jan. 16.	MET., Providence, Feb. 7-8-9.
WINDSOR, New York, Week Jan. 23.	EARLE, Philadelphia, Week Feb. 14.
STATE, Hartford, Jan. 31, Feb. 1-2.	ADAMS, Newark, Feb. 21-22-23.

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