

# International Musician



## OFFICIAL JOURNAL American Federation of Musicians

VOL. XXXIV

NEWARK, NEW JERSEY, SEPTEMBER, 1936

No. 3

### RAPID PROGRESS MADE IN TELEVISION

Though Unlikely That Commercial Marketing of Television Sets Will Be Attempted for Some Time.

The progress made by television during the past month demonstrates two things: first, that rapid forward strides are being made, and, secondly, that it is unlikely that commercial marketing of television sets will be attempted for several months.

The Radio Corporation of America has been very reticent in disclosing the progress made in their development. Tests are being conducted daily and *Variety* recently carried an article in which it was stated that this company would divulge its secrets early in September, as it feels that enough progress is now being made to permit the release of much more information to the general public than heretofore.

An entirely different attitude is taken by the Farnsworth Television Company. This company claims to own a number of patents upon which other companies are manufacturing sets, and is urging all firms to start marketing the sets at once. It is the opinion of Farnsworth that television should be allowed to develop while being used in the same manner as broadcasting in the early days. He says that it is unnecessary "that television be born with a beard." Also, that the manufacturers "should be able to turn out sets to market for about \$250.00."

The International Alliance of Theatrical Stage Employees and Motion Picture Machine Operators has received an application from members of their Local 308, New York City, for a television charter. I. A. T. S. E. is conducting a television institute and some of their members have already enrolled and are receiving instruction.

In Europe experiments and actual operation of television sets in Europe is being carried on in a number of European countries. Recently a portion of the Olympic Games were transmitted to Berlin. It is said that this experiment was too successful, as the images were distorted so as to be almost beyond recognition. England, Germany, Russia, Holland and France are the scenes of daily experiments and actual transmissions. Experiments are also being carried on in Austria, Hungary, Denmark, Czechoslovakia and Belgium.

The experiments carried on by the Philco Radio and Television Company in Philadelphia, Pa., on August 11th, were very interesting. This company had been conducting experiments since last December, and when ready to demonstrate the results not only invited many guests, but presented a statement outlining the steady forward progress, and containing the opinion that commercial television will come in 1936.

The images shown had apparently no distortion and approached black and white tones. The company stated that the clarity of home motion pictures was the goal, and that they hoped to achieve much sharper definition before they placed any sets upon the market for sale to the public.

The statement of the Philco Company is reproduced here in part:

#### Radio Tests

The job of transmitting over the city of Philadelphia and its suburbs television signals of sufficient strength to give visible high-definition pictures at a distance of at least seven miles from our plant was not an easy one on the ultra high-frequency used for television. The newest ideas in u.h.f. transmitters, antennas and transmission lines were tested. Considerably more power was required at

the transmitter to cover the desired distance than sound broadcast experience would indicate.

#### New Method of Modulation

One of the most difficult problems to be solved was the modulation of the transmitter by the very high video frequency (generated by scanning) necessary for high definition television pictures. It is a relatively easy matter in a sound transmitter to modulate from 30 to 10,000 cycles, but when the upper limit of the modulation band is pushed to 2.4 megacycles the problem of constructing amplifiers and modulators appears at first insurmountable. The solution was the invention of a new and unique type of modulation which is being used by Philco.

#### Experimental Radio Receivers

Concurrently ultra high-frequency radio receivers (42-86 MC.) were being devel-

### Albert Stoessel to Direct Worcester Music Festival

The annual Worcester music festival will be held in Worcester, Mass., October 5th to 10th, inclusive. The orchestra will, as in past years, be under the able direction of Albert Stoessel, this being his twelfth festival.

The opening performance will be the concert of "Samson and Delilah." Tuesday will present an orchestral program with Lhevinne playing Tchaikovsky's Piano Concerto.

On Wednesday there will be a children's program, and on Thursday, Mussorgsky's religious cantata, "Joshua," will be featured. Friday evening will feature a fine orchestral program with Lawrence Tibbett as soloist.

The festival will close with a presentation of Gounod's *Faust*. This opera will be given in its entirety.

Soloists in addition to those above mentioned are Helen Jepson, Ruby Mercer and Pauline Pierce, sopranos; Joan Peebles, contralto; Paul Althouse and William Hain, tenors, and Gean Greenwell, Frederick Baer and George Britton, baritones.

### TO ALL LOCALS AND MEMBERS

In order to avoid a misunderstanding and possible embarrassment to members of the Federation, all Locals and members are hereby advised that Local No. 6, San Francisco, Calif., has so far failed to come to some agreement with the Golden Gate International Exposition authorities concerning the conditions under which members of the American Federation of Musicians may render services at said Exposition.

Therefore, members are hereby informed and advised that before soliciting engagements at the Golden Gate International Exposition, to ascertain from Local No. 6 as to whether an understanding between Local No. 6 and the Golden Gate International Exposition authorities has been reached, and if such is not the case, not to contract for or accept engagements at said Exposition.

No contract made by members to render services at the Golden Gate International Exposition can possibly be recognized by the American Federation of Musicians unless an agreement between the authorities and Local No. 6 has been reached governing the conditions under which members may work at said Exposition.

This information and order, made necessary by reason of the conditions above explained, is given under Section 1 of Article I of the By-Laws of the American Federation of Musicians, and is by virtue of the provisions of said Section and Article binding upon all members.

(Signed) JOSEPH N. WEBER, President.

oped to faithfully reproduce these high modulating frequencies necessary for clear, high definition pictures. Receivers for the accompanying sound were also developed so that the apparatus necessary to receive a television program (sound and picture) could be placed in an ordinary console.

#### Philco Field Tests Begin

With all of the units of a complete system developed and operating satisfactorily, field tests were ushered in on December 23, 1935, by a one-hour program reproduced at a distance of seven miles from the transmitter. This demonstration was witnessed by a number of Philco executives. It showed the system lacked many desirable features. Nevertheless, the results were sufficiently promising to warrant pushing development work with greater speed. The engineers once again concentrated on the weaker links of the system, to remove the cause of weakness and to improve picture. Subsequent demonstrations made at frequent intervals to Philco executives and their guests showed rather slow but steady progress up to that point where scheduled programs were broadcast nightly by Philco covering Philadelphia on 51 MC. (picture) and 53.25 MC. (sound). These were started June 19, 1936.

(Continued on Page Three)

### SCREEN ACTORS GUILD BUILDS POWERFUL UNION

Now Has a Membership of Almost Five Thousand Motion Picture Actors and Actresses.

Starting from scratch at the time of the NRA, the Screen Actors' Guild—a bona fide trade union affiliated with the American Federation of Labor—has piled up a membership of almost 5,000 motion picture actors and actresses. In three years it has become a powerful union in one of the nation's basic industries. President is the well-known star, Robert Montgomery, while James Cagney, Joan Crawford and Chester Morris serve as vice-presidents.

The Guild was formed to give actors the same protection their fellow employees have enjoyed through union membership for many years. Contrary to popular opinion, the vast majority of screen actors earn meager yearly salaries. Fully 50 per cent make less in a year than an unskilled laborer. Hordes of extras are barely able to keep alive on the scraps they get from the industry's table. Even excluding extras, 71 per cent of the actors who worked in 1933 earned from less than \$1,000 to \$5,000. Actors get only 1 3/5 cents out of the movie-goer's dollar.

They are forced to work long, hard hours—often 16 and 18 a day. Working conditions are tedious and in numerous cases the risk to the actor's safety and health are great.

These are cold facts. They destroy the myth that all motion picture actors are high-salaried people, enjoying luxurious working conditions, that they don't need a union for protection against economic insecurity and abusive working conditions.

The success of the Guild is proving that professional people are no different from other wage-earners in needing strong organizations to defend their interests. Since Guild members are entertainers of the public, the effectiveness of their organization depends to a large extent upon an appreciation by the masses of organized labor of the purposes of the Guild and how it is helping to better the working conditions of all classes of screen actors. The Screen Actors Guild is a real part of the American Labor Movement and deserves the sympathetic support of trade unionists everywhere.

### Social Security Program Approved by 13 States

Up to the present time the plans of thirty-four States and the District of Columbia have been approved by the Social Security Board for old age assistance, the plans of twenty States and the District of Columbia have been approved for aid to the blind, and those of nineteen States and the District of Columbia have been approved for aid to dependent children. Since last reporting the South Carolina Unemployment Compensation Plan has been approved, making a total of thirteen States whose plans have been approved.

For those phases of social security which are administered by the United States Children's Bureau, the 1936-1937 plans have been approved as follows: for maternal and child health, twenty-six States; crippled children, ten States and the District of Columbia; child welfare, seven States.

### A. S. C. A. P. AND WARNER BROS. ADJUST CONTROVERSY

The controversy between the American Society of Composers, Authors and Publishers and the Warner Brothers Corporation group of Music Publishers was adjusted early in August.

This dispute, which has been raging for more than eight months, was the source of a great amount of difficulty to members of the American Federation of Musicians. Places that were licensed by the A. S. C. A. P. did not hold licenses from the Warner Brothers group, and as a consequence a large amount of popular and semi-classical music could not be played by the orchestras. In addition to this none of the radio networks, and few of the larger independent stations where musicians were employed, secured a Warner license. This necessitated a staff of men whose sole duty was to ascertain whether or not certain numbers belonged to the A. S. C. A. P. or the Warner catalogue.

The announcement of the settlement was received with great joy by all connected with the music business, as it will relieve many of the headaches caused by the never-ending mix-ups and misunderstandings.

## International Musician

Entered at the Post Office at Newark, New Jersey, as Second-Class Matter.

Published Monthly at 39 Division Street, Newark, N. J.

"Accepted for mailing at special rate of postage provided for in Section 1103, Act of October 3, 1917, authorized July 16, 1918."

### OFFICIAL BUSINESS COMPILED TO DATE

#### CHARTER LAPSED

124—Galt, Ont., Canada (merged with Local 226, Kitchener, Ont., Canada.)

#### CONDITIONAL MEMBERSHIP ISSUED

796—Mickey Conte.  
797—William Carl Warwick.  
798—Arnold Frazier.  
799—Glenn Johnson.  
800—Ralph Johnson.  
801—Harold Wilson.  
802—Carl F. Drew.  
803—Ray Marcus.  
804—George Russell.  
805—Bruce Warnock.  
806—Mack Pepper.  
807—Courtney C. Aldrich.  
808—Ruth Stuber.  
809—Russell Gullickson.

#### CONDITIONAL TRANSFERS ISSUED

223—Henry Brandon.  
225—Edward Hess.  
224—Norman Krone.  
225—Loel Davis.  
226—Goodie Godbey.

#### WANTED TO LOCATE

Kindly forward advice as to what Local roster of membership contains the name of Jack Case. Address Fred W. Birnbach, Secretary, A. F. of M., 39 Division St., Newark, N. J.

Kindly forward advice as to what Local roster of membership contains the name of Larry Bellis. Address Fred W. Birnbach, Secretary, A. F. of M., 39 Division St., Newark, N. J.

Any Local or member of the Federation having information as to the whereabouts of Nat Towels, working through jurisdictions in the Middle West, kindly advise G. B. Henderson, Assistant to President Weber, 1450 Broadway, New York, N. Y.

#### THE DEATH ROLL

Bangor, Me., Local No. 768—F. Bernard Russell.  
Buffalo, N. Y., Local No. 43—Charles Vester.  
Burlington, Iowa, Local No. 646—William P. Kitterman.  
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Chicago, Ill., Local No. 10—George Boas, Leo L. Sternberg.  
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Denver, Col., Local No. 20—Ray Clemens.  
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New Orleans, La., Local No. 174—E. E. Tosso, Sr.  
New York, N. Y., Local No. 802—Julius Beethoven, George Fuller, Ignazio Glambertone, Isaac A. Gomborg, Geo. Grippo, Jack Lube, James B. MacCallum, Louis McDermott, Otto Rosenfelder, Emil Schreck, John Spersel, Jules G. Wlodaver.  
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Richmond, Va., Local No. 123—Kirk Mathews.  
St. Louis, Mo., Local No. 2—William Hausladen.  
San Francisco, Calif., Local No. 6—Rea Harkness, Carlos Arridia, Frank W. Law, Emil J. Polak, S. H. Richards.  
Seattle, Wash., Local No. 76—L. E. Booth, Arthur Clausen, Reg. Watts, Sid Renier.  
Sioux City, Iowa, Local No. 284—Chas. E. Morris.  
South Bend, Ind., Local No. 278—O. A. Clark, Robert Schnelle, Francis Lavengood.  
Syracuse, N. Y., Local No. 79—Graydon W. Scott.  
Toledo, Ohio, Local No. 15—Andrew Krumm.  
Topeka, Kan., Local No. 36—C. M. Morrow.  
Toronto, Ont., Canada, Local No. 149—J. Mercer.

#### COMMUNICATIONS FROM

## The President

JOSEPH N. WEBER

#### FORBIDDEN TERRITORY

The Tantilla Garden, Richmond, Va., is declared Forbidden Territory to all members of the A. F. of M. other than members of Local 123, Richmond, Va.

JOSEPH N. WEBER,  
President, A. F. of M.

The Rose Room, Broadway and Danceland Ballrooms in Oakland, Calif., are declared Forbidden Territory to all members of the A. F. of M. other than members of Local 6, San Francisco, Calif.

JOSEPH N. WEBER,  
President, A. F. of M.

The Fernwood Dance Pavilion in Peoria, Ill., is declared Forbidden Territory to all members of the A. F. of M. other than members of Local 26, Peoria, Illinois.

JOSEPH N. WEBER,  
President, A. F. of M.

The Log Cabin Dance Hall in Oklahoma City, Okla., is declared Forbidden Territory to all members of the A. F. of M. other than members of Local 375, Oklahoma City, Okla.

JOSEPH N. WEBER,  
President, A. F. of M.

#### CHANGE IN OFFICERS DURING AUGUST, 1936

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Local No. 18, Duluth, Minn.—Secretary, Roy Flaaten, 301 Glencoe Bldg.

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Local No. 506, Saratoga Springs, N. Y.—Secretary, Charles E. Morris, 458 Broadway.

Local No. 532, Amarillo, Texas—Secretary, L. V. Fogle, P. O. Box 1991.

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Local No. 689, Eugene, Ore.—President, Earl Gibson, Box 247.

\$192.50 due members of the A. F. of M. for services rendered.

Roy Fonteneau of Charleston, W. Va., is in default of payment of \$213.00 due members of the A. F. of M. for services rendered.

C. A. Florence of Bluefield, W. Va., is in default of payment of \$600.00 due members of the A. F. of M. for services rendered.

Vincent Van Bramer of Kingston, N. Y., is in default of payment of \$75.00 due members of the A. F. of M. for services rendered.

Victor Pagnatti of Old Forge, Pa., is in default of payment of \$236.00 due members of the A. F. of M. for services rendered.

George Austin, Ted Caramela and Joe Klus of Charleroi, Pa., are in default of payment of \$295.00 due members of the A. F. of M. for services rendered.

Harold Seitz of Manitowoc, Wis., is in default of payment of \$90.00 due members of the A. F. of M. for services rendered.

The J. H. Cooper Enterprises, owners of the Main and Uptown Theatres, Pueblo, Col., are in default of payment of \$25.00 due members of the A. F. of M. for services rendered.

#### DEFAULTERS LIST

The Vuono Operating Co., Stamford, Conn., Mary C. Vuono, president, is in default of payment of \$28.00 due members of the A. F. of M. for services rendered.

Frank Manderson of Knoxville, Tenn., is in default of payment of \$31.19 due a member of the A. F. of M.

Alexander D'Angelo of San Luis Obispo, Calif., is in default of payment of \$53.00 due members of the A. F. of M. for services rendered.

Samuel Engelman, owner and manager of the Rahway Theatre, Rahway, N. J., is in default of payment of \$15.00 due a member of the A. F. of M. for services rendered.

Clarence H. Thomas of St. Joseph, Mo., is in default of payment of \$54.00 due members of the A. F. of M. for services rendered.

The Delta Pi Sigma Fraternity of Grand Rapids, Mich., is in default of payment of



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ever seen in a horn as well as unparalleled power and flexibility of tone which enables the player to sing on the horn as he never could before. Ask for interesting free booklet.

## RAPID PROGRESS BEING MADE IN TELEVISION

(Continued from Page One)

### Scheduled Experimental Program for Philadelphia

This date marks the beginning of the fourth stage of our development—engineering field test. This is the stage in which we are at present. Experimental console type of receivers are in the homes of our various engineers in Philadelphia, who receive and report on the Philco program. These reports, together with suggestions concerning receiver improvement, etc., form data helpful in the design of future models. You will participate in

one of these field tests today. At the conclusion our engineers will appreciate your suggestions.

#### The Philco System

The Philco television system is known as the Philco System.

The electrical specifications for the Philco System are given briefly in tabular form:

Channel width	6 MC.
Spacing between television and sound carriers	3.25 MC. approximately
Polarity of transmission	Negative
Number of lines	345
Number of pictures per second	60 interlaced
Aspect ratio	4:3
Percentage of television signal devoted to synchronizing signal	20 per cent
Synchronizing signal	Narrow vertical
Carrier frequency of picture transmitter	51 MC.
Carrier frequency of sound transmitter	54.25 MC.
These specifications, you will note, agree with the standard recommended by	

the R.M.A. at a recent hearing before the F.C.C., that is, except the number of lines. As soon as our equipment can be changed we will conform with the new suggested standard of 440-450 lines. This matter of having one television standard for the U. S. A. is very important. It will be appreciated by every future television user.

#### Today's Demonstration

It naturally enhances your interest in the demonstration which you are to see to know the conditions under which it is given and, briefly, how the equipment functions. The logical starting point is the studio, where the television signal is generated. The studio is located in our main laboratory, C and Tloga streets. A camera employing a Philco camera tube generates, by electrical scanning, voltages corresponding to the light and shade of the television picture which is focused by a lens on the signal plate of the tube. This signal is amplified in cascaded stages (about 10,000 times) in the control room until it has sufficient amplitude to modu-

late the u.h.f. transmitter. Mixed with this television signal, in the proper proportions, are synchronizing and blanking impulses. These control, at the various television receivers in the field, the movement of the electron beam in the picture tubes and place around two sides of the picture a black border. To pick up the sound accompanying the picture the studio is equipped with microphones and associated equipment, which permits transmission of high fidelity sound from our u.h.f. a sound transmitter operated on a frequency spaced 3.25 MC. above the television carrier wave. Further description is unnecessary since there is nothing unusual about the sound panel.

Motion picture film, when passed through a specially built projector, is transmitted by flashing pictures intermittently into the so-called "electric eye" or camera tubes. This projector is designed so that the film and its sound tracks is moved at a speed of 14 frames per second, for satisfactory sound, and at the same time 30 frames per second are transmitted to secure 60 interlaced pic-

tures per second. You will see this machine later.

For outdoor television scenes the camera is placed on a motion picture tripod and motion picture technique is used in its operation.

The latest experimental model of cabinet which is being demonstrated today comprises a sound and television receiver tuning over the frequency range of 42-86 MC. For flexibility these receivers are separately tuned, although it is easy to secure single knob control. The number of control knobs, you will notice, is only slightly more than on the usual sound receiver. These are not difficult to operate. Our field test has shown that inexperienced persons can address the knob to secure satisfactory pictures. The deflecting chassis is the same given the unit which incorporates the synchronizing and deflecting equipment. The power supply units are placed at the bottom of the cabinet. The total number of tubes used is 36.

We shall not attempt to describe the receivers in use today in detail, because they are merely current experimental models—changed as improvements are made.

Two television questions come up continually—"When" and "how much." Mr. Larry E. Gubb, president, Philco Radio & Television Corporation, answered the former question the first of this year by saying, "Commercial television will not come during 1936." This was a definite statement. Just when commercial television will arrive no one can say. A great deal of work must be done in transmitter and receiver development and a great deal of money must be spent to assure transmitting facilities and programs for the prospective television audience. There are many other problems as well.

It is too soon to answer the question of "how much." Estimates have been made that television receivers will cost, upon their introduction, \$500.

This demonstration does not indicate that the job of television research engineers is finished. We can refer to it in the future, and judge our rate of progress. Important improvements are still to be incorporated.

## SALZBURG MUSIC FESTIVAL REACHES NEW HEIGHTS

The Salzburg Festival, which opened on July 25th and continued through July and well into August, reached new artistic heights and was acclaimed as one of the greatest of these festivals in recent years.

Opening with "Fidelio," under the direction of Arturo Toscanini with Lotte Lehman in the title role, other operas that followed were "Don Giovanni," under the direction of Bruno Walter; "Falstaff," also directed by Toscanini, and "Figaro," under the direction of Weingartner. Mozart's almost unknown "The Goose of Cairo" and Milhaud's "Le Pauvre Matelot" were also presented, as was Wagner's "Meistersinger of Nuremberg" and Gounod's "Faust."

Brahms' "Requiem," also directed by Toscanini, was one of the highlights of the festival, his ideal performance of this work being a repetition of previous lofty performances in both Europe and America.

Orchestral concerts under the batons of Walter, Weingartner, Pierre Monteux of the San Francisco Symphony Orchestra, and Toscanini all were of very high caliber, and those Americans who attended were fully repaid for the time spent in Salzburg.

It is said that Toscanini refused to allow any program that he conducted to be carried to Germany for broadcast purposes. His stand is well known and he would permit no deviation upon this occasion. He feels that music is an international art, not subject to any curtailment through either religious or political persecution, and nothing that has happened since he first took this stand in 1933 has swerved him from his decision, even though this forced him to forego conducting the Wagner Festivals at Bayreuth.

## GERMAN WAGES SINK

While military demands are constantly increasing, the purchasing power of the German masses is steadily sinking, the Labor Chest reports. This is especially felt in the textile industries which are suffering from a shortage of raw materials as well as from impaired purchasing power of the German people under the Nazi regime. Official reports show that more than 3,000 textile factories and establishments are working less than 38 hours a week. Considering the low hourly wages paid in these industries this means utter misery for many workers and their families.

## CINCINNATI OPERA IS NOW ON SOUND BASIS

### Plans Now on Foot by Opera Association to Build Permanent Home For Summer Attractions.

Reports from the press division of the Cincinnati Summer Opera Association tend to show that there is every chance that the organization is now on such a sound basis that there are plans afoot to build a permanent home for these summer operas.

This organization started on a shoe string and built rapidly, so much so in fact that the artistic presentations of this summer are acclaimed alike by patrons and critics.

Following is a report of the Cincinnati Local's Committee which first inaugurated the plan:

In 1934 the Cincinnati Musicians' Association presented a series of six weeks of opera and concerts six nights each week, after it became apparent that the former operators of summer opera had given up the idea as being too difficult to promote. Organized as a relief employment undertaking, it provided employment for a total of 133 members in a short band concert and a short symphony concert prior to each opera performance. The operas selected were short, or were condensed versions of the longer operas, lasting about one hour and fifteen minutes each. This cost the Musicians' Association about \$7,000, the balance of a \$17,000 fund being raised by popular subscription.

Last year, with the inauguration of Federal relief projects, it no longer became necessary to provide relief employment for a great number of musicians, and upon the advice of prominent Cincinnatians who were interested in grand opera, we organized an undertaking devoted entirely to opera. We presented a season of six weeks' duration, producing six performances a week and employing 45 members of the Cincinnati Symphony Orchestra. A fund of \$19,000 was raised by popular subscription, no part of which was subscribed by the Cincinnati Musicians' Association. Due to possible financial entanglement for the association, a corporation known as the Cincinnati Summer Opera Association was formed by the president and three members of the executive board of the local. At the expiration of the season, the public acclaimed the presentations as the most artistic ever presented in Cincinnati, and the organization was given full public support as well as public responsibility for continuing to present summer opera in Cincinnati.

Having assumed the aspect of permanent operation, this group raised a total of \$38,000 for operations this season and announced a season of ten weeks of six performances each week. The repertoire included many of the standard operas as well as operas seldom produced anywhere including "The King's Henchman" and "Peter Ibbelton," by Deems Taylor, and two world premieres of modern ballets, one of which was George Gershwin's "An American in Paris." Fifty-five musicians, members of the Cincinnati Symphony Orchestra, were engaged at a higher rate than previous seasons. Outstanding artists were engaged, of whom the following were only a few: Rose Tentone, Anna Leskaya, Bruna Castagna, Coe Glade, Joseph Royer, Norman Cordon, John Gurney, Dmitri Onofrei. The conductors engaged were Fausto Cleva, Wilfred Peltier, Giuseppe Bamboschek and Daniel Saldenberg.

This season the musicians will obtain for their services from \$31,000 to \$35,000, which could not be obtained except from the effort of three years ago which was purely a relief employment measure, and which cost the Musicians' Association \$7,000 and for which they received in return about \$11,000 in salaries.

Every indication points to the construction of a new out-door theatre to cost in the neighborhood of \$200,000 to house this enterprise, which originated to provide employment to musicians, but which has assumed a definite place in the civic life of Cincinnati. Since the entire project is intimately associated with the Musicians' Association, the amount of good will accruing to musicians as a whole from this operation has compensated for all of the time, effort and money spent in laying the groundwork for this gigantic undertaking.

## Robin Hood Dell Concerts Close Their Best Season

The Robin Hood Dell concert season, a co-operative venture endorsed by the Philadelphia Local, closed its most successful season on August 21st. The musicians who played the summer series this year received a salary that compares favorably with the summer scale for like services in other cities.

Despite published items in trade journals, an authoritative statement of Local 77 reveals this to be a fact, and further states that the final accounting may disclose enough surplus funds to provide a bonus for the players.

For many years the musicians of the Philadelphia Orchestra had felt the need of a summer season to tide them over the long stretch between the end of one winter season and the beginning of the next, a need, it should be pointed out, that was no greater than the musical public's craving to hear good music well played during the summer months.

When the campaigning of the players and their friends resulted in contributions of funds sufficient to pay for the cost of a large, modern outdoor shell, a site in Fairmount Park was donated by the city and plans for an eight-week season went forward, to the great rejoicing of musicians and public. In 1929—hardly an auspicious year—the first season of all fresco concerts was given by the Philadelphia Orchestra, in what is now known as Robin Hood Dell, a natural, sloping amphitheatre with a seating capacity of slightly over 7,000.

Many excellent concerts, with fine conductors and soloists, were given during the first five years of the Dell's existence. But, try as it would to make both ends meet, the management found it impossible to operate without a loss. And with wealthy patrons unable to contribute as freely as they formerly did, the 1934 season was obliged to terminate two weeks in advance of the scheduled close, leaving many subscribers with still unused tickets—and a general feeling that summer music in Philadelphia could not pay.

The players, however, did not share this gloom. They had a fine outdoor theatre, which came into existence solely through their own efforts; a potential public which, properly approached, could again be enticed to attend good concerts; and their own distinguished ability which, left unproductive, was worth nothing to them. From this reserve of assets—and an empty till—the co-operative idea was born.

A committee of orchestra members, appointed by their colleagues, called upon the officers of Local No. 77 for permission to operate the Dell on a share-alike basis. When the committee pointed out that a number of regular players went away during the summer and thus created vacancies which might be filled from the ranks of the unemployed, permission was readily granted them.

The first co-operative season, of necessity largely experimental, proved that this idea was not only the best way of creating work for the musician, but could be fairly profitable. In addition, it showed that the musician was not a dumb, helpless animal dependent on the bounty of the wealthy and a shirker in assuming his share of civic responsibility, but a self-respecting individual who could very well fend for himself and at the same time dignify his calling by taking an active part in the workings of the community.

The second season of strictly co-operative concerts, which just closed, has demonstrated that orchestra concerts alone cannot attract sufficient patronage to make an eight weeks' season a success. Noted conductors and soloists were engaged, operas and ballets have been presented and in addition special features added, such as the Paul Whiteman concert in which Whiteman's orchestra was added to the Dell Orchestra in the presentation of modern music.

In addition to these stage productions were presented a number of world-famous soloists on Thursday nights. These appeared at the outset beyond the means of the committee, but later proved to be the means of providing the greater part of the weekly income. Some of the special attractions were Heifetz, Elman, John Charles Thomas, Iturbi (as soloist) and a four-plano concert with Iturbi, Gans, Levitzki and Bauer. The cost of these one-night events averaged \$1,130 each and grossed over \$4,000 each, thus proving that they surpassed both ballet and opera as profit-makers. And no small item is the fact that these names helped sell season subscriptions.

Lack of space prohibits more than a brief outline of the project. However, mention must be made of the generosity

of Mrs. Edward Bok, who donated the \$25,000 that made possible the construction of the attractive and acoustically practical shell. Also of the splendid co-operation afforded by Alexander Smallens, Jose Iturbi, Saul Gaston, Eugene Ormandy, Guy Fraser Harrison, William Van Hoogstraten and other conductors who so ably assisted in making the venture so successful.

Other important factors have also contributed to the unusual picture of hundreds of music lovers who, by automobile, trolley, bus and on foot, come from all parts of the city and its outlying suburbs. A few public-spirited individuals: Mrs. Bok and her son, Curtis, who have come to the rescue at bad and threatening moments; Herbert J. Tilly, who, from their inception, has watched with care and assisted in the flowering of Dell hopes and plans; Samuel L. Fels, who has regularly contributed to the budget; soloists and conductors who, in the main, have accepted reduced fees or, as in numerous instances, come for expenses alone.

Great credit must be given to the members of the orchestra. They have assumed the major risk, accepting their share of the receipts, after expenses were paid, in lieu of salary. They have, through their committee, been the actual managers of the last two seasons, and it now appears that through their experience and courageous assumption of this task they have established a permanent structure that will provide summer employment for them for years to come.

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# GOVERNMENT STUDIES STRIKE BREAKER LAW

### Justice and Labor Departments Analyze Byrnes Act to De- termine Its Scope.

Washington, D. C.—Homer S. Cummings, Attorney General of the United States, has assigned Assistant Attorney General Brian McMahon to make an exhaustive study of the powers of the Federal government under the new Byrnes Act, which prohibits the importation of strike breakers across State lines. An increase in reported labor difficulties, in some of which provisions of the act are likely to be involved, is understood to have prompted the broad investigation, so that it may be determined just how far the Federal government may go in its effort to prevent serious labor disorders arising from the importation of strike breakers and interference with the established right of labor to picket.

Preliminary analysis of the act by four Justice Department men revealed what appears to be a misconception of powers granted by the act. Labor Department officials have indicated that some employers might attempt to use numerous subterfuges to import strike breakers, since the act merely provides that strike breakers can not be brought across State boundaries with the intention of disrupting "peaceful picketing." One method cited as possible would be to import strike breakers to run a factory or mill, then to provoke some disturbance in the picket lines which would enable the hired men to do that which the law seeks to forbid. What may prove to be an outstanding difficulty, according to Labor Department officials, is the fact that no additional funds were appropriated by Congress to provide for its promulgation. The Department of Justice is empowered to administer the new law, presumably from the department's general fund.

Investigation has also brought out the fact that several States have laws prohibiting even peaceful picketing, and it is suggested that the Byrnes Act would not be operative in such States.

It is hoped that the present exhaustive inquiry will serve to establish what procedure may be followed in all cases and result in tabulation of Federal powers under existing statutes.

# LABOR TO ASK FOR CHANGE IN THE WALSH-HEALEY ACT

### Congress Urged to Eliminate Pro- visions Seen as Opening Way for Manufacturers to Dodge Law.

Washington, D. C.—Amendment of the Walsh-Healey Act to "plug up the loopholes" will be asked of the next Congress by the American Federation of Labor. The act sets hours, wage and other standards for work done under government contract and is regarded as one of the most important laws passed by Congress during the present administration.

William Green, president of the A. F. of L., indicated that decision as to the exact amendments asked would await the working out of the act up to the time that the session begins. In any event, he said, the stronger version of the bill, as it was written when passed by the Senate, would be taken up in Congress at the suggestion of labor.

One of labor's most important exceptions to the act is the provision stating that it shall not apply to purchases of materials, articles or equipment "as may usually be bought in the open market." This provision has been hailed by the National Association of Manufacturers as opening the way for many exemptions to the act.

Another point of criticism by labor is that the act does not apply to sub-contractors. If a contract is farmed out to a sub-manufacturer by a manufacturer the former need not fulfill the wages, hours and child labor provisions.

Again, the act applies only to contracts involving more than \$10,000. Under this provision, labor leaders say, a contract for \$30,000 worth of specified goods or materials might be broken up into three parts of \$10,000 each and the contractors would not be required to live up to the provisions.

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# Twentieth Century Fund Report Finds Townsend Plan Impossible

### Committee Which Carefully Studied Proposal Says It Would Place Too Great Burden on Nation and Would Not Speed Up Business or Increase Purchasing Power.

Washington, D. C.—The first objection which the Committee on Old-Age Security of the Twentieth Century Fund, Inc., finds to the Townsend plan is a matter of arithmetic. Dr. Townsend proposes to finance his pensions by a 2 per cent "transactions tax," which really is just a sales tax. But there are at least ten million citizens in this country over 60 years of age and with incomes of less than \$200 a month, all of whom would be eligible for pensions under the Townsend plan.

To pay these people \$200 a month each would take twenty-four billion dollars a year. The committee's research shows that a 2 per cent sales tax even in 1929 would have yielded not more than nine billion dollars; and in 1934 the same tax would have yielded around four billion dollars—one-sixth of the sum required to finance the Townsend pensions. On the basis of business as in 1934, the sales tax would have to be raised to 12 per cent to raise the required sum.

### Sales Taxes Big Burden on Workers

Sales taxes always are passed back to workers or on to consumers—usually both. In either case, the laboring man would have 12 per cent—one-eighth—of his income taken away from him by lower wages or higher prices or both. The committee rightly says that this would spell tragedy in the majority of American homes.

That is quite the mildest possible statement of the case. A "transactions tax" levied on groceries, for instance, would be collected at least three times—at the transfers from producer to wholesaler, from wholesaler to retailer, from retailer to consumer. This would mean 36 per cent instead of 12 per cent. The committee holds that such a levy would be utterly ruinous to business. Assuredly, it would spell starvation to a large proportion of wage earners.

### Spending Plan Not Aid to Buying Power

To the Townsend claim that the forced spending of the entire pension each month would speed up business, the committee replies:

"This forced expenditure would not increase the speed with which the money would be spent. The income of the great majority of people now is spent immediately, under the compulsion of economic necessity, for food, clothing and rent. Old people could not spend it any faster—even under legal compulsion. . . . Even in the boom year of 1929, families repre-

senting 80 per cent of the non-farm population saved less than 7 per cent of what they earned. The remaining 93 per cent was spent for current necessities."

Nor would this forced expenditure increase or decrease purchasing power," the committee goes on. "It would merely take a substantial part of the income now earned by people under 60 and hand it to those over 60. . . . The result of the plan, on the basis of the present national in-

universal 2 per cent sales tax on business, on employment, on the whole national life. It is better to give the thoughtful, kindly summing up of the committee, thus:

"In exposing the fallacies of the Townsend plan, the committee has no intention of implying that the crying need of the aged for economic security in the United States should not be met as far as is humanly possible within the limitations of our economic system.

"The great problem before the American people is to determine how large a measure of economic security can be given to the aged without taking too much away from the rest of us, or placing too great a strain upon the entire fabric of American economic life upon which the whole population—including the aged—depends for its existence.

### \$200 Monthly Pensions Are Called Impossible

"It is obvious that anything like \$200 a

# Business Situation Summarized

When comparison is made with the initial six months of 1935 available statistics reveal a broad improvement in economic conditions in the United States during the opening half of 1936. Industrial production has advanced 11 per cent, mainly by reason of the gradual extension of recovery in the durable goods industries; retail sales are estimated to have increased some 10 per cent; freight traffic is up 9 per cent; cash farm income is about 11 per cent larger; the volume of unemployment has been materially reduced, and the construction industry, in which recovery has been slow, has made material progress this year.

In June business activity was at or very close to the highest point reached in the recovery period. While employment data for the month is not yet available it appears on the basis of returns through May that the number of persons at work (exclusive of employees on emergency work projects) reached the largest total in more than four and one-half years. The contrasessional rise in factory employment and pay rolls from April to May was accompanied by a further slight rise in the seasonally adjusted index of manufacturing production. The expansion in the iron and steel industry was a major factor to the April-May change. A seasonal slackening has been evident in a number of major industries; in the automobile industry the June recession has apparently exceeded the usual seasonal decline, but steel production remained high.

The most pronounced recent gains have been in the field of retail trade. May returns reveal a marked increase in the volume of sales through retail stores, and preliminary reports for June indicate that these have been maintained or extended during the current month. While possibly influenced by the volume of government expenditures, the sales increases are based largely on the gradual rise in consumer income and the willingness to spend more freely, the latter situation being evidenced particularly by the volume of sales of products of the type which are generally sold on the basis of deferred payments.

Stock prices have moved higher during the month while both corporate and Government bonds have been firm. Private capital financing increased, but it was overshadowed by the huge Treasury operations incident to the June 15 financing. The public debt reached a peak at approximately \$34,000,000,000. The new tax bill, carrying provisions which will result in a large increase in taxes on corporations and inaugurating the taxation of undistributed surpluses, was enacted by Congress just before the close of the session on June 20.—Survey of Current Business.

come and price level, would involve a redistribution of income in which not more than 10 per cent of the people (those over 60) would receive one-half of the national income, while the 90 per cent who would have to support the 10 per cent would receive the other half."

### Economic Security Must Be Given Aged

It is hardly necessary to quote the committee's analysis of the effect of even a

month is utterly impossible with our present economic machinery. On the other hand, it is equally obvious that pensions which will be paid under existing legislation are not adequate, and that it should be possible to pay larger amounts. To this problem, the committee is giving its earnest attention."

The report is signed by John B. Andrews, chairman; Grace Abbott, Frederic Dewhurst, Frank P. Graham, Helen Hall, M. Albert Linton, I. M. Ornburn, and Evans Clark, secretary.

## MUSICAL MERCHANTS OPTIMISTIC OF FUTURE

### Tremendous Increase in Sales of Musical Instruments Reported to Music Dealers' Conventions.

The Conventions of the Musical Merchants, Retail Instrument Dealers and Sheet Music Dealers, held in Chicago in August, was the most optimistic in many years. Pianos enjoyed an increase of 37 per cent over the previous year, and an increase of nearly 300 per cent over the lean year of 1933.

C. G. Conn, Ltd., and Martin Band Instrument Company reported increases of approximately 35 per cent, Conn reporting 1,000 men employed in their Elkhart, Indiana, plant.

An interesting report was that of the Gibson Company, this report being indicative of the change in the instrumentation of popular orchestras. The company stated that before the depression guitars accounted for 5 per cent of its sales, now they constitute 95 per cent of the total.

Much of the credit for the substantial increase in piano sales is given to radio by the heads of the manufacturing companies.

"After a careful and dispassionate study of the nearly 300 per cent increase in piano sales during the past twelve months over 1933," W. A. Mennie, secretary of the National Piano Manufacturers' Association, declared, "radio must now be considered one of the major reasons for this increase. Millions of listeners, who might otherwise never have attained an appreciation of music, are manifesting an interest in music culture and endeavoring to become participants themselves. These converts to the musical arts are purchasing musical instruments of every description, and the piano being the basic musical instrument, has benefited most of all from this stimulation. Radio, with its limitless possibilities, has educated listeners to appreciate music and it has produced a natural desire to create it, thus opening a hitherto non-existent market."

Theodore Steinway, president of Steinway & Sons, wrote: "We have found it (the influence of good music on the air) to be a tremendous stimulus to people toward music as an art and as an enjoyment. Of late years the broadcasting of music, not only of the voice and of stringed instruments, but also of the piano, has reached such a degree of perfection, that it can only have an influence for good upon the listeners, and in the degree that the technical improvement continues, so much the more will the love of music be instilled into the hearing public."

William A. Alfring, president of the Aeolian-American Corporation, commenting upon the increase of piano sales in general and of the better grade pianos in particular, says: "This can be attributed directly to a very distinct increase in public interest in better music in the last few years, and principal among the contributing influences are the very fine programs for which the National Broadcasting Company is responsible." Mr. Alfring added that "some of this increase can be accounted for in the more liberal spending attitude on the part of the public, but I, too, think that most of the influence can be attributed to a greater interest in music."

Lucien Mulst, president of the Baldwin Piano Company, likewise credits radio as being responsible for "developing the appreciation and enjoyment of fine music."

"Once a person becomes conscious of the spiritual and intellectual benefits which follow from music appreciation in general they wish their children to be able to obtain the same benefits to an even greater degree. They realize the importance of musical training for their children, even though the children at the outset may not be completely enthusiastic about the plan."

"Instruction in piano builds the best and soundest foundation, even though later on the student may prefer to play some other instrument. During the past few years it is indeed remarkable how the piano has grown in public favor. Radio unquestionably played a most important part in this new development in the music industry."

These reports are extremely interesting to that portion of the membership of the Federation that is engaged in teaching.

### Casa Manana, Fort Worth, Texas

The million-dollar Casa Manana Revue at the Fort Worth Frontier Centennial is a "Cavalcade of World's Fairs," the scenes representing four expositions: St. Louis, 1904; Paris, 1925; Chicago, 1934; Fort Worth, 1936. The revue has 48 dancing girls, 24 show girls and 18 dancing boys. "Le Can Can," by the 48-girl line in the Paris stanza, is sensational. Their training by Robert Alton and John Murray Anderson is apparent in their perfect step and routine.

Everett Marshall sings *The Night Is Young, Another Mile and Lone Star*. Ann Pennington dances as "Little Egypt" in the St. Louis number. Gomes and Winona furnish a smooth waltz number and Gareth Joplin does a tap dance atop a table. Lime Trio and Walter D. Wahl and Company furnish the comedy. Both acts work in pantomime, which is best for such a large place. Two other tunes from revue are *Toy Balloon*, sung by the Eight Californians, and *It Happened in Chicago*, sung by the girls' trio. Sally Rand does her bubble dance to the *Moonlight Sonata* in one of the most beautiful settings of the revue.

Paul Whiteman and his orchestra play the show, with Joe Venuti and his orchestra alternating with Whiteman for dance music. For the finale of the one-hour show, the 130-foot revolving stage draws away from ringside tables, disclosing a 20-foot lagoon of water. Golden gondolas move in from off stage with entire company. Credit goes to, besides Billy Rose and Anderson, who staged entire production, to Alton for dance routines; Albert Johnson, production designs; Raoul Pena, DuBois, costumes; Carlton Winkler, lighting; Dana Suesse, music, and Irving Kahal, lyrics. It's a production comparable to any that has ever been on Broadway. Every performance to the open-air cafe-theatre has been sold out. The place seats 3,000.—*Huff*, in the *Billboard*.

### New York Outdoor Operas Expand

Due to the tremendous success of the operas given at Jones Beach this summer, the presentation of outdoor operas and musical comedies was enlarged and they are at the time of this writing being presented both at Jones Beach and the Stadium on Randall's Island.

At Jones Beach the stage is set on a float in the pool used for diving and swimming contests. The audience is seated in the same seats that are used for such events. During the intermissions musical interludes are provided by artists in floating gondolas, and unless seen one cannot imagine the beauty of the entire presentation. Trade papers state that the venture has been averaging grosses of about \$25,000 per week.

Randall's Island has been made easily accessible by the new Tri-Borough Bridge. With a 20,000 seat stadium built by the City of New York now complete the presentation of the shows is planned on a scale of from 25c to \$1.00.

### Bar Opposes Child Labor Amendment

Boston, Mass.—The American Bar Association has put itself on record as favoring child labor, and a special committee is trying to get the association to indorse the poorhouse as a substitute for social security. That is a summary of the way in which Charlton Ogburn, general counsel of the A. F. of L., views the work of reactionary lawyers assembled in the Hub to give advice to the universe.

### To Investigate Mooney Case

Boston, Mass.—The American Bar Association, in convention in Boston, was asked to investigate circumstances surrounding conviction and imprisonment of Thomas J. Mooney and Warren K. Billings for the San Francisco Preparedness Day Parade bombing.

### Relief Rolls Decrease in Pennsylvania

Philadelphia, Pa.—The report of Karl de Schweinitz, state relief director, shows a decline on relief rolls of nearly 3,000 families and 11,400 persons in the week ending August 23. Most of this drop, the biggest since April, is reported due to resumption of employment on WPA projects.

### Steel Company Closes Plant

Pittsburgh, Pa.—The gates of the Standard Steel Spring Co., Carnegie, Pa., have been locked by order of the company officials who complain of their "inability to obtain protection for our property and men who desire to work."

### Want Both Sides of Labor Disputes

Washington, D. C.—The Washington Central Labor Union at their last meeting unanimously adopted a motion instructing the secretary to communicate with all local daily newspapers, requesting them to present "both sides" in all labor disputes arising in this community.

## EDW. CANAVAN HONORED BY CENTRAL LABOR UNION

### Over Three Hundred Union Labor Members and Friends Attend Bon Voyage Dinner.

President Edward Canavan of Local 802 was selected by the Executive Council of the American Federation of Labor to represent the Federation at the British Labor Congress to be held in England early in September.

Canavan was given a farewell beefsteak dinner by the Central Labor Union. This dinner was attended by over three hundred labor men.

It is rumored that the menu was prepared by Executive Officer Weaver, for Shakespeare predominated at every turn. (The rumor has not as yet been confirmed.) So that Federation members may judge for themselves the menu is printed below.

#### THE MENU

*Process, proceed; we will begin these rites  
As we do trust they'll end, in true delights.*  
SHAKESPEARE—As You Like It.

#### CRAB MEAT COCKTAIL

*Now good digestion wait on appetite,  
and health on both.* SHAKESPEARE—Macbeth.

#### Relishes

CELERY OLIVES  
RADISHER AND SCALLIONS

*What means this jest?  
I pray you, master, tell me.*  
SHAKESPEARE—The Comedy of Errors.

#### Soup

BISQUE OF CLAMS

*Therefore to's seemeth it a needful course.*  
SHAKESPEARE—Love's Labour's Lost.

#### Sea Food

HALF BOILED MAINE LOBSTER  
MAYONNAISE DRESSING

*A morsel for a monarch.*  
SHAKESPEARE—Antony and Cleopatra.

#### Roast

HALF ROAST SPRING CHICKEN  
PARISIENNE POTATOES  
EARLY JUNE PEAS  
LETTUCE SALAD

*Lay on MacDuff,  
And damned be him that first cries,  
Hold! Enough!* SHAKESPEARE—Macbeth.

#### Dessert

DEMI TASSE ASSORTED FANCY CAKES  
BISQUIT TORTONI

*Then Farewell heat and welcome frost.*  
SHAKESPEARE—The Merchant of Venice.

#### Waters

BEVERAGE A LA SURPRISE

*There is something in this more than natural.*  
SHAKESPEARE—Hamlet.

Music Donated by Associated  
Musicians No. 802

*The man that has no music in himself,  
Nor is not moved with concord of sweet  
sounds,  
Is fit for treasons, stratagems and spoils.*  
SHAKESPEARE—The Merchant of Venice.

Mr. and Mrs. Canavan sailed on August 8th and will spend a two weeks' vacation in advance of the Congress in visiting various European countries.

### Barbers Adopt Arbitration Agreement

New York, N. Y.—Arbitration has been agreed upon by the Journeymen Barbers' International Union of America, representing local unions, and the Broadway Master Barbers' Association.

### Former Labor Official Dead

Indianapolis, Ind.—Jacob Flecher, formerly secretary-treasurer of Journeymen Barbers' International Union, died here on August 26 at the age of 65. He was elected to the office of secretary-treasurer of the Barbers' Union in 1904. He had formerly served both as vice-president and president of that organization.

### Profits on Non-Union Cigarettes

Washington, D. C.—The New York Journal of Commerce estimates that R. J. Reynolds Tobacco Co., makers of non-union cigarettes, will have clear profits this year of \$3.15 a share.

### Shell Petroleum Co. Strike Ends

Wood River, Ill.—The strike of the Operative Engineers' Union against the Shell Petroleum Corporation's refinery at Wood River, Ill., was settled by an agreement accepted by both parties.

"Compare My Trumpet  
with others selling for  
\$25 more!"



"YOU'LL rave over my new Bundy  
Trumpet. Sells for only \$30, fine  
Gladstone case included. I'd like to have  
you try the Bundy, compare it with higher-  
priced instruments. Postcard or letter  
brings you free-trial details and complete  
new catalogue, without cost or obligation.  
Address me care of

Selmer Department 1933  
ELKHART, INDIANA

**DUPLEXO** "A-B-STAND"  
Alto and Clarinet  
—OR—  
Tenor and Clarinet  
COMPLETE with durable bag  
\$3.90

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**BAND MUSIC SPECIALIST**  
Send for New Band Bulletin Listing  
All Current Hits  
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1674 Broadway New York

**Gold Crest**  
**REEDS**  
HELP THE GOOD PLAYER PLAY BETTER

**Modern Jazz Course \$2**  
Arol Christensen's rapid course  
in Modern Jazz, with Special  
Home Study Supplement. Good  
money today, or write for folder.  
TEACHERS! There's Money in Music—if you teach  
the Christensen Method. Be the exclusive representa-  
tive of a thirty-year-old organization in your city.  
Write for complete details of Teachers' Prospectus.  
Arol Christensen School, 716 Kimball Hall, Chicago, Ill.

**CLARKE'S TROMBONE METHOD**  
Teaches How to Play Trombone Correctly  
ERNEST CLARKE, 167 E. 89th St., New York  
SENT POSTPAID FOR 62.50

**BAND INSTRUMENT REPAIRSHOP EQUIPMENT**  
Pads—Tools—Parts—Dolling Supplies  
Complete Shops Furnished  
Catalog to Repairmen Only.  
ED. MYERS MUSIC COMPANY  
3022 PACIFIC ST. OMAHA, NEB.

**OBOE REEDS**  
"WALSH RELIABLE" Reeds, made from  
the best French cane, are correct in pitch  
(440), always play in tune in all registers  
of the instrument, play easily. Every  
reed a good one. Send for Prices.  
ALFRED A. WALSH  
Successor to H. Shaw  
110 Indiana Ave., Providence, R. I.

# Federation's Tribute to William J. Kerngood



Presented as a Token of Appreciation to Secretary Emeritus William J. Kerngood and Mrs. Kerngood by the Forty-First Annual Convention of the American Federation of Musicians, Held in Detroit, Michigan, June, 1936

A resolution introduced at the Detroit Convention by the delegates from San Francisco provided that life membership-at-large in the Federation be conferred upon Secretary Emeritus Kerngood, and instructed the International Executive Board to purchase a suitable token for Mr. and Mrs. Kerngood. This resolution was passed by a unanimous vote.

The selection of the gift was in itself no mean task, as it was difficult to find a suitable one for Mr. and Mrs. Kerngood. A sub-committee finally selected a beautiful loving cup, which is reproduced in the above photograph.

Delegate Piddington of Sharon, Pa., Local 187, voiced the sentiments of many delegates in his report of the honors conferred upon the retiring Secretary, as follows:

"An unforgettable sight at the 41st Convention, held in the Hotel Statler, Detroit,

June 8 to 13, was the tremendous ovation given William J. Kerngood as he retired as Secretary after seventeen years of service. Hard-boiled musicians, more than 400 of them, simultaneously breaking into "Auld Lang Syne," as they rose to their feet to acclaim a faithful servant. Hard-boiled musicians, cynical and skeptical themselves when playing music for an emotional scene, having a hard job to swallow that big lump in their throats, stirred to the hearts of them by the genuineness of that impromptu tribute.

"And Willie Kerngood, shaking like an aspen leaf, saying: 'The doctor told me to stay away from excitement. But I willingly offer a few years of my life as payment for this moment.'

"Conclusive proof that musicians are not the heartless creatures they are pictured."

## VACATION WITH PAY GIVEN BY BROWN & WILLIAMSON

Louisville, Ky.—George Cooper, president of the Brown & Williamson Tobacco Corporation, today announced that the company will give one week vacation with pay to all employees.

Announcement was made by Mr. Cooper at the main offices of the company here.

Between 8,000 and 9,000 employees will be affected. The new plan will take effect at once and will cover employees of the

company at all of its plants, which include those in Louisville, in Winston-Salem and in Petersburg, Va. Vacation pay will be handed to each employe prior to the beginning of the vacation. Where workers are on piece rates, the year's earnings will be averaged to arrive at the vacation pay.

All employees of the company in all of its plants are union members. It is a 100 per cent union plant. The company makes Wings, Raleighs, Kools and Viceroy in its cigarette operations, as well as a complete line of tobacco products. Each package bears three union labels, these being the label of the Tobacco Workers' International Union, the International Typographical Union and the International Photo-Engravers' Union of America.

# Local Reports

## LOCAL NO. 1, CINCINNATI, OHIO.

New members: Al B. Cassidy, Edward L. Freers, Arthur Morgan, W. Gayle Owens, Simon B. Schaefer, Thomas Thompson, D. L. Weiskopf, Ted Travers, Albert L. Sharf, Clinton Slegert.

Transfers deposited: Arthur Frenzel, 134; Ken Lyndon, 576; Lloyd V. Martin, 3; Don Osborne, 136; George Printz, 320; Mike Stelbasky, 619; James Priest, 482; Don Seely, 10; Raymond Zepp, 49.

Transfers issued: Earl Hanschmidt, Ray Moore, Hyron Yelton, Billy Shaw, Joe Klaus, Lee Allmann, Charles McDert, Joe Allmann, Roy Maddock, Charles Schmidt, Leo Novikoff, Tony Osborne.

Traveling members: Barney Rapp, Gabriel R. Fusco, Edward Cain, Ray Eberle, Sydney Schiff, Robert Horlock, Sam Levine, Myer Rubin, David Ferguson, Edward Gregory, Silvio Quinto, all 802; George Finley, 10; Rude Adams, all 802; Louisa Prima, Charles Russell, Jack Ryan, C. Glenn Zenor, Frank Pinera, G. E. MacAdams, all 47; William Bolman, Harold Jordy, S. Franzella, Jr., M. Weinberg, Marlon Suter, Julian Laine, all 174; R. G. McPartland, J. McPartland, Joseph W. Peters, Joseph C. Webster, all 10; Rita Rio, 761; Helen D. Sugar, Miriam Stiglitz, Orrel Johnson, all 802; Harriett Cady, 801; Emily Sibley, 801; Ciela Molitor, Virginia Darnell, 47; Gertrude Stevens, 9; Althea Conley, 362; Mitzl Bush, 10; Les Erlenbach, Thomas Sist, Charles Coumont, Victor E. Nicander, Curtis Little, Anthony Todaro, Michael Masino, Stanley Zurek, John McFadden, all 43; James Corey, 106; Mary A. Burwell, 1; Milton Britton, Tito Guidotti, 802; Barney Zudekoff, 103; Walter Powell, 473; George Lutz, David Van Horn, Harry Dugan, Charles McGee, Edw. Johnson, Matt Stein, Norman Graham, Bob Slothower, Edward Cuprys, Herbert Fleisher, all 77; Joe Haymes, Rubin Zarchy, Richard Neumann, William Miller, John Flewellyn, Clifton Wittern, Sol Pace, Fred Falensky, Lester Cooper, Max Chelkes, Charles H. Busch, Jr., John E. Gasoway, all 802; Ralph Hallenbeck, 380; Ronald Chase, 380.

Resigned: Alfred Keller.

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Fred D'Alessandro, Nokomis Tally, Gerald S. Wilson, Robert L. Rimmer, Theodore Hulbert, William A. Johnson, Harrison Hayes, Sidney H. Bailey, Jr., Arthur J. Mann, Jos. D. Wilson, Henry Warren, Lester R. Current, Gloster B. Current, Ellaris M. Thompson, Leo D. Swank, Edwin F. Dysert, Harold Kineman, Gordon Cuddeby, Ralph Hyder, Ray Vigneau, Francis J. Vigneau, Elmer J. Brown, Melvin C. Stockley.

Transfers withdrawn: James Ranny, 220; Louis A. Longo, 77; Richard Tolentino and orchestra, 10; Danny Murphy and orchestra, 126; Ted Lewis and orchestra, 802; Bob Grant and orchestra, 802; M. Contreras and orchestra, 4.

Transfers issued: M. R. Colburn, Henry Mazzola, Julius Rubin, Don A. Bonnes, Geo. Miquelle, Frederic Busch, Philip A. Williams, Albert Stagnino, William Ulevich, Martin E. Mortenson, George Arus.

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TREASURER'S REPORT

Table of disbursements for August 1936, listing items such as salaries, expenses, and refunds with corresponding amounts.

Continuation of the disbursements table, listing items such as salaries, expenses, and refunds with corresponding amounts.

Advertisement for Conn Band Instruments, featuring the slogan 'New Precise' and a detailed description of their scientific accuracy in instrument manufacturing.

Designed to meet the demands of MODERN ARTISTS

Now you can get a mouthpiece to meet exactly your own individual needs. Here is a complete, new line. Designed after a nation-wide survey of the finest musicians of all types—symphony... radio... dance... recording.

C. G. CONN, Ltd., 824 Conn Bldg. Elkhart, Indiana



CONN BAND INSTRUMENTS NOW COME EQUIPPED WITH THESE NEW, IMPROVED MOUTHPIECES



# International Musician

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Subscription Price - - - - - Twenty Cents a Year

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— OF THE —

### American Federation of Musicians

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#### VICE-PRESIDENT

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## What Does It All Mean to Musicians?

IN the news items of this issue of the INTERNATIONAL MUSICIAN will be found several articles on the progress of various summer operas and concert programs. Some of these have been promoted by either local unions or their officers. It is singularly significant that some of the most successful have been those that have been so sponsored or semi-sponsored.

Not only is this to the everlasting credit of the officers and locals, but it opens up a field that will enable other locals that are favorably situated to provide summer employment for their members by like promotional enterprises. It is astounding what may be accomplished if the right people become interested, and surprising the amount of interest that can be created among music lovers when artistic and esthetic creations are presented.

Concerts that attract audiences of from 25,000 to 125,000 people, and operas that can gross tens of thousands of dollars each week in a limited seating capacity theatre must convince the most conservative that there is a great field for more music, and a great opportunity for some type of musical presentation in nearly every community.

Knock. Knock. Who's there? Pat. Pat who?  
Patronize the Union Label, Shop Card and Button!

## The One Test For Recovery: Will It Put Men to Work?

BACK of the heat and bally-hoo of political campaigns is the cold and aggravating fact that there are over twelve million jobless workers. Oratory of partisan politicians is worthless unless it contains a constructive remedy to create adequate employment.

American labor unions furnish the only remedy that has been offered. It is to cut the hours of work but not the pay of labor. It is a sad commentary on the party platforms that none of them has a plank containing this real cure for depressions. The one test for all proposed recovery measures should be, "will it put men to work?" There can be no recovery for the unemployed until industry adopts the shorter work day and shorter work week with no reduction in pay.

If shorter hours can be obtained through political action now (before election) is the better time to place candidates on record. Demand that they pledge to vote for a thirty-hour week bill, which will do more to solve unemployment than any other one measure.

To the student of American history, there can be no sadder page than the demoralization in Washington which reigned during the first years of the Civil War. Lincoln had his "racketeers," "chiselers" and "gangsters." These politicians who, under Lincoln, had taken over the government in the bankrupt Buchanan administration had apparently no perception of the need for a single objective and a concentrated, driving, aggressive plan to meet it. It looked as though each politician and each general were setting out to win the war in his own pet way. There was no basic plan. When a victory was won, as at Gettysburg, these undecided leaders did not even know what to do with it—and Lee escaped to fight almost two years longer before the decision at Appomattox.

It was not until long after the simultaneous victories at Gettysburg and Vicksburg that Lincoln turned the war over to Grant and spent the rest of his administration keeping the politicians off Grant's back.

The decisive contribution which Lincoln made in this crisis in the nation's history was his setting up of a single paramount objective—"Will it save the Union?"

Thereafter Lincoln made this "paramount object" the

test of every question that confronted the Federal government. If doing something would help to save the Union, that was done. If refusing to do it would help to save the Union, the proposal was rejected.

We need to recognize such a paramount object today. The principal test of every issue in the present campaign should be, "Will it put men to work?" Unless employment is restored to twelve million workers, how can they purchase the normal production of the nation's industries and thus restore prosperity?

Since the United States Supreme Court has nullified the principal laws that have been enacted by Congress to bring about industrial recovery, the best channel through which workers can obtain economic freedom and industrial justice is organization into Labor Unions. And even then, no substantial advancement can be made unless organized workers buy their own products and services, which are designated by the union label, shop card and button. Above all else, workers must become Labor Union-minded and must be Union Label-conscious.

## Treason in the NRA

WHEN Section 7-A was made a part of the National Industrial Recovery Act, organized labor believed it spelled the end of the notorious company union. That was one purpose of the section. Despite this mandate of the statute, corporations all over the country began the intensive development of company unions within a very short time after Section 7-A went into effect.

General Hugh S. Johnson was the first administrator of the NRA. He ruled that provisions for the company union were not proper in NRA codes. But the big corporations went on organizing them just the same. Now General Johnson has revealed the source of the drive to form company unions despite the NRA provision against them. In one of his latest syndicated articles, he says:

"I learned only the other day that one of my principal NRA deputies quietly suggested to all industrialists with whom he came in contact that they ought to go home and organize company unions as fast as they could as the only means of keeping out the Federation (American Federation of Labor) unions.

"They did it with a whoop. They told their workers that Section 7-A meant that the Government wanted them to join company unions. . . . The whole face of industry broke out in a rash of company unions almost overnight. Now, although an employer-influenced company union is illegal under the National Labor Relations Act, most of them still survive."

Here we have the revelation by the man who was the administrator of the NRA during its crucial period, and who held that employer-influenced company unions could not legally be incorporated in NRA codes, that one of his deputy administrators advised employers that Section 7-A instead of outlawing employer-controlled company unions gave them full standing, and, moreover, urged employers to organize these anti-labor monstrosities all over the country, which they did "with a whoop."

It is regrettable that this treason to Section 7-A by one of his deputies was not known by General Johnson until many, many months after he ceased to be NRA administrator. But the late discovery indicates once more the large extent to which the proper administration of a law containing labor provisions depends on the loyalty of the administrative staff to the workers whose rights the law is designed to protect.

In answering advertisements, please mention  
THE INTERNATIONAL MUSICIAN

## "Cheating Cheaters"

SOME years ago a very popular stage success under the above title ran for months on Broadway, and thereafter toured the United States and Canada. Certainly no more appropriate title could be given to the members of the American Federation of Musicians who CHISEL on the wage scale of the Federation and its Local Unions.

If the members only had the foresight to know, or the mentality to realize, that they are only cheating themselves they would hesitate, and more often refuse to be parties to the breaking down of the scales.

They only cheat themselves because they give services to the managers and proprietors for less than their face value. And if it ended there it would not be so bad. But in addition to that they are cheating their brother members who are honest and will not transgress the laws of the organization.

And further than that, if they set an example that grows and becomes widespread, they are setting up a condition that will eventually destroy the organization that is their only protection against the exploiter. Given an absolutely free hand the employer will soon see to it that the wages are again reduced to the standard of 1890-1900, and those to blame will be the members who insisted upon being "Cheating Cheaters."

## Double Features or Stage Shows

IN a poll conducted by Warner Brothers Corporation the movie audiences voted four to one against double feature bills in motion picture theatres. The poll was conducted through colleges, clubs, newspapers and other reliable sources, the vote being 568,751 in favor of single bills and 157,073 in favor of the double features.

Double Features, Bank Nights, Give-Aways and other special nights of a like character were devised originally to take the place of actors and musicians. The managers were unable to placate the audiences with a straight picture program and found it necessary to offer bargain features to try and regain lost business. While they were in a measure successful, the fact of the matter is that the public is fast becoming satiated with substitutes for real entertainment. Nothing that they can ever devise will entirely take the place of *live actors and living music*.

While the movie theatres have been able in many cases to operate at a profit under these plans, they nevertheless play to less gross admissions, the people that desire better entertainment seeking it elsewhere. The results of this poll should convince the die-hards that their salvation lies in returning to real showmanship and the presentation of variety and other stage show features in connection with their motion picture programs.

In answering advertisements, please mention  
THE INTERNATIONAL MUSICIAN

## The Sleeping Giant Awakens

THE progress made by the railroads since they became aware of the fact that it was necessary to meet the airplane and bus competition will now convince the most skeptical that the arteries of the nation are again fast forging to their former position of leadership in the transportation industry.

"The railroads have shown through the depression the inherent efficiency and economy of moving the major commerce of this continent on steel rails," said J. J. Pelley, president of the Association of American Railroads, recently.

"They have demonstrated," he continued, "their ability to carry on under difficulties; to cut the unit cost of producing transportation while continuing to pay the highest transportation wages in the world; to improve their service and methods; in short, to maintain their position as the finest general transportation system in the history of the human race, and to keep that transportation system ready to go forward as America goes forward."

No industry has done more to lessen the cost of operation. In 1921, for example, it cost the railroads \$10.78 to move a ton of freight one thousand miles. In 1929, the cost was \$7.44. Today it is about \$6.75. Similar progress has been made in every phase of operation.

Most important, railroad operating costs have not been reduced at the expense of safety and service. To the contrary, railroad service was never as good as it is today—freight and passenger trains never ran between points in such short time—facilities were never so adequate. And every year sees improvement in the railroads' remarkable accident prevention record.

Streamlined locomotives and trains and air-cooled coaches are being completed at almost breath-taking speed, fares have been reduced, and as a result passenger traffic is at the highest point in many years. Many of the speed trains average better than sixty miles an hour, the accident prevention record is nothing short of miraculous and the comfort of the passengers is once more the paramount interest of the operators.

In good times and in bad, the railroads play their rôle as one of the greatest, most necessary and most progressive American industries. Their welfare is inextricably related to the welfare of the nation.

## The International Musician And the Printing Plant

THE Editor asks the indulgence of the readers in order that he may point out to them the great possibilities of the Printing Plant, which is the property of the American Federation of Musicians—YOUR PROPERTY.

Few members actually realize that the facilities of the plant are of the finest, and that few printing plants are capable of turning out the fine class of work that can be done in our plant. Two and three color work, fine engravings, artistic designs and everything that goes to make up fine printing can be, and is being done in the plant at the present time.

Rates are no higher than in any other plant, Union Labor is employed throughout, and there are no delays in delivering our completed products. Locals and members living within a radius of five hundred miles can place their orders in the mail and have proofs back to them on all except large orders within three days. The Editor is sure that if the locals and members were fully aware of this fact they would not hesitate to send in their orders instead of placing them elsewhere.

It is your plant. Be loyal to yourself and patronize the INTERNATIONAL PRESS, as well as those who advertise in our magazine.



**Symphony at Ravinia**

**T**HE season of symphony concerts at Ravinia closed in triumph last Saturday night. Fifty thousand persons attended during the five weeks and, encouraged by this response and by the fact that attendance not merely kept up but increased as the weeks passed, the committee in charge plans for six weeks next summer. It will help that the chairman, Mr. Walling, lets it be known that the guarantors of the fund for this season will receive back a "very considerable" part of this commitment.

But that, we are confident, is not essential, since the commitments were made from motives of public spirit and devotion to good music, for which the committee owes the guarantors gratitude, notably Mrs. Eckstein, who donated the use of the park. For the managing committee also is due a vote of thanks for the good judgment and musical taste with which the enterprise was planned and carried through.

But no appreciation of this most gratifying event could omit acknowledgment of the unseen contribution of a man who has passed from this worldly scene, whose lavish generosity, whose initiative and judgment, whose unstinted devotion and rare gift of management built a unique institution famous throughout the musical world. The very name of Ravinia attracts the music lover and the memory of Louis Eckstein will hover over every worthy musical occasion in that place.—*Reprinted from the Chicago Tribune.*

The Editor has been informed that plans are being formulated for the purpose of extending the Ravinia Park Concerts to ten weeks in 1937.

**Strike Prevention**

**T**HE gains which can be made when peaceful methods of settling labor disputes are accepted by employers as well as by workers are shown by the experience of the railroads.

There has not been a genuine railroad strike since the Railway Labor Act was passed in 1926. The express drivers of New York struck in 1928 without the authority of the union representing the employes; but the dispute was settled by mediation within forty-eight hours. Another disturbance affected some employes on the

Toledo, Peoria & Western; but it was so little serious that no emergency board was appointed.

"But there has been no lack of labor disputes in the railroad industry," says the National Mediation Board in its annual report for the fiscal year ending June 30, 1935. "It differs from other industries only in that its disputes are amicably adjusted with the aid of agencies set up by the act."

First of these agencies is the National Mediation Board of three members. The board is the official peacemaker of the transportation industry. It mediates between disputers. It holds elections to determine the proper representatives of the workers in negotiating with the companies; and the railroads accept the board's certification.

If industrial peace can be brought to the railroads, by government action, why not to steel, autos and cement?

**And Bankers Oppose It**

**I**N order to safeguard the savings of the people from the rascality and inefficiency of bankers, the United States Congress two years ago enacted a law insuring bank deposits up to \$5,000.

During its legislative career the measure was systematically opposed by organized bankers, and even now many prominent bankers urge repeal of the law.

It is therefore instructive to note that the Federal Deposit Insurance Corporation, which administers the law, has paid off 93 per cent of the insured deposits in the fifty-eight member banks that have failed since 1933.

The insured deposits in the failed banks numbered 62,230, covering \$9,170,840. Up to May 31, the date of the last official compilation, 43,208 of these deposits, covering \$8,552,998, have been paid in full. The others are being paid as rapidly as official machinery can function.

Under the old regime the small depositors in many instances would have received but a very small portion of their savings and then only after the long delay accompanying receiverships. Under the insurance system the Federal Government guarantees that the depositors will get their deposits back promptly.

It is regrettable that, despite the constructive social results of safeguarding the savings of small depositors, organized bankers in the United States are still raising their voices and using their influence against the insured deposit system.

**Ambrosial Nights**

**I**T is still daylight as the music lovers file in at the various entrances to the Lewisohn Stadium these evenings. Refugees from Fascist-ridden European countries, workers from the East Side and the Bronx, office clerks, students of music, important business men who find seats at tables in front of the podium, city officials, among them the Mayor—it is just the heterogeneous cosmopolitan crowd that New York always produces. Let others have their raucous, barbaric jazz. These thousands have foregathered beneath the stars to commune with composers who have experienced the ecstasy and the anguish of creation, who have climbed to the sunlit heights and in inspired moments set down the emotions that stirred them.

The lights are dimmed. Warnings chimes ring from the podium, echoed by others far back in the Stadium itself. The concert is about to begin. Iturbi steps out, clad in immaculate white. He bows to the applause, turns to the orchestra, raps for its attention. A hush falls. Elections for President, the civil war in Spain, the threats of dictators, the distress of a world still in the throes of a depression—where are these now? The opening strains of Brahms's First Symphony work their familiar miracle. Some seem to take physical possession of the music and, by some curious process of transubstantiation, become one with a composer to whom the meaning of the cosmos was darkly revealed; these are the real artists. Others follow the composer with open scores and nod approval as Iturbi turns a phrase with especial neatness; these are the technicians. But the great majority sit there under the stars, knowing little of the subtleties of symphonic composition, scarcely grasping the virtuosity of the orchestra as it follows the conductor's slightest bidding, yet drinking in beauty as it would drink in the verdure of the forest or the changing spectrum of the setting sun. The gates of Paradise have opened.

Brahms, Beethoven, Wagner for twenty-five cents! Ambrosial nights under the stars as a great orchestra plays great music under the leadership of great conductors! Where else in the world is there anything like it? New York has reason to be grateful for the philanthropy that makes such gifts possible.—*The New York Times.*



By CHAUNCEY A. WEAVER

Many Locals of the American Federation of Musicians provide for a death benefit, or donation as it is sometimes called, in their Local laws. Local No. 10 of Chicago has such provision. In some instances these laws are somewhat loosely applied; in others they are very literally construed: Chicago, having a large Local, of course cannot permit its laws to have an indifferent enforcement. That Local has recently had occasion to apply the acid test to this kind of legislation and the outcome contains such an important lesson to all Locals trying to maintain these beneficent purposes, that we are disposed to review the Chicago incident somewhat in length, and as the story is narrated in the *Intermezzo*:

Hugo Conn, deceased, had not paid his dues for the first quarter of 1932 until March 5th of that year. He died on April 7, 1932. As he was not in good standing at the time of his death, the Board of Governors of the Chicago Musicians' Club was compelled to reject the application for the death donation, in accordance with Sec. 14 of the By-Laws. Selma Conn, a sister of the deceased, subsequently filed suit in the Municipal Court of Chicago.

The case was tried about a year ago, and after numerous hearings and arguments of counsel, a judgment was entered against the Chicago Musicians' Club for \$1,000.00, the amount of the death donation, the trial court sustaining the contention of the attorneys for the plaintiff that by the acceptance of the dues, the Chicago Musicians' Club had waived the requirements of Sections 14 and 16 of its By-Laws and was therefore stopped from claiming forfeiture.

In this case, as well as in all previous cases where law suits were resorted to (and which were all won by the Club), Sam Schein, attorney for the Chicago Musicians' Club, contended and argued that the acceptance of dues did not constitute a waiver, that the suspension for non-payment of dues, within the specified time, was valid and authorized by the Constitution and By-Laws of the Club, and the provisions, therefore, form a part of the contract between the Club and its members, and are binding upon all parties, and no officers of the Club have power to waive the same.

Owing to the importance of the question involved, Sam Schein appealed from the decision of the lower court, and on May 28, 1935, the Appellate Court of Illinois (First District), reversed the judgment of the

Municipal Court and entered a judgment in favor of the Club for its costs.

Judge Scanlan, who delivered the opinion of the Appellate Court, and in which Judges Sullivan and Friend concurred, held among other things:

"After a careful examination of the record, we are forced to the conclusion that there is no question of waiver involved in the instant case. Indeed, upon the oral argument, plaintiff's counsel was forced to abandon the waiver contention and to take a new position, viz.: that Sections 14 and 16 are ambiguous, and that therefore the provisions in the same, upon which defendant relies, should be disregarded. . . . We have therefore given this new contention serious consideration, but we are unable to find that there is any ambiguity as to the provisions in Sections 14 and 16 upon which defendant relies. In addition to the fact that the deceased was bound to take notice of the Constitution and By-Laws of defendant, his membership card, which he had to constantly carry, had upon its face the following, in capitals: 'MEMBERS WHOSE DUES FOR CURRENT QUARTER ARE NOT PAID BEFORE THE FIRST DAY OF MARCH, JUNE, SEPTEMBER AND DECEMBER STAY SUSPENDED,' and upon the reverse side of the card appears in capitals, the part of Section 16 hereinabove quoted. The provisions in Sections 14 and 16 upon which defendant relies are also printed in the By-Laws in capitals. In the instant case the payment by the deceased on March 5, 1932, of his dues for the first quarter of 1932, automatically reinstated him to good standing in the Club, but as he died within the ninety-day period fixed by Sections 14 and 16 his beneficiary was precluded from recovering the 'DEATH DONATION PROVIDED FOR IN SECTION 16.' . . . the provisions in question are a part of the contract between defendant and the deceased, and we cannot change them."

It can be accepted without controversy that no Local would ever find any satisfaction in depriving the family of a deceased member of his insurance through any technical medium. Human sympathy always reaches out in the direction of this kind of bereavement and distress. But the relationship is contractual. This implies an unwavering obligation on the part of both parties thereto. The decision in the instant case reflects the fundamental principles of justice and other Locals should feel the same way as an illuminating guide when similar controversies arise.

Last month, when the hot winds were cooking the corn before it could be taken from the field, when the gaunt scepter of Drouth was spreading its apprehensive shadow over that usually rich domain capable of furnishing the breakfast table of the entire human race, and meadow-brooks had ceased their musical murmur, and even the Father of Waters was bringing its opposite shores nearer together than man had ever seen before, we lastly sauntered Chicagoward, and once there made our way to the dock of the Georgian Bay Line, and, fairly blinded with per-

spiration, found our way on board. Our voyage medium was the S. S. North American. This steamer is one of the floating palaces of the Great Lakes. There were four hundred and seventy-five passengers and a crew of one hundred and forty-five. Vanished were the dust storms of the temporarily arid West. Gone were the Sahara winds. Cool breezes were instantly in circulation. Sea-gulls, tireless and untiring, danced upon the waves, putting the modern airplanes to shame with their graceful flight, and then chanted their weird song of thanksgiving as various brands of food were flung overboard for their gastronomic delectation. Night brought that benison of sleep which "knits up the ravelled sleeve of care," and then on the morning after—Oh, what an appetite! It was a period of enchantment. Sometimes it seemed like a shoreless sea. Then beautiful islands came into view. Then cities in the distance—shimmering in the sun by day, beautifully illuminated by night. Who will ever forget how gorgeously Cleveland appeared at 9 o'clock in the evening and with her Industrial Exposition glowing with countless shades of coloring? There is plenty of time for quietude on an adventure of this kind and yet plenty of relief for the lonely. Entertainment every evening, religious services, both Catholic and Protestant on the Sabbath, and food for the most discriminating demand. Incidentally, there was another feature which we are happy to note. Four Chicago musicians, all members of Local No. 10, were always heard with delight. The quartet was composed of Herbert Ehrhart, pianist; Lewis Schneider, violin; Jack Lentz, saxophone; Lou Finley, drums. The boys knew their stuff. Whether it was musical interludes for a more serious ceremonial, a select concert program, or inspiration for the mazy dance—they were equal to every demand. We shall long remember their efforts to augment the pleasure of the writer on his unusual journey. It was a happy holiday party and from early morning until latest twilight the prevailing sentiment seemed to be—

Sailing, sailing, onward to Buffalo:  
In spite of all the surging waves,  
And all the winds that blow!  
Sailing, sailing, happy and blithe  
and gay,  
On board the North American—  
The beautiful Buffalo way.

Washington needs at least one more alphabetical bureau—the DRB—Drouth Relief Bureau. Doubtless it will be sufficient to simply mention the matter.

Some of these blues singers should be able to find worthwhile employment in an indigo factory—at living wages.

The depression is ended. More hand concerts have been reported this summer than in a long past period.

Remember, it takes a killing frost to harm the sunflower.

In a recent issue of the *Boston Post*, Henry Woelber pays tribute to Maurice O'Shea, an early Boston saxophone player, violinist and leader of the Scollay Square, Olympia, Central Square and National Theatres, of a former day, and who passed away a short time ago. He says:

O'Shea was a real saxophone player in real bands of a decade ago—notably the 65-piece Boston band that played the St. Louis Exposition in 1904, and the municipal bands of Boston Common fame from 1897 to 1903. He also was violinist in many orchestras which appeared at different spring music festivals throughout New England.

Fine as he was as a musician, he was a clown and story-teller beyond compare. Never known to offend anybody or speak ill of a living soul, he "took off" prominent characters so well he was known to musicians as a rib-cracking, side-splitting comedian. He had more talents than allotted by the Good Book.

O'Shea organized a vaudeville act called "The Four Roses." It was booked by B. F. Keith in many adjacent cities. Keith wanted to send him over the circuit to the Western Coast, but O'Shea, loving husband and father that he was, would not leave his home. In that act what musician could ever forget O'Shea singing all the parts from "The Sextette from Lucia," or later, his recitation "The Wind Instrument Players Keep the Dentists Out of the Poor-House."

Going to many a band or orchestra job, O'Shea limited a drunken man crossing Massachusetts avenue in front of Symphony Hall, using the "collapsible legs" trick. He often did that while Leon Errol was still in burlesque.

O'Shea's saxophone playing was a distinct novelty of the long ago. He used that instrument before the word "jazz" was coined.

He was gone before his thousands of friends knew it. A true Christian: one of nature's noblemen! A man of the theatre, he loved its atmosphere, and in turn was loved by all its attaches.

It is too bad that some of this "swing" music could not be fastened to the end of a rope.

San Francisco is a wonderful city, but bound to be exclusive. We understand light overcoats were in evidence all through the summer hot spell.

After the experience of the past four months Longfellow's "Rainy Day" will always have a peculiar charm.

In his column of "Musical Notes" in the Jacksonville, Fla., *Labor Journal*, Brother George P. Boutwell says:

It is said, "Verdi had a way of scoring off those who misunderstood his genius."

The director of the Milan Conservatory refused him as a pupil because he had no ability. Verdi's answer was one of the longest and most successful careers on record, remarkable for its sustained artistic progress to the very end. The large audience that had the privilege of hearing his opera "Aida" at the Stadium have no doubts about his genius. This great composition was well rendered by a selected cast of fine singers, backed by augmented musical organizations and choruses. It is needless to say that this was the finest musical event ever staged in Jacksonville and it is hoped that there will be further productions along the same lines.

It is wholesome evidence of artistic appreciation when local talent will devote the time and arduous toll necessary to the proper presentation of a masterpiece like "Aida" for the entertainment and uplift of the home community. We have no doubt that the affair was well worthy the commendatory notice which it has received.

The recent meeting of the Wisconsin State Musicians' Association was held at Oshkosh. President Harvey C. Holzer welcomed the delegates, numbering fifty-nine and from seventeen Locals. An unusual feature was the fact that the delegates brought their instruments with them and when finally assembled discovered they had the instrumentation for a fine concert band. Debate over pending legislation and upon the good of the order thus was provided a harmonic background which everyone enjoyed. Matters of interest peculiar to the various Locals represented were earnestly discussed. State Officer Frank Hayek was present and made a report. Officers present were H. A. Thompson, president; Walter J. Smith, vice-president, and O. J. Thompson, secretary. The next meeting of the association will be held at Manitowoc, the home of Local No. 195. The association expressed its appreciation of entertainment provided by Oshkosh musicians with proper resolutions.

Are all the delegates who attended the Detroit Convention aware that the Steamer Tashmoo, within the palatial quarters of which the delegates and visitors had such a delightful Wednesday afternoon holiday, struck a rock two days later and sunk in the Detroit River? There were fourteen hundred people on board, but every one rescued from a watery grave. Blast that rock, anyway!

Probably the weather was never more of a topic of wide and heated discussion than during the summer season now drawing to a close.

Non-partisan endorsement of a partisan candidate always gives us a good laugh.

The corn crop supply is negligible this year and yet we have no doubt the whiskey output will be as generous as ever.

Rudy Vallee aspires to conduct a symphony orchestra. We are glad to learn he is disposed to change some of his musical ways.

If a house divided cannot stand, how do two labor organizations expect to get along successfully within the same national jurisdiction?

Plowing under every third row will not be altogether popular next year.

It never rains but it pours. A cloudburst is reported over Lake Huron.

## Tax Returns Are Opened For Labor Spy Inquiry

Washington, D. C.—President Roosevelt ordered the Federal income tax returns of 230 private detective agencies and corporations employing them thrown open for use of the Senate Committee on Education and Labor in its investigation, authorized by the Senate just before adjournment, "of violations of the rights of free speech and assembly and undue interference with the right of labor to organize and bargain collectively."

The scope of the probe includes the ramifications of private detectives and spies employed by many corporations to break strikes and smash trade unions. The President's executive order directed the Internal Revenue Bureau to give the committee what information it had regarding the subject matter covered by the probe.

Senator La Follette of Wisconsin will conduct the inquiry for the Labor Committee. He has authority to subpoena witnesses and documents of detective agencies and corporations. He has designated Robert Wohlforth, an investigator in the Senate's munitions inquiry, to head the staff of experts.

## OFFICIAL PROCEEDINGS

(Continued from Page Fifteen)

We, therefore, submit this, our consideration of his final report with deep regrets to the American Federation of Musicians in losing such a competent and able official.

In closing may we quote from the Bible that passage which so briefly and so eloquently befits this occasion:

"Well done, thou good and faithful servant."

HARRY J. STEEPER,  
Chairman;

A. C. LIGHT,  
JOSEPH JUSTIANA,  
HENRY D. SMITH,  
LEON HIRSCH,  
STANLEY BALLARD,  
HARRY M. RUDD,  
EDWARD KIEFER,  
CARL W. JONES,  
H. G. SLOAN,  
FRANK F. WESSEL,  
HARRY E. BRIGHAM,  
N. J. SCHMAUCH,  
PAUL R. METZGER,  
JAMES T. HARRIS,  
A. J. NELLIGAN,  
VINCENT E. SPECIALE,  
RAY F. OTTO,  
GUY W. HERIC,  
HARRY M. STEVENSON,  
W. J. SWEATMAN.

Moved and seconded to adopt the report of the committee.

Adopted by a rising vote.  
The Secretary and President address the Convention.

The Committee on Measures and Benefits reports through Chairman Ringius:

### RESOLUTION No. 12

Whereas, The membership of the American Federation of Musicians in 1929 was 146,326 members, and

Whereas, The membership of the A. F. of M. May 1, 1936, was 105,013 members, and

Whereas, There has been a decrease of 41,313 in the membership of the American Federation of Musicians during this period of time, therefore, be it

Resolved, That all Locals affiliated with the American Federation of Musicians be urged to open their charters, at a reduced rate for membership, sometime during the next twelve months for a period of three months, for the purpose of increasing the membership of the American Federation of Musicians, which will result in more revenue for each Local, more revenue in per capita tax to the National office, and will aid considerably in eliminating the unfair competition to the Union musician.

PETER J. KLEINKAUF,  
Local No. 140.

The report of the committee is unfavorable to the resolution. Moved and seconded to concur in the report of the committee. Discussed by delegates Kleinkauf and Sullivan.

A motion to recommit is lost. Further discussion on the report by delegates Rosenberg.

The unfavorable report of the committee is concurred in by the Convention.

### RESOLUTION No. 13

Resolved, That in any orchestra, band or instrumental ensemble of any kind where any singer(s) and/or entertainer(s) not instrumental musicians are part of such orchestra, band or instrumental ensemble, such singer(s) and/or entertainer(s) shall be required to be members of the American Federation of Musicians.

All present laws to the contrary shall be so changed.

LEWIS W. COHAN,  
Local No. 269.  
EDWARD BRUBAKER,  
Local No. 269.  
RALPH FELDSER,  
Local No. 269.

Committee report, unfavorable to the resolution, is concurred in by the Convention.

Brother Ralph Whitehead, the secretary of the Actors' Union of America, is introduced and addresses the Convention.

Session adjourns at 12:30 P. M.

## Second Day

### AFTERNOON SESSION

Convention called to order by President Weber at 2:30 P. M.

The following communication is received.

Detroit, Mich.,  
June 9, 1936.

Joseph N. Weber, President,  
American Federation of Musicians,  
Hotel Statler, Detroit, Mich.

Deeply touched by your friendly and cordial message. I beg you to convey to

the members of the Convention my deep appreciation and heartfelt thanks.

OSSIP GABRILOWITSCH.

The Committee on Good and Welfare reports through Chairman Kapl:

### RESOLUTION No. 16

Resolved, That should any Local knowingly accept any application when same is not in conformity with all laws of the Federation, and give such applicant full membership for the purpose of circumventing a 10% surcharge, or for any other reason whatsoever, such Local shall be subject to any penalty the International Executive Board may determine.

LEWIS W. COHAN,  
Local No. 269.  
EDWARD BRUBAKER,  
Local No. 269.  
RALPH FELDSER,  
Local No. 269.

Permission to withdraw the resolution is granted introducers.

### RESOLUTION No. 17

Whereas, There are now licenses granted to one booker for each 3 1/4 orchestras, with more applications for licenses each week, and

Whereas, This great excess of bookers tends to drag down the prices quoted on orchestras booked, be it

Resolved, That no license shall be renewed to holders of 1936 licenses unless applicant can furnish proof that he has booked no less than fifty single engagements or the equivalent of six months' location work during the year of 1936—or in case his license was granted after February 1, 1936, a pro rata of above requirements, list of dates booked to be checked through tax, report of Locals where dates are listed, the Locals approving application to pass upon booker's eligibility regarding above.

HAL DENMAN,  
Local No. 141.

An unfavorable report is concurred in by the Convention.

### RESOLUTION No. 18

Whereas, The National Administration has found it advisable to cancel licenses held by employers as concerns broadcasting companies, and

Whereas, Many ballroom proprietors and managers who hold bookers' licenses are using these licenses to take unfair advantage of orchestra by demanding a booking fee which is deducted from price paid the orchestra, be it

Resolved, That all licenses held by such employers be cancelled.

HAL DENMAN,  
Local No. 141.

The committee reports that as the purpose of the resolution is covered by the present policy of the Federation, no favorable action is necessary.

The President makes a lengthy explanation of the policy of licensing booking agents and agencies and withdrawals of such privileges when the interests of the Federation make such action advisable, as well as the result of the operation of the policy of licensing.

The recommendation of the committee is concurred in by the Convention.

### RESOLUTION No. 19

Whereas, Many bookers secure licenses in one city and use said license to operate in another city, and

Whereas, The National Administration has no way of checking on many of these non-members bookers, and

Whereas, Many irresponsible bookers secure licenses. Owing to above-named condition be it

Resolved, That no license be granted after 1936 unless the application be submitted through or with written recommendation and approval of the Local under whose jurisdiction said booker operates, or in case of no Local jurisdiction, the approval of the nearest Local to base of operations of said booker.

HAL DENMAN,  
Local No. 141.

An unfavorable report of the committee is concurred in by the Convention.

### RESOLUTION No. 20

Add new paragraph to Article IX, Section 26.

If a Local Secretary or any official of a Local collects or attempts to exact the 10% surcharge from members of outside orchestras playing in the jurisdiction of such Local on the basis of a false or raised figure represented to be Local scale but being higher than actual Local scale on any engagement where such 10% deposit is required, such practice to be considered misrepresentation and the present Section 26 shall apply in all its phases.

LEWIS W. COHAN,  
Local No. 269.  
EDWARD BRUBAKER,  
Local No. 269.

RALPH FELDSER,  
Local No. 269.

Permission is granted to the introducers of the resolution to withdraw same.

### RESOLUTION No. 21

Proposal to add another new paragraph to Article IX, Section 26.

If any Local collects or attempts to exact the 10% surcharge from members of outside orchestras playing in the jurisdiction of such Local on the basis of the scale of such Local, but permits such Local scale to be violated by its local members on similar engagements knowingly, but not using its best efforts toward preventing or correcting such violation by Local member, such practice to be considered misrepresentation and the present Section 26 shall apply in all its phases.

LEWIS W. COHAN,  
Local No. 269.  
EDWARD BRUBAKER,  
Local No. 269.  
RALPH FELDSER,  
Local No. 269.

Withdrawn by the introducers with the consent of the Convention.

### RESOLUTION No. 22

Change Paragraph 3, Section 9, Article 13, Page 126, to read as follows: Transportation charges per man must be made at not less than the lowest rate by available public transportation service, or not less than one (1c) cent per mile per member if transportation is by privately owned automobile or by other conveyance.

EXPLANATION: (There is a conflict between the law as given at the bottom of Page 129 governing traveling orchestras and the law as given at the bottom of Page 126.)

CHAS. W. WEEKS,  
Local No. 111.

A favorable report, with addition to be made as well to Sec. 12, Art. 13, page 133, is concurred in by the Convention.

The Committee on Measures and Benefits, continues its report:

### RESOLUTION No. 14

Whereas, The members of our Union have suffered great unemployment not only as the result of the depression, but also because of technological changes, and

Whereas, Great numbers of the members of our Union are doomed to permanent unemployment, and

Whereas, Existing unemployment insurance laws provide for the payment of inadequate benefits and permit such benefits to be paid only to those who have had a certain minimum of employment during each year, and

Whereas, Many of our members will not be able to obtain the required minimum employment to entitle them to unemployment benefits under the existing laws, and

Whereas, The Frazier-Lundeen Bill, which has been introduced in the Congress of the United States provides for unconditional payment of substantially larger benefits to all unemployed persons,

Resolved, That the American Federation of Musicians in convention assembled goes on record in favor of the passage of the Frazier-Lundeen Bill.

EDWARD CANAVAN,  
Local No. 803.  
RICHARD McCANN,  
Local No. 802.  
JACOB ROSENBERG,  
Local No. 802.

A favorable report is made by the committee.

The President makes an explanation. The favorable report of the committee is concurred in by the Convention.

The Committee on Law continues its report:

### RESOLUTION No. 8

Whereas, Traveling orchestras (except in the case of the larger booking agencies) seldom file a contract with a Local Union in advance of their engagement, more especially single engagements, and,

Whereas, Traveling orchestras as well as members playing Local Out-of-town engagements, have been known to play engagements in local jurisdictions without reporting such engagements to either the Local Union or the office of the National Treasurer, and,

Whereas, It is difficult for Local Unions to police their jurisdictions without some advance knowledge of such orchestras playing engagements in their jurisdiction, therefore,

Be It Resolved, That Art XIII, under the caption, *Traveling Orchestras and members, Traveling Cards and Ten Members Playing Out-of-Town Engagements*, page 109 of the By-Laws, be

amended to include, Sec. 9, Art. XII, page 100, of the By-Laws, *verbatim*.

HAL CARR,  
Local No. 15.

Permission to withdraw the resolution is granted to the introducer.

RESOLUTION No. 9

Whereas, The Theatre Defense Fund of the American Federation of Musicians has reached a point where further assessments are unnecessary.

Therefore, be it resolved, that all reference to this fund in the Constitution and By-Laws of the American Federation of Musicians shall be eliminated, effective Sept. 1, 1936.

HARRY C. MANVELL,  
Local No. 161.  
RALPH S. FOX,  
Local No. 161.

Withdrawn by the introducers with the consent of the Convention.

RESOLUTION No. 2

Whereas, The use of wires or "lines" in the transmission or messages of radio programs from station to station seems destined to be discarded eventually in favor of direct broadcasting.

Whereas, It is said to be practicable to broadcast a program from one station so that it may be successfully picked up and re-broadcast by other stations.

Be It Resolved, That where a station from which a program emanates, authorizes or makes no effort to stop another station or other stations from picking up its broadcast and re-broadcasting it, the station from which the program emanates shall come under the Federation's jurisdiction and shall be charged the same scale for musical services which shall apply to chain broadcasts.

G. PIPTONE,  
Local No. 174.  
LEON HIRSCH,  
Local No. 174.  
JOHN DE DROIT,  
Local No. 174.

Committee reports unfavorably. Convention concurs in the unfavorable report.

MEMORIAL SERVICES

Vice-President Bagley addresses the delegates assembled and in appropriate manner refers to the memories left with us by our departed brethren.

Among those who have passed away during the past year, the following names are found:

- Deceased Members:
- Harry E. Feiser, Local No. 472.
- Charles B. Poenisch, Local No. 297.
- D. K. Howell, Local No. 2.
- C. B. Bearden, Local No. 148.
- Gilden R. Broadberry, Local No. 134.
- Frank Speigl, Local No. 20.
- F. J. Liebold, Local No. 20.
- Thomas Trumbell, Local No. 171.
- H. C. Sinks, Local No. 30.
- August C. Tacke, Local No. 30.
- John F. Walsh, Local No. 109.
- John H. Kelley, Local No. 154.
- George De Droit, Local No. 174.
- Sam Davis, Local No. 6.
- Thomas O'Shea, Local No. 60.
- Dayton Vreeland, Local No. 248.
- Otto F. Baum, Local No. 71.
- L. E. Booth, Local No. 76.
- James Mercaldi, Local No. 63.
- Gerald Anderson, Local No. 36.
- Frank A. Knoll, Local No. 204.
- Charles W. Fridley, Local No. 101.
- Emil Weber, Local No. 18.

The Convention stands in respectful silence in memory of those who have passed to the Great Beyond.

The rules are suspended and the session adjourns at 3:30 P. M.

for a Congressional investigation, and locally by our organizations wherever it rears its ugly head.

ANTONIO LOMBARDO,  
Local No. 420.

The committee recommends that the resolution be referred to the International Executive Board. Convention agrees.

RESOLUTION No. 54

Resolved, That the words, "by registered mail," on fourth line from bottom of paragraph b. Section 2, Article XIII, be eliminated.

J. S. TOOHER,  
Local No. 69.

The report of the committee is unfavorable and is concurred in by the Convention.

RESOLUTION No. 55

Whereas, Many Locals fail to send to National Secretary for publication in International Musician, names of suspended members, etc., as provided for in Section 1, Article XIII, A. F. of M. By-Laws;

Therefore, Be It Resolved, That the words "by registered mail" on second and third lines of this section be eliminated.

J. S. TOOHER,  
Local No. 69.

An unfavorable report of the committee is concurred in by the Convention.

RESOLUTION No. 61

Resolved, That the American Federation of Musicians continue to make every effort and lend its assistance to any and all legislation that will commission the Band Leaders in the regular Army and National Guard.

ERVIN J. SARTELL,  
Local No. 328.

Reported favorably. Convention agrees.

RESOLUTION No. 62

Whereas, An order from the National Guard Bureau at Washington, D. C., recently reduced the enlisted strength of the National Guard Bands to 28 men, and

Whereas, This order affected the loss of pay to thousands of members, and

Whereas, The order decreases the efficiency of the Service Band;

Be It Resolved, That we ask the War Department and the National Guard Bureau to increase the strength of the Service Bands at an early date.

ERVIN J. SARTELL,  
Local No. 328.

Reported favorably, and wherein the Convention agrees.

RESOLUTION No. 63

Whereas, Both hall owners and the general public desire knowledge of how to recognize Union bands, and

Whereas, It is important that the Local Secretary have advance information on engagements to be played in his jurisdiction;

Therefore, Be It Resolved, That all dance bands, both local and traveling, have upon their display advertising, the seal, or a replica thereof, of the leader's Local.

FRANK T. NAGELE,  
Local No. 289.

Reported unfavorably. Convention agrees in report.

RESOLUTION No. 64

On and after July 1, 1936, no steamship or boat contracts shall be renewed on basis of one cent per month. All contracts after July 1, 1936, to stipulate that musician be paid pursuer and signed on the articles showing pay in full as is done with all members of crews.

C. H. KING,  
Local No. 6.

JERRY RICHARD,  
Local No. 6.

JIMMY DEWEY,  
Local No. 6.

It is recommended that this resolution be referred to the International Executive Board. Recommendation adopted.

The Committee on Law continues its report:

Recommendations of the President:

The President shall, whenever he considers it in the interests of the Federation, appoint investigators whose duty it shall be to visit local jurisdictions to establish more contact between Locals and the Federation and make such investigations and perform such duties as the President may assign them. The number of such investigators shall not exceed eight.

The committee reports favorably with change of "eight" on last line, to "nine." Moved and seconded to adopt the report.

Discussed by Delegate Steeper.

The President makes an explanation.

Further discussed by Delegate Sullivan.

On motion, the resolution is recommended.

RESOLUTION No. 11

Whereas, Many of the American Federation of Musicians deliberately or otherwise, do contribute to the welfare of the American Society of Composers, Authors and Publishers, and

Whereas, Most "HIT" musical selections are the creation of a member of the American Federation of Musicians or at least the members of the American Federation of Musicians are responsible in a large measure for the success of all musical compositions, and

Whereas, The American Society of Composers, Authors and Publishers do operate in many localities through high-powered attorneys to the detriment of the members of the American Federation of Musicians, and

Whereas, Inequitable methods of forcing licenses upon employers of the members of the American Federation of Musicians are causing many establishments to discontinue hiring musicians, and

Whereas, Many previous attempts to regulate the activities of the American Society of Composers, Authors and Publishers have met with failure,

Therefore, Be It Resolved, That the National Executive Board of the American Federation of Musicians work out a plan which will regulate the activities of our members who contribute to the welfare of the American Society of Composers, Authors and Publishers, to the detriment of the members of the American Federation of Musicians as follows:

1. That the American Federation of Musicians, through its National office pay a sufficient sum of money annually to the American Society of Composers, Authors and Publishers to adequately compensate them for their creative ability. This should abolish the necessity for splitting their rewards with high-powered attorneys.

2. The members of the American Federation of Musicians being granted privilege thereby to play all copyright music without his employer having to pay for license. All non-members of the American Federation of Musicians being required to have a license where they play music in public for profit.

And Be It Further Resolved, That all members of the American Federation of Musicians who compose music be bound by the National By-Laws in such manner as to regulate the disposal of their creation in fairness to the creator without being detrimental to the employment opportunities of the members of the American Federation of Musicians.

- F. L. RITCHEY,  
Local No. 576.
- GEORGE SHARP,  
Local No. 386.
- JOHN P. BAER,  
Local No. 421.
- A. A. TOMEI,  
Local No. 77.
- OSCAR APPLE,  
Local No. 40.
- REINHARDT ELSTER,  
Local No. 203.

The report of the Committee is unfavorable to the resolution, and the Convention agrees in the report of the Committee.

RESOLUTION No. 7

Whereas, In many instances Exposition engagements are played by traveling orchestras and bands, and

Whereas, Local prices are often higher than the Federation scale for such engagements which necessitates close policing of these engagements by Local Unions, therefore,

Be It Resolved, That the words "or expositions" be stricken out of the first paragraph of Section 11, Article XIII, page 133 of the By-Laws, and that the same course be pursued in the first paragraph of Article XIV, page 140, as well as the fourth, eighth and tenth paragraphs of Article XIV, page 142 of the By-Laws, and

Be It Further Resolved, That the words "or expositions" be included after the words SHOW in the fifth and twelfth lines, paragraph (A) of Article XIII, page 109 of the By-Laws, thereby making such engagements amenable to payment of the Federation 10% tax. NOTE: This shall not be so construed as to apply to Symphony Orchestras.

HAL CARR,  
Local No. 15.

The Committee report is unfavorable to the resolution. The Convention agrees with the report.

RESOLUTION No. 8

Whereas, The words "presentation performances" as contained in the fourth paragraph, page 113 of the By-Laws under the caption, RULES GOVERNING TRAVELING ORCHESTRAS, tends to apply to so-called Presentation Shows only, and

Whereas, Many Local Unions have successfully applied this law to all types of shows without being involved in any particularly serious difficulties, therefore,

THIRD DAY

MORNING SESSION

Convention called to order by President Weber at 9:45 A. M.

The following communications are read:

New York, N. Y.,  
June 9, 1936.

American Federation of Musicians' Convention,  
Hotel Statler, Detroit, Mich.

Wish to extend to the officers and delegates of your organization, in Convention assembled, fraternal greetings, and feel certain that the deliberations of your body will prove beneficial not only to your general membership, but to the Labor Movement of America.

T. A. RICKERT,  
United Garment Workers of America.

Long Beach, Calif.,  
June 9, 1936.

Joseph N. Weber,  
A. F. of M. Convention,  
Detroit, Mich.

Please convey my kindest regards and affection to the Forty-first Convention of the American Federation of Musicians.

HERBERT L. CLARKE.

The Committee on Measures and Benefits continues its report:

RESOLUTION No. 13

Whereas, It is common knowledge that the third paragraph of Article XIII, Section 9 (page 126, re. transportation charges) is and has been violated in a wholesale manner to the severe detriment of legitimate agents, contracting traveling members and local members of practically all Locals of the A. F. of M.

Be It Hereby Resolved, That the following be added to the third paragraph of Article XIII, Section 9.

"A contracting member or leader, as the case may be, must, if requested by the authorities of the Local Union in whose jurisdiction an engagement is played or to be played, allow the Local, if it desires, to collect such transportation and pay the members of the band or orchestra."

WILLIAM BOSTON,  
Local No. 306.

The report of the committee is unfavorable and the Convention concurs in the report.

RESOLUTION No. 37

In accordance with page 172, Number 33, Standing Resolution, Secretary Wm.

Kerngood is hereby given life membership at large in the Federation and the National Executive Board is instructed to purchase a suitable token of our esteem to Secretary Kerngood and his wife and be so presented to them.

- C. H. KING,  
Local No. 6.
- J. J. RICHARDS,  
Local No. 6.
- J. G. DEWEY,  
Local No. 6.

A favorable report is concurred in by the Convention.

RESOLUTION No. 47

Resolved, That the American Federation of Musicians amend Article VI, Section 2, page 7 of its Constitution, adding thereto, at the end of the existing section, the following:

"For a period of not less than one year."

- A. A. TOMEI,  
Local No. 77.
- V. DAHLSTRAND,  
Local No. 8.
- WALTER HOMANN,  
Local No. 8.
- OSCAR APPLE,  
Local No. 40.
- W. G. GROHNDORFF,  
Local No. 205.
- J. BERTRAM COMFORT,  
Local No. 77.
- A. REX RICCARDI,  
Local No. 77.

The following substitute is offered, to add the following in lieu of what is proposed:

"For a period of not less than six months."

Moved and seconded to adopt the substitute.

Discussed by delegates Cella, Keene, Tomei, Hurst.

The substitute of the committee is lost.

The resolution as introduced is lost.

RESOLUTION No. 49

Whereas, The Black Legion has come to the attention of the whole American public as a sinister, anti-democratic and anti-Union movement,

Whereas, The Black Legion, like all fascist organizations, concentrates its fire and terrorism against the Labor Movement and resorts even to assassination to gain its dark ends,

Be It Resolved, That the A. F. of M., as part of the great and growing Labor Movement in America, pledge itself to combat this movement nationally, calling



member individually through the Secretary of the Local to which the members belong.

VINCENT E. SPECIALE,  
Local No. 661.  
ALFONSO PORCELLI,  
Local No. 661.  
EMANUEL HURST,  
Local No. 661.

An unfavorable report is made by the Committee.  
The Convention agrees with the Committee.

#### RESOLUTION No. 32

Resolved, That whereas the seventh paragraph of Article XIII, Section 9 of the Constitution, By-Laws and Standing Resolutions (page 127, re. Local's right to collect salaries) has proven to be decidedly discriminatory against contracting agents and contracting members, inasmuch as it now permits contracting agents and members to make payments of salaries for disbursement rather than permitting Locals the right of collection of salaries, thereby defeating the intended purpose of this paragraph and destroying its value as an effective measure of eliminating chiseling and evasion of the wage scale, particularly among contracting agents and contracting members.

Be It Hereby Resolved, That the words, "from Owner, Manager, Agent or Paymaster of any Hotel, Cafe, Inn, Restaurant or Club" be inserted following the word collect and the word "money" be changed to "scale," making seventh paragraph of Article XIII, Section 9, read as follows:

"A contracting member or leader, as the case may be, must, if requested by the authorities of the Local Union in whose jurisdiction an engagement is played, allow the Local, if it desires, to collect from owner, manager, agent or paymaster of any Hotel, Cafe, Inn, Restaurant or Club, the scale for the engagement, and pay the members of the band or orchestra. A Local must collect the 10% which traveling orchestras must charge in addition to the Local price and immediately forward the amount to the Treasurer, to be held by him until the close of the engagement or such time as the President or the International Executive Board may designate and to be thereafter paid to the member entitled to same."

WILLIAM BOSTON,  
Local No. 806.

Resolution reported unfavorably, in which report the Convention agrees.

#### RESOLUTION No. 42

Whereas, The flagrant violations of Federation laws by many traveling bands is largely due to the financial inability of many Locals to properly enforce Federation laws within their respective jurisdictions by apprehending and convicting such offenders and successfully defending such convictions on appeal

Whereas, The Federation is practically unable to enforce its laws without the aid of Locals and

Whereas, Allowing Locals to retain a part of the fines imposed by them on traveling bands for violation of Federation laws in their respective jurisdictions would, by reason of the increased vigilance on the part of such Locals, enable such Locals to finance more efficient supervision of the activities of traveling bands in their jurisdiction without appreciably decreasing the revenue now derived by the Federation from such fines;

Therefore, Be It Resolved, By the American Federation of Musicians in its forty-first annual convention assembled that Local Unions be required to rigidly supervise the activities of traveling bands in their respective jurisdictions and that Locals be entitled to retain one-half of all fines imposed by them on members of traveling bands for violations of Federation laws within their respective jurisdictions.

E. E. PETTINGELL,  
Local No. 99.  
HERMAN D. KENIN,  
Local No. 99.  
JEROME J. RICHARD,  
Local No. 6.  
TELESPHORE J. BOURASSA,  
Local No. 144.  
C. I. WEBER,  
Local No. 76.  
O. R. McLAIN,  
Local No. 76.  
HARRY A. THOMPSON,  
Local No. 59.

Subject matter has been disposed of.

#### RESOLUTION No. 44

Be It Resolved, By the American Federation of Musicians in its forty-first annual convention assembled that no member of the Federation can represent a Local as a delegate at an annual convention of the American Federation of Musicians while such member is a licensed agent under the laws of the Federation or is in the employ of a licensed agent of the Federation.

E. E. PETTINGELL,  
Local No. 99.  
JEROME J. RICHARD,  
Local No. 6.  
HERMAN D. KENIN,  
Local No. 99.  
JACOB ROSENBERG,  
Local No. 802.  
TELESPHORE J. BOURASSA,  
Local No. 144.  
O. R. McLAIN,  
Local No. 76.  
C. L. WEBER,  
Local No. 76.  
HARRY A. THOMPSON,  
Local No. 59.

The report of the committee is unfavorable to the resolution.

Discussed by Delegate Pettingell.

The report of the committee is adopted.

On motion, the rules are suspended and the session adjourns at 12:20 noon, the Convention to reconvene at 9:30 A. M., Thursday, June 11th, 1938.

A. REX RICCARDI,  
Local No. 77.  
BERTRAM COMFORT,  
Local No. 77.  
VINCENT E. SPECIALE,  
Local No. 661.  
ALFONSO PORCELLI,  
Local No. 661.  
EMANUEL HURST,  
Local No. 661.

The committee recommends that the resolution be referred to the International Executive Board. The Convention concurs in the recommendation.

#### RESOLUTION No. 70

Whereas, Engagements in theatres of one, two or three days a week come under the classification of miscellaneous engagements, and

Whereas, In case of a strike the members would not be entitled to strike benefits,

Be It Therefore Resolved, That the 2% Theatre Defense Fund Tax does not apply to engagements in theatres of three days or less at any time.

VINCENT E. SPECIALE,  
Local No. 661.  
ALFONSO PORCELLI,  
Local No. 661.  
EMANUEL HURST,  
Local No. 661.

Reported unfavorably.

Discussed by Delegate Speciale.

A motion to recommit is lost.

The unfavorable report of the Committee is concurred in by the Convention.

#### RESOLUTION No. 29

Whereas, In a majority of cases the proper policing of territory in adjoining States under the jurisdiction of one Local cannot be efficiently performed where the distance between a Local in one State and the territory in the adjoining State exceed 40 miles,

Be It Therefore, Resolved, That the jurisdiction of a Local in one State shall not exceed a distance of 40 miles into the territory of another State.

FRANK SHARP,  
Local No. 595.  
ENRICO SERRA,  
Local No. 595.  
EMANUEL HURST,  
Local No. 661.  
ALFONSO PORCELLI,  
Local No. 661.  
VINCENT E. SPECIALE,  
Local No. 661.

The recommendation to refer to the International Executive Board is concurred in by the Convention.

#### RESOLUTION No. 33

Whereas, The practice of employing one musician to play on two or more instruments, commonly known as "doubling," harmfully affects the economic and artistic standards of the musical profession, results in exploitation of musicians and unfair competition within the Union, and, if allowed to continue, will further damage the musical profession and its members,

Resolved, That there shall be no doubling on instruments on the radio, symphony orchestras, theatres, opera, comic opera or any mechanical reproduction including phonographs, vitaphone, electrical transcriptions, etc., unless for each instrument on which doubling occurs an additional instrumentalist, who shall be confined to the playing of only one instrument during each engagement, or a stand-by is engaged for the entire engagement, except that:

1. Instrumental doubling shall be permissible in strictly dance orchestras performing in places other than those above mentioned for dances and club dates and in non-commercial remote control broadcasts of music used for dancing for a remote control broadcasting charge is paid.

2. Where an orchestra includes players of woodwind instruments, saxophone players may be permitted to double on such woodwind instruments as are already being played by woodwind instrumentalists in said orchestra without engaging an additional woodwind instrumentalist to play or be a stand-by; but no saxophone player shall double on any woodwind instrument which is not represented in the orchestra unless at least one instrumentalist for each type of instrument doubled on shall be engaged to play or act as a stand-by during the entire engagement.

3. Playing of the related instruments—flute and piccolo, oboe and English horn, clarinet and bass clarinet, bassoon and contra bassoon, piano and celeste banjo and guitar, and members of the saxophone family—shall not be construed as doubling.

And be it further resolved that where a stand-by is engaged pursuant to the provisions hereof he shall be a player of the instrument on which the doubling occurs and shall be actually present during the entire engagement for which he shall be engaged by the contractor and

paid through the Local Union in whose jurisdiction his services are rendered.

EDWARD CANAVAN,  
Local No. 802.  
RICHARD McCANN,  
Local No. 802.  
JACOB ROSENBERG,  
Local No. 802.

The committee recommends that the resolution be referred to the International Executive Board with instruction to report to the next Convention.

The recommendation of the Committee is lost.

Moved and seconded to adopt the resolution as introduced.

Discussed by delegate Gillette.  
The President addresses the Convention.

The discussion is resumed by delegate Canavan.

The resolution falls of adoption.

#### RESOLUTION No. 74

Whereas, The American Federation of Labor at its last convention held at Atlantic City by a rising vote unanimously resolved that the paramount issue of Labor is to adopt a 5-day week; and

Whereas, The A. F. of M., through Standing Resolution No. 39 have heretofore resolved as follows: Efforts to secure a 6-day week are in accordance with the principles of the Federation.

Therefore, Be It Resolved, That on and after July 1, 1937, no member of any Local Union shall be permitted to labor more than 6 days a week, except in cases of Grand Opera or engagements of a like nature, provided, however, local or national executive boards may make such rules to cover necessary exceptions for the guidance of Local and Federation members.

Add Law Working Week:

Six days shall compose a musician's working week, one day a week is nationally declared a day of rest for all musicians. No member is permitted to work on his day off.

The President of the A. F. of M. shall convey to every Local the mandate of this Convention for its fulfillment.

The adoption of this resolution by the Convention will be of paramount assistance to the unemployed members of the A. F. of M. and would generally have the effect of spreading existing employment throughout the Federation.

As the government reduces W. P. A. employment, the Federation should do its part to absorb general unemployment. This can only be done by a reduction of the working week.

C. H. KING,  
Local No. 6.  
JERRY RICHARD,  
Local No. 6.  
JIMMY DEWEY,  
Local No. 6.

Committee indorses the principle but recommends to refer to International Executive Board for investigation and report with recommendation on the matter to the next Convention.

Moved and seconded to adopt the recommendation.

Discussed by delegates King, Sheppard, Richards.

The recommendation of the Committee is adopted.

The Committee on Finance reports through Chairman Wilson:

The committee reports jointly on the following resolutions:

#### RESOLUTION No. 23

Resolved, That the figures \$6.00 in Section 7, Article VI of the Constitution be changed to read \$8.00.

Be It Further Resolved, That same become effective with this Convention.

WM. PETERSON,  
Local No. 102.  
FRANK J. GLOGOVSEK,  
Local No. 29.  
ADAM EHRGOTT,  
Local No. 128.  
FRANK A. MALAMBRI,  
Local No. 265.  
FRANK E. LEEDER,  
Local No. 19.  
FRED OLDFIELD,  
Local No. 209.  
L. CAMPBELL,  
Local No. 66.  
WM. F. BECKHISINGER,  
Local No. 57.  
LEON KNAPP,  
Local No. 56.  
HARRY M. STEVENSON,  
Local No. 542.  
R. BRUCE SATTERLA,  
Local No. 303.  
HARRY WATERHOUSE,  
Local No. 66.  
RAYMOND MEURER,  
Local No. 566.  
HARRY BLISS,  
Local No. 625.  
W. J. DART,  
Local No. 33.  
E. F. WHITTINGTON,  
Local No. 228.

## FOURTH DAY

### MORNING SESSION

Convention called to order at 9:45 A. M. by President Weber.

The following communications are read:

Hollywood, Calif., June 10, 1938.

Jos. N. Weber, Pres.,  
American Federation of Musicians,  
Hotel Statler, Detroit.

Best wishes for yourself and delegates assembled, the old guard and the new, not forgetting Billy, who has promised or threatened to invade the West Coast.

Sincerely and Fraternally,

F. CAROTHERS.

Canton, Ohio, June 9, 1938.

Mr. Joseph N. Weber, President,  
American Federation of Musicians,  
Hotel Statler, Detroit, Mich.

Dear Sir and Brother—

Another year has come to pass and the great American Federation of Musicians delegates are assembled in the beautiful city of Detroit. I am sorry that I cannot be with you in person, but my spirit is with you in Detroit.

I am confident the past history of your deliberation will be followed out and the important questions that will come up for consideration will be handled in the same conservative business-like manner and on the same constructive lines that has made the American Federation of Musicians one of the strongest Locals in the American Federation of Labor.

With my very best wishes to all the officers and delegates assembled and especially to all my old friends, I remain,

Your Old Friend,

ADAM A. SHORE.

The Committee on Law continues its report:

#### RESOLUTION No. 48

Be It Resolved, That there is created within the American Federation of Musicians, a department of public relations in charge of a director who shall be appointed by the President, and whose salary shall be fixed by the President. The duty of such director shall be to contact newspapers within the area where national conventions are held, so that the Federation is assured of proper publicity in regard to, and correct accounts of, its deliberations.

FRANK F. WESSEL,  
Local No. 31.

The report of the Committee is unfavorable. The Convention agrees in the report.

#### RESOLUTION No. 52

Resolved, That the International Executive Board be instructed to endeavor to amend Standing Resolution 28, Page 167, by adding the following after the words, "wages or conditions," on the third line of the third paragraph of said resolution, "and for the employment by the employer of members both of the American Federation of Musicians and the I. A. T. S. E."

The balance of the resolution to remain as is.

A. A. TOMEI,  
Local No. 77.



mendations. The necessity of financial strength as a component requisite of any militant Labor organization, especially in relation to general strike funds. An illuminating resume of the development of the Federal Relief to unemployment musicians, the activities of the President's office in this respect, the pitfalls avoided and the advantages gained. The question of miscellaneous radio broadcasting and the travelling broadcasting units, their taxation and its effect. The progress of the Federation in protecting the recording orchestras against the exploitation of their product for commercial purposes without proper compensation for the use of same. The report cites the progress made in television and points out its potentialities in regard to musical employment.

In conclusion, the report stresses the need of maintaining a flexible policy of the Federation, readily adaptable to the quickly changing conditions of our profession and warns against an attitude of self-sufficient rigidity in our thinking. The need for mutual cooperation amongst the Locals and a spirit of liberal helpfulness in our dealings with each other rather than the provincial, clianish, selfish viewpoint is pointed out in the report.

The consummate completeness of the President's report to this Convention is indicative of the quality of judgment exercised by the delegates of the American Federation of Musicians in having entrusted the stewardship of their organization to one so zealous of its welfare and so alert to its future.

JOHN E. CURRY, Chairman.

- ED. D. HAUG, JAMES G. DEWEY, WALTER H. HOMANN, SAM G. ANDERSON, WILLIAM F. GROOVER, ARTHUR A. PETERSON, ANGELO REX RICCARDI, ARTHUR E. STRENG, CHARLES F. POKORNY, HARRY C. MANVELL, BARNIE G. YOUNG, MRS. MAUDE E. STERN, E. J. POTTER, LOUIS F. HORNER, EDOUARD CHARETTE, JOHN B. FEISER, JAMES HOLYFIELD, HARRY J. SWENSEN, C. W. HOLLOWBUSH, ROY W. SINGER.

On motion, the report of the committee is adopted.

The Committee on International Musician reports through Chairman Byrne: To the Forty-first Annual Convention of the American Federation of Musicians, Greetings:

We, the undersigned, your committee on the "International Musician," respectfully submit the following, our report, and urge that it be adopted in its entirety.

Realizing the handicaps and difficulties under which Brother Kerngood has labored in editing and publishing the International Musician, we feel that he has indeed rendered a most distinct service to the American Federation of Musicians. For more than seventeen years he has labored unceasingly and untiringly to promote and maintain the best interests of our organization through its official organ.

From a one-horse plant in a St. Louis basement, seventeen years ago, which was probably more of a liability than an asset, to a complete plant valued at \$85,000.00, and owned and operated by the Federation itself, is a worthwhile achievement for any man. Brother Kerngood, we congratulate you.

Your committee, however, is not satisfied to stop there. We believe that further improvements of great and far-reaching effect can and should be made in our official Journal.

We recommend that the Federation advance sufficient money to the International Musician to acquire suitable equipment so that a better and more attractive grade of paper may be used and a better and more attractive Journal can be issued more in the form of a magazine. We are reliably advised that an exchange of equipment for this purpose can be made for a nominal expense.

We further recommend that the Secretary be authorized to employ a full-time man whose duties shall be to assist in editing the International Musician with a view of increasing interest therein, solicit advertising, and perform such other duties for the publication as the Secretary and International Executive Board may from time to time determine; that his salary shall be determined by the Executive Board.

We call your attention to the fact that the Auditor's report does not reflect a true picture of the status of the paper in that no credit is extended to the International Musician account to offset the demands made upon it and space occupied

in the paper by strictly Federation matters.

We, therefore, recommend that the Auditor's reports in the future present the proper and true financial status of the paper.

We believe that a large amount of money can be saved and applied on the aforementioned expense of improving the Journal by the following recommendation.

We, therefore, recommend that hereafter the International Musician contain only additions to and eliminations from the national unfair lists and Licensed Bookers' lists each month, and that Local Secretaries be furnished a complete revised list each month. We make this recommendation in the belief that approximately \$15,000.00 per year can be saved.

We would further call your attention to the following Locals which have furnished the Secretary with no corrected mailing list since June, 1935:

- Newark, N. Y. 7, Johnstown, Pa. 41, Marion, Ind. 45, Zanesville, Ohio 54, Meriden, Conn. 55, Oil City, Pa. 61, Lowell, Mass. 83, Danbury, Conn. 87, Mt. Olive, Ill. 88, Kewanee, Ill. 100, Ashtabula, Ohio 107, Hutchinson, Kan. 110, Tacoma, Wash. 117, Quebec, P. Q., Can. 119, Jacksonville, Ill. 128, Webster City, Iowa 152, Little Falls, N. Y. 157, Dallas, Tex. (Col.) 168, Mahanoy City, Pa. 170, Galesburg, Ill. 178, Manhattan, Kan. 189, Salina, Kan. 207, Fresno, Calif. 210, Mason City, Iowa 230, Benton Harbor, Mich. 232, Norwich, Conn. 236, Dover, N. J. 237, Youngstown, Ohio (Col.) 242, Glasgow, Mont. 244, Victoria, B. C., Can. 247, Douglas, Ariz. 251, Warsaw, Ind. 253, Vicksburg, Miss. 261, Little Rock, Ark. 266, Hot Springs, Ark. 270, Port Chester, N. Y. 275, Carterville, Ill. 280, Plymouth, Mass. 281, Alton, Ill. 282, Hamilton, Ont., Can. 292, Columbia, Pa. 296, Haverhill, Mass. 302, Canton, Ill. 304, Waco, Tex. 306, Elmira, N. Y. 314, Salem, Ore. 315, Hoosick Falls, N. Y. 317, Middletown, Ohio 321, Crestline, Ohio 327, Nyack, N. Y. 331, Livingston, Mont. 358, Princeton, N. J. 366, Concord, N. H. 374, Lakeland, Fla. 377, Ilion, N. Y. 383, Fort Smith, Ark. 385, Jackson, Mich. 387, Richmond, Ind. 388, Edmonton, Alta., Canada 390, Canojoharie, N. Y. 392, Natick-South Framingham, Mass. 393, Ossining, N. Y. 398, Bremen, Ind. 414, Falls City, Neb. 425, Tonopah, Nev. 426, Syracuse, N. Y. (Colored) 434, Thomaston, Conn. 438, Oswego, N. Y. 441, Honeoye Falls, N. Y. 458, Anacortes, Wash. 461, Beaumont, Texas 464, Brantford, Ont., Canada 467, Rock Springs, Wyo. 470, Moose Jaw, Sask., Canada 474, Montgomery, Ala. 479, New Haven, Conn. (Colored) 486, New Orleans, La. (Colored) 496, Raleigh, N. C. 500, Chillicothe, Ohio 524, Cle Elum, Wash. 529, Baltimore, Md. (Colored) 543, Waterloo, Ont., Canada 544, Elwood City, Pa. 545, Beacon, N. Y. 559, Morgantown, W. Va. 562, Piqua, Ohio 576, Jackson, Miss. 579, Phoenix, Ariz. 586, Columbus, Ohio (Colored) 589, Sault Ste. Marie, Mich. 593, Wenona, Ill. 598, Sunbury, Pa. 605, Des Moines, Iowa (Colored) 622, Washington, Ill. 647, Havre, Mont. 653, Lehighton, Pa. 659, Laramie, Wyo. 662, Springfield, Ill. (Colored) 675, Honolulu, Hawaii 677, Apollo, Pa. 686, Eugene, Ore. 689, Hicksville, Ohio 693

- Washington, D. C. (Colored) 710, Oxford, Mich. 737, Grand Island, Neb. 738, Lewiston, Pa. 742, Fort Scott, Kan. 755, Hagerstown, Md. 770, Mitchell, S. D. 773, Pontiac, Mich. 784, East Stroudsburg, Pa. 785, Cincinnati, Ohio (Colored) 814

This neglect on the part of these Locals causes an additional expense of approximately \$150.00 per month which can and should be eliminated.

We direct your attention to the fact that your committee unanimously recommends these changes and improvements in the belief that they will be of untold value to the Federation in the future; the paper will prove of far greater interest to all members and especially to those many musicians who carry their card merely through economic necessity.

We feel that advertising will be far easier to secure in larger and more expensive ads from both old and new advertisers.

We direct your attention to the fact that although we have repeatedly heard of the yearly losses of the International Musician over the seventeen-year period aforementioned, it has actually shown a profit.

We urge adoption of the committee's report.

Respectfully submitted, JAMES D. BYRNE, Chairman;

- V. DAHLSTRAND, RALPH EYCLESHIMER, PAUL I. GROSSI, HARRY BALDWIN, LEON KNAPP, H. JAMES FLACK, WILLIAM GROOM, E. E. STOKES, AL. B. WOECKENER, P. CULBERTSON, R. BLUMBERG, A. LEON CURTIS, FRED MULLIG, FRANK HAYEK, REINHARDT ELSTER, WILLIAM GROHNDORFF, DILLON J. PATTERSON, PETER O. GASKILL, ARTHUR F. E. CARLSON, RICHARD MCCANN.

The report is adopted with the understanding that the carrying out of the recommendations contained therein is subject to the approval of the International Executive Board as to the practicability of enforcing same.

The Finance Committee continues its report:

To the Officers and Delegates of the 41st Annual Convention of the American Federation of Musicians of the United States and Canada.

Greetings: Your committee in studying the various records of the past year derived a feeling of satisfaction from the results shown. The Treasurer's report is accepted as correct as reported by the Auditor, up to and including April 30th, 1936.

Compared with the records of only a short time ago, our present financial status should be a source of satisfaction to every delegate present.

The records show a substantial gain with every indication of steady progress toward a sounder financial condition.

The constructive legislation enacted by the last Convention has proved to be very helpful to the smaller Locals which, to our mind, was its intent.

We, the committee, hope that future Conventions will also be mindful of legislation to further advance their interests as well as the interests of the entire organization.

Respectfully submitted, GEO. F. WILSON, Chairman.

- ALBERT LUONI, WILLIAM BRAKEMAN, GEORGE P. LAFFELL, HAL CARR, FRANK E. LEEDER, CARL METZ, ALLAN LAWRENCE, CHESTER S. YOUNG, LEO X. FONTAINE, WILLIAM H. STEPHENS, W. B. HOOPER, VINCENT CARSTRONOV, GEORGE M. DIEMER, LEE O. BAIRD, E. D. GRAHAM, J. LEONARD BAUER, H. C. ZELLERS, THOMAS J. SHEEDY, MANNIE GATES, ED. A. GICKER, Secretary.

The Committee on Good and Welfare continues its report.

RESOLUTION No. 38

Resolved, That the International Executive Board hereby be instructed to insti-

"BLUE SKIES" EVERYBODY'S SWINGING IT. Here's a studio, now arranging privately for popular orchestras, making its first low price offer to all musicians. This is a special arrangement guaranteed to swing your band into popularity. Not a stock. Give instrumentation. Price \$3. List of other specials sent with order. C. O. D., 24c extra. STUDIO ARRANGING SERVICE 234 PINE STREET JOHNSTOWN, PA.

SLIKSTUF Four different oils for Slides, Valves, Woodwind Keys and Sax Keys, 25 cents at your dealer or sent postpaid. Economy Bottle \$1.00 BREDE LABORATORIES 110 FIRST STREET YONKERS, N. Y.

BOOGIE STYLE HOT CHORUSES Modern in Rhythms! You can really swing out on them! ANY 4 STANDARD TUNES, 81; 10 for \$2. Special 3-Way Choruses, any \$3. List second choice. 4-Way Choruses with fourth harmony, 45c each. Any combination of instruments. For all instruments except Piano. C. O. D.'s 15 Cents Extra. NOT STRUT STUDIO, 647 N. 12th St., Reading, Pa.

PLAY TRUMPET? HAVE TROUBLE? NO ENDURANCE? NO HIGH TONES? BUILT-TO-FIT mouthpieces are a consistent remedy for trumpet troubles. Send a postal card for information. . . . It's free. HARRY L. JACOBS 2943 Washington Blvd. Chicago, Illinois

tute an intensive and extensive membership campaign so soon as expedient through whatever means that Board may determine.

RALPH FELDSER, Local No. 269. Subject matter has been disposed of by previous action.

RESOLUTION No. 61

Resolved, That the International Executive Board be and is hereby instructed to amend Article X, Section 29, and Article XVI, By-Laws, and/or any other portion of the Constitution, By-Laws, Standing Resolutions or other rules of the Federation, in such manner and to such extent as said Board may in its discretion deem advisable, in order to conserve the interests of members under the various State Industrial Accident Compensation laws and the Unemployed Insurance and/or Social Security Act enacted by the government of the United States and the various State governments.

- HARRY BALDWIN, Local No. 47, J. W. GILLETTE, Local No. 47, F. D. PENDLETON, Local No. 47.

A favorable report is made by the committee. Discussed by Vice President Bagley. The report is adopted.

RESOLUTION No. 56

Whereas, Many organizations affiliated with the American Federation of Labor do have identification cards of beauty and permanent construction which speaks quality and prestige for said organizations, namely, Barbers, Bartenders, etc., and

Whereas, The Musicians' official card is neither of a permanent construction nor a thing of beauty that befits the dignity of our Federation;

Therefore, Be It Resolved, That the National Executive Board design a card that will be more in keeping with the prestige of our organization, and have same available when our present stock is exhausted.

- F. L. RITCHEY, Local No. 578.

The report of the committee is unfavorable to the resolution, and which report is concurred in by the Convention.

RESOLUTION No. 60

(Add to Sec. 24, Page 74): Leaders on steamship engagements who render services on said engagements must receive full leader money. No portion of wages or leader money shall be deducted for booking fees.

- C. H. KING, Local No. 6, JERRY RICHARD, Local No. 6, JIMMY DEWEY, Local No. 6.

Leave to withdraw the resolution is granted to the introducers.

**RESOLUTION No. 60**

(Add to Sec. 24, Page 74, following):

Members engaged on steamships must be returned to port of embarkation, or first-class transportation furnished if discharged at other than port of embarkation.

C. H. KING, Local No. 6.  
JERRY RICHARD, Local No. 8.  
JIMMY DEWEY, Local No. 6.

A favorable report is agreed to by the Convention.

The following Committee on Courtesies is appointed:

C. A. WEAVER,  
WALTER M. MURDOCH,  
A. REX RICARDI.

Session adjourned at 5:10 P. M.

**FIFTH DAY****MORNING SESSION**

Convention called to order at 9:45 A. M. by President Weber.

**MINUTES OF THE INTERNATIONAL EXECUTIVE BOARD**

Hotel Statler, Detroit, Mich.,  
June 8, 1936.

Meeting called to order by President Weber at 8:00 P. M. All present.

Delegates Keene of Local 809, Middletown, N. Y., and Yesse of Local 291, Newburgh, N. Y., appear in connection with a clarification of their jurisdictions, as well as that of Local 667, Port Jervis, N. Y. As an agreement has been reached by the interested Locals, the Secretary is instructed to publish the jurisdictions as agreed upon by the Locals.

Delegates Kleinkauf, Magalsky and Pokorny of Local 140, Wilkes-Barre, Pa., appear in connection with Case No. 519, wherein the International Executive Board dismissed a claim of \$325.00 of member John Sauer against the B. P. O. E. No. 123 of Scranton, Pa. They are advised to present a claim against Jack Cass and the matter will receive proper attention.

The Board considers Case No. 848, the request of Local 48, Elgin, Ill., for an extension of jurisdiction and objection interposed by Local 284, Waukegan, Ill. Delegate Frish of Local 48 appears. Laid over for further consideration.

Delegates Tomel, Riccardi and Comfort of Local 77, Philadelphia, Pa., appear in matters of importance to the Local.

The Board considers Case No. 611, the appeal of member Edward Z. Winkelman of Local 77, Philadelphia, Pa., from an action of that Local in refusing to pay \$30.00 alleged to be due him for drawing agreements for the Fox and Earle Theatres. On motion, the appeal is denied.

Delegates Muro, Keyes and Light of Local 20, Denver, Colo., and delegate Helzer of Local 590, Cheyenne, Wyo., appear and seek information in matters of direct local interest and interpretation of National laws.

The Board holds that if a member severs his relation with a traveling orchestra and remains in the jurisdiction where he has deposited his transfer, the three months' restriction from accepting a permanent engagement begins from the date of his termination of services with the traveling orchestra and not from the date of initial deposit of his transfer card.

Session adjourned at 11:00 P. M.

Hotel Statler, Detroit, Mich.,  
June 9, 1936.

Meeting called to order by President Weber at 8:00 P. M. All present.

Member Clyde Lucas of Local 10, Chicago, Ill., and delegates Canavan and McCann of Local 302, New York City, N. Y., appear concerning restrictions placed on traveling orchestras. After statements by all concerned they are advised that the subject matter of "once a traveling orchestra, always a traveling orchestra" will receive the consideration of the present Convention.

Delegates Baker of Local 515, Pottsville, Pa., and Diefenderfer of Local 135, Reading, Pa., appear before the Board on various matters.

Delegates Feldser, Brubaker and Cohan of Local 269, Harrisburg, Pa., discuss matters of local interest.

Delegates Luyben, Metz and Lott of Local 34, Kansas City, Mo., and Investigator Stephens are heard in a further consideration of Case No. 737, wherein charges were preferred against Local 643, Moberly, Mo., for illegal acceptance of applicants for membership. On motion, the local is found guilty as charged, and the charter is revoked.

Delegate Cole of Local 215, Kingston, N. Y., is heard in relation to a request for an extension of jurisdiction, which is referred to the office of the Secretary for attention in the regular manner.

Brother Ralph Whitehead, secretary of the Actors' Union, appears before the Board, presenting his viewpoint of desirable relationship between the two organizations.

Delegates Glaesser of Local 95, Sheboygan, Wis., and Hansen, of Local 195, Manitowoc, Wis., are heard in relation to a jurisdiction dispute. The Board holds that Cedar Lake lies within the jurisdiction of Sheboygan and Kiel within that of Manitowoc, and directs that the recorded jurisdictions read accordingly.

Session adjourned at 10:45 P. M.

The Committee on Law continues its report:

**PRESIDENT'S RECOMMENDATIONS**

Substitute for original Recommendation No. 28 contained in the President's report:

In place of suggestion No. 28 as contained in the President's report in reference to changes, additions or amendments to the by-laws of the American Federation of Musicians, I suggest that the following be considered:

The seventh paragraph of Section 13, Article XIII beginning on page 135 and ending on page 136 reads as follows:

"A traveling orchestra, after the members thereof have become full members of the local in whose jurisdiction they fill a traveling engagement, or directly after their first engagement or lay-off or after an interval continues to do so, does not lose its nature as a traveling orchestra even though the members thereof have become full members of the local. The members of such an orchestra continue to be governed by all the traveling orchestra rules and regulations of the Federation and cannot play miscellaneous engagements in or outside of the jurisdiction of the local in which they fulfill their engagement in competition with the members of such local. This rule is binding upon each orchestra even though some change may have been made in the personnel of same."

to read as follows:

"A traveling orchestra, after the members thereof have become full members of the local in whose jurisdiction they fill a traveling engagement, or directly after their first engagement or layoff or after an interval continues to do so, does not lose its nature as a traveling orchestra even though the members thereof have become full members of the local. HOWEVER, IF SUCH TRAVELING ORCHESTRA IS OUT OF EMPLOYMENT THEN MEMBERS THEREOF HAVING BECOME FULL MEMBERS OF THE LOCAL, SHALL HAVE THE PRIVILEGE OF ACCEPTING CASUAL ENGAGEMENTS IN THE JURISDICTION OF THE LOCAL THE SAME AS OTHER LOCAL MEMBERS UNTIL SUCH TIME THAT THE ORCHESTRA AGAIN SECURES A TRAVELING ENGAGEMENT TO BE PLAYED IN THE JURISDICTION OF THE LOCAL DURING WHICH ALL THE RULES GOVERNING TRAVELING ORCHESTRAS SHALL AGAIN APPLY TO ITS MEMBERS."

The part in large type represents the change in the law.

In addition to the above, it will then become necessary to change the 14th paragraph of Section 4, Article XII, page 98 which reads as follows:

"In the case of members of traveling orchestras, as long as the orchestra solicits and accepts engagements as such, the Local may require the members thereof to become full members of the Local after the expiration of six months, or has the option to permit them to remain on transfer."

to read as follows:

"IN THE CASE OF MEMBERS OF TRAVELING ORCHESTRAS, AS LONG AS THE ORCHESTRA SOLICITS AND ACCEPTS ENGAGEMENTS AS SUCH, THE MEMBERS THEREOF MUST BECOME FULL MEMBERS OF THE LOCAL AT THE EXPIRATION OF SIX MONTHS. HOWEVER, A LOCAL

MAY AT ITS OWN OPTION GRANT TO SUCH MEMBERS FULL MEMBERSHIP PRIOR TO THE EXPIRATION OF SIX MONTHS."

The recommendation is to refer entire subject matter to the International Executive Board. Carried.

The policy of the Federation that when traveling bands are engaged to play in dance halls or ballrooms, they may also play for a dance, if some lodge or society has sold tickets for same, is hereby modified as follows:

If dance hall manager arranges with a lodge or society to give its own dance on certain nights in his hall or ballroom, and such lodge or society publicly advertises such dance as its own, then the traveling orchestra filling a permanent engagement in such hall or ballroom cannot play for such dance unless a local stand-by orchestra is also employed.

A favorable report of the committee is considered.

Discussed by delegates Eycleshimer, Muro.

The Convention agrees in the report.

I recommend that Section 28 of Article IX, pages 54-55, be amended to read as follows:

A Local need not permit its members to play with a traveling band or orchestra which fulfills an engagement in its jurisdiction. However, this does not apply to local members who actually travel with such band or orchestra.

The bold type is the recommended addition to Section 28. If this change is made then the note appended to Section 28, Article IX, pages 54-55, becomes superfluous and ought to be abolished, to wit:

This must not be construed as to apply to local members who actually travel with a traveling band or orchestra, and who are not engaged solely to play with such band or orchestra while same fulfills an engagement in the member's home jurisdiction.

The committee reports favorably. The Convention concurs.

In order to, if possible, have all fundamental rules covering radio engagements in one section, and by reason of all the aforesaid in reference to the taxing of such engagements, I submit the following to the Convention for its consideration:

A. Local radio studio orchestras must be composed of local members unless the Local in whose jurisdiction the studio is maintained decides otherwise.

B. All engagements in which a local sponsor merely advertises over a local or an adjacent station or stations are local engagements and cannot be accepted by other members without the consent of the Local.

C. If a sponsor has secured a local orchestra to play for him over a radio network then a traveling band entering the jurisdiction of a Local cannot supplant such local orchestra without the Local's consent.

D. If a traveling orchestra, except as provided for in C, makes a contract with a sponsor to play recurring dates over a radio network then it may fill such dates in the jurisdiction of any Local without the Local's consent. Such orchestras are governed by the following rule:

If the engagement continues for six months or less, the orchestra playing same must pay a tax of 50% on the engagement, figured from the price of the Local in whose jurisdiction same is played. If the engagement for the same employer extends over a period of six months then the tax after the expiration of six months shall be reduced to 25%. In both cases the tax must be collected by the Local in whose jurisdiction the engagement is played, and forwarded to the International Treasurer, who shall return three-fifths of same to the Local and retain two-fifths for the Federation.

Locals who fail to collect the tax become responsible for the amount of same to the Federation.

E. For the repeating (broadcasting) of a program for a sponsor on the same day and date, no tax need be paid.

F. Nothing in these rules must be construed as suspending any Local or Federation law which regulates activities of members who for professional purposes enter

the jurisdictions of Locals other than the one to which they belong.

If the Convention agrees to all above rules then all laws of the Federation in contradiction thereof must, of course, stand abolished.

The committee offers the following substitute:

A. Local radio studio orchestras must be composed of local members unless the Local in whose jurisdiction the studio is maintained decides otherwise.

B. If a traveling orchestra makes a contract with a sponsor to play recurring dates over a radio network and brings its own program, then it may fill such dates in the jurisdiction of any Local without the Local's consent. Such orchestras are governed by the following rule:

The orchestra playing same must pay a tax of 50% on the engagement, figured from the price of the Local in whose jurisdiction same is played. The tax must be collected by the Local in whose jurisdiction the engagement is played and forwarded to the International Treasurer, who shall return three-fifths of same to the Local and retain two-fifths for the Federation. Locals who fail to collect the tax become responsible for the amount of same to the Federation.

C. For the repeating (broadcasting) of a program for a sponsor on the same day and date, no tax need be paid.

The President makes a lengthy explanation of the subject matter.

The substitute of the committee is adopted.

The President shall, whenever he considers it in the interests of the Federation, appoint investigators whose duty it shall be to visit local jurisdictions to establish more contact between Locals and the Federation and make such investigations and perform such duties as the President may assign to them. The number of such investigators shall not exceed eight.

The committee reports favorably with the following amendment:

Strike out the last word "eight" and insert in lieu thereof the word "nine," and add "matter of salary and expenses to be left to the International Executive Board."

The Convention agrees with the report of the committee.

**RESOLUTION No. 1**

Whereas, Excursion steamers or pleasure boats which are combination dance halls and night clubs are active competition to such dance halls, ballrooms and night clubs wherever these excursion steamers or pleasure boats tie up,

Whereas, Under present regulations, these excursion steamers or pleasure boats escape all regulations applying to dance halls, ballrooms or night clubs,

Whereas, These excursion steamers or pleasure boats frequently use their own status as a subterfuge and remain tied up at the wharf,

Be It Resolved, That wherever such excursion steamers or pleasure boats tie up in a location for one week or more and wherever their cruises are merely trips without destination in that they leave the wharf, travel up or down a river or lake and return to the wharf, the Federation shall construe these excursion steamers or pleasure boats as dance halls or night clubs, subject to the same laws of the Federation which govern dance halls or night clubs and further subject to the wages and working conditions of the Locals in which they are tied up for one week or more.

G. PIPITONE,

Local No. 174.

LEON HIRSCH,

Local No. 174.

JOHN DE DROIT,

Local No. 174.

A favorable report is made by the committee. The Convention agrees.

**RESOLUTION No. 3**

Engagements on boats leaving one port as daily excursions, touching other ports and returning to original port on same day shall be governed by the traveling orchestra laws.

The Local where the original port is located, shall be the Local to collect tax and receive transfers and traveling cards.

HARRY J. STEEPER,

Local No. 526.

HARRY J. SWENSEN,

Local No. 526.

J. J. FIRENZE,

Local No. 526.

The committee report is unfavorable to the resolution.



Discussed by Delegate Steeper. On motion, the resolution and entire subject matter is referred to the International Executive Board.

RESOLUTION No. 4

An amendment to Article XIII, Section A, first paragraph, of the American Federation of Musicians by-laws:

Be It Resolved, That in Article XIII, Section A, first paragraph, the words "excursion steamers or pleasure boats" be added after the words "clubs or inns," making the entire article read:

A—Orchestras playing engagements of one week or more outside of the jurisdiction of the Local and playing same in public dance halls, auditoriums or halls connected with an institution or amusement resort, and all automobile show engagements of whatever kind and wherever played, and all engagements of whatever kind played in hotels, restaurants, cafes, clubs or inns, excursion steamers or pleasure boats, are considered traveling engagements. All engagements of less than one week played by orchestras outside of the jurisdiction of their Local in public dance halls, auditoriums or halls and all automobile show engagements and all engagements of less than one week of whatever kind played in hotels, restaurants, cafes, clubs or inns, excursion steamers or pleasure boats, are considered out-of-town engagements.

LEON HIRSCH, Local No. 174. JOHN DeDROIT, Local No. 174.

G. PIPITONE, Local No. 174.

Permission granted to introducers of the resolution to withdraw it.

RESOLUTION No. 8

Resolved, That Article XV of the By-Laws of the A. F. of M. be amended to provide that the price for phonograph recordings, vitaphone, movietone and similar services shall be the same and that the price shall be \$30.00 for a session which shall consist of the playing of not more than five sides within not more than three hours and that all services in excess of said number of sides shall be paid for at the overtime rates now contained in said Article, XV.

EDWARD CANAVAN, Local No. 802. RICHARD McCANN, Local No. 802. JACOB ROSENBERG, Local No. 802.

The committee offers the following substitute:

Insert between the first and second line of paragraph A, the following: "Electrical Transcriptions limited to not more than six 15-minute sides in three hours."

The substitute of the committee is adopted.

RESOLUTION No. 89

This price structure is for recording in wax-commercial accounts and does not apply to motion pictures.

All single—or miscellaneous—recording dates to be fractionated to less than 3 hours; the price to be:

Table with 2 columns: Recording duration and Price. 30 minutes or less: \$ 8.00; 1 hour or less: 10.00; 2 hours or less: 15.00; 3 hours or less: 20.00.

All periods to be consecutive. Overtime for 15 minutes, or fraction thereof, \$2.00.

Leader or contractor double. (See Pages 149 and 150.)

Hundreds of "minute" spots are being used on the air for independent accounts. Hundreds of "5 minute" spots are also being recorded. These accounts are not interested in 3-hour sessions of phonograph recordings, nor do they wish more than one 15-minute program, either recorded or in the flesh. Music is not necessarily a requisite, but would be used as suitable background, if a suitable price could be arrived at. As an example, a sponsor desiring a bugle call as a sign on, must of necessity engage a bugler for 3 hours, notwithstanding the entire program only runs 15 minutes.

C. H. KING, Local No. 6. J. J. RICHARD, Local No. 6. JAMES DEWEY, Local No. 8.

The committee recommends that the resolution be referred to the National Executive Board. The Convention agrees.

RESOLUTION No. 40

Whereas, A new type of radio presentation whereby programs originating at some key station are relayed to other stations for local sponsorship, and Whereas, The audiences of each local station are encouraged to believe that

these programs are being played in the local studios of these stations, and that they are being exclusively sponsored by local sponsor, thereby obtaining all the advantages of electrical transcriptions without the damaging effect of transcription announcement.

Therefore, Be It Resolved, That all such presentations be played under the jurisdiction of the National Office and governed by the price scale of not less than \$5.00 per man for every Local whose jurisdiction is thereby invaded by such presentation, said money to be termed Stand-by Money.

A. A. TOMEI, Local No. 77. OSCAR APPLE, Local No. 40. V. DAHLSTRAND, Local No. 8. WALTER HOMANN, Local No. 8. W. G. GROHNDRORFF, Local No. 205. A. REX RICCARDI, Local No. 77. BERTRAM COMFORT, Local No. 77.

The recommendation is to refer to the International Executive Board. Concurred in by the Convention.

RESOLUTION No. 43

Amend Paragraph J of Section 10, on Page 132 of the By-Laws, by inserting, on the fourth line from the top of the page, and after the word "organization," the following words:

"Whether the same is played in connection with the regular function of the engagement or not."

MICHAEL MURO, Local No. 20. WALTER LIGHT, Local No. 20. A. W. LUYBEN, Local No. 34. HARRY HELZER, Local No. 590. CHAS. C. KEYS, Local No. 20. W. M. MURDOCH, Local No. 149. FRANK P. COWARDIN, Local No. 123.

The subject matter has been disposed of by the Convention.

RESOLUTION No. 45

Whereas, Recordings and transcriptions of performances by our members have been used by strangers for commercial purposes without the consent of or payment of compensation to the performing members, and

Whereas, Such recordings and transcriptions have been placed in unfair competition with the performing members and all other members of the Union, and

Whereas, The rights of our members in respect to such use of their recordings and transcriptions are inadequately recognized and protected by law.

Resolved, That the International Executive Board adopt a form of contract containing the terms and provisions to be included in every contract made by members for recordings, transcriptions and mechanical reproductions of all kinds, which shall prescribe the limited use to which such recordings shall be put, the terms and conditions on which same may be sold, damages to be paid to performers for unauthorized uses or for the sale for unauthorized uses of such recordings, transcriptions or other mechanical reproductions.

A. A. TOMEI, Local No. 77. A. REX RICCARDI, Local No. 77. EDWARD CANAVAN, Local No. 802. RICHARD McCANN, Local No. 802. JACOB ROSENBERG, Local No. 802.

The committee recommends the following substitute:

The International Executive Board shall adopt a form of contract for such employment, or take such legal steps as is necessary to establish by law, the prohibition and usage of all such recordings or duplication of same for any other than the original purpose or picture for which it was made.

The President makes an explanation to the Convention.

Discussed by delegate Canavan. On motion, the entire matter is referred to the International Executive Board.

On motion, a Special Order of Business, Election of Officers, is taken up.

The following Election Board is appointed by the Chair:

Judge—E. E. STOKES. Clerks—RAY MEURER, WILLIAM PETERSON.

Tellers—JOHN P. BAER, J. H. MATTERN, FRANK P. FOSGATE, JOHN L. SULLIVAN.

The Convention is turned over to the Election Board.

Session adjourns at 12:00 noon.

Fifth Day

AFTERNOON SESSION

The Convention is called to order at 2:10 P. M. by President Weber.

The Committee on Law continues its report:

RESOLUTION No. 46

"No member of the A. F. of M. shall accept an engagement to play for a recording, transcription or other mechanical reproduction except upon such terms and conditions, and no others, as are contained in the contract form for such engagements adopted by the A. F. of M."

A. A. TOMEI, Local No. 77. A. REX RICCARDI, Local No. 77. EDWARD CANAVAN, Local No. 802. RICHARD McCANN, Local No. 802. JACOB ROSENBERG, Local No. 802.

The report of the committee, favorable to the resolution, is concurred in by the Convention.

RESOLUTION No. 53

Whereas, It is common knowledge that the third paragraph of Article XIII, Section 9 (page 126, re. transportation charges) is and has been violated in a wholesale manner to the severe detriment of legitimate agents, contracting traveling members and local members of practically all Locals of the A. F. of M.;

Be It Hereby Resolved, That the following be added to the third paragraph of Article XIII, Section 9:

"A contracting member or leader, as the case may be, must, if requested by the authorities of the Local Union in whose jurisdiction an engagement is played or to be played, allow the Local, if it desires, to collect such transportation, and pay the members of the band or orchestra."

WILLIAM BOSTON, Local No. 806.

The report of the committee, unfavorable to the resolution, is concurred in by the Convention.

RESOLUTION No. 65

Whereas, Traveling bands and orchestras while playing traveling and out-of-town engagements have from time to time terminated engagements without receiving payment in full for the services rendered, and

Whereas, Booking agencies, in order to continue their business relations with employers who have defaulted in payment, have influenced traveling band and orchestra leaders not to present claims to the National Secretary immediately upon termination of engagements, and

Whereas, This procedure results in a number of claims being placed against the same employer, making it impossible for the Local in whose jurisdiction the engagements were played to collect, and

Whereas, Many of these claims could be avoided if the Local and National Secretary were promptly informed at the time they occur, thus protecting the interests of the members concerned and allowing the Local an opportunity to obtain collection,

Therefore, Be It Resolved, That the leaders of all traveling bands or orchestras which are classified as subject to the 10% surcharge shall be held personally responsible for the full payment of all salaries to members engaged and must report all claims against employers for non-payment to the Local in whose jurisdiction the engagement was played and to the National Secretary within one week after such default occurs, and leaders who fail to comply with this law shall not be entitled to the assistance and protection of the Federation, and

Be It Further Resolved, That Locals are privileged under this law to take whatever action and means available, even to the restraint of all further service, in their efforts to obtain collection, provided a careful investigation has been made and no doubt exists as to the validity of any claim.

CLAIR E. MEEDER, Local No. 60. EMIL BIELO, Local No. 60. JAMES COMORODA, Local No. 60.

The following substitute is offered by the committee:

Resolved, That the contracting member of all traveling bands or orchestras which are classified as subject to the 10% surcharge must report all claims against employers for non-payment to the Local in whose jurisdiction the engagement was played and to the National Secretary, within one week after such default occurs, and such contracting members who fail to comply with this law shall be held personally responsible for full payment of all money due members of his band or orchestra, and may not be entitled to the assistance and protection of the Federation, and that Locals are privileged under this law to take whatever action and means available, even to the restraint of all further service, in their efforts to obtain collection, provided a careful investigation has been made and no doubt exists as to the validity of any claim.

Convention adopts the substitute.

RESOLUTION No. 66

Whereas, It is physically impossible to conduct conventions of the American Federation of Musicians geographically convenient to all Locals, and

Whereas, Many Locals, vitally interested in the welfare of musicians, are financially unable to send delegates to such conventions, and

Whereas, The treasury of the American Federation of Musicians is in such an excellent financial condition, due, in part, to the assistance of such absentee Locals,

Be It Resolved, That the American Federation of Musicians be and hereby is authorized and instructed to pay from its treasury, the hotel expenses and per diem for meals to each delegate, as provided in Sections 6 and 7 of Article VI of the Constitution of said Federation, and in addition thereto the transportation expenses of one delegate from each Local to and from the location of the 1937 Convention of the American Federation of Musicians, at the rate of 2c per mile.

JOHN L. SULLIVAN, Local No. 440. R. D. LOGOZZO, Local No. 55. L. B. HUTCHINSON, Local No. 432.

Permission to withdraw the resolution is granted to the introducers.

RESOLUTION No. 68

Whereas, The American Federation of Labor has publicly declared its attitude relative to the purging of Communism from its ranks,

Be It Resolved, Therefore, That the American Federation of Musicians prohibit the public rendition by its members of the "Internationale," national anthem of the U. S. S. R.

RAYMOND J. MEURER, Local No. 566.

The introducer asks permission to withdraw the resolution, which is granted by the Convention.

RESOLUTION No. 69

In an attempt to regulate in some measure the competition of orchestras or musical ensembles who employ in their personnel, singers and/or entertainers, be it

Resolved, That any local dance orchestra or musical ensemble that employs singers and/or entertainers as part of its personnel be constrained to charge for such singers and/or entertainers, not less than 50% of the rate set for the instrumental performing members of the local dance orchestra or musical ensemble, whose wage scale is controlled by the Local.

WALTER F. DANAY, Local No. 411. PAUL R. METZGER, Local No. 561. VICTOR J. GRIM, Local No. 561. LLOYD LAFFERTY, Local No. 211. MARCELLUS CONTI, Local No. 82. GEORGE M. DIEMER, Local No. 211.

The unfavorable report of the committee is concurred in by the Convention.

RESOLUTION No. 71

Resolved, To amend the last paragraph, on page 97, of Section 4 of Article XII of the By-Laws, by inserting after the word "engagement" in the third line—"nor can be substitute on such engagements" and inserting after the word "engagement" in the eleventh line, "nor can they substitute on such engagement."

JAMES MAVER, Local No. 16. WILLIAM CURTIS, Local No. 16. LEO CLUESMANN, Local No. 16.

A favorable report of the committee is agreed to by the Convention.

(To Be Concluded in Next Issue)











Hotel Robert, Manager, Terrace Gardens, Crandon, Wis. Club Arabia, Doo Wilson, Manager, Eau Claire, Wis. Sheela Hall, Arthur Hints, Manager, Fond du Lac, Wis. Club Gerville, Harry Harris, Manager, Green Bay, Wis. McKellan, Mickey, Green Bay, Wis. Fenicia, James, Pelham Club, Hurley, Wis. Maltner, A. C., Manager, Unter Der Linden Tavern, Kaukauna, Wis. Ann's Log Cabin, Kenosha, Wis. Emerald Tavern, Kenosha, Wis. Grand Ridge Tavern, Kenosha, Wis. Prince Tavern, Kenosha, Wis. Southway Hotel, Kenosha, Wis. Stealing House, Kenosha, Wis. Sasamo, Ingvold, La Crosse, Wis. McCarthy, A. J., La Crosse, Wis. Club Roney, Mark Pilon, proprietor, Madison, Wis. Johnson Hall, Madison, Wis. Wisconsin Ballroom, Clifford O'Leske, manager, Manitowoc, Wis. Edits Harold, Manitowoc, Wis. Erny, Frank, Manitowoc, Wis. Wagner, Arnold, Maplewood, Wis. Mayville Fire Department, Harlan Zimmerman, Agent, Mayville, Wis. Thomas, Ben, Menasha, Wis. Jones, Bill, Silver Lake Resort, Oconomowoc, Wis. Belchenberger, Cliff, Oshkosh, Wis. Birchwood Pavilion, C. C. Noggle, Proprietor, Prairie Du Chien, Wis. Mercedes, Joe, Heart O'Lakes, Rhinelander, Wis. Lawrence, Rothschild, Wis. Ryner, Andy, Alias Buege, Andy, Slinger, Wis. Wald, John, Land-o-Lakes Tavern, Summit Lake, Wis. Willett, John, Superior, Wis. Wrightstown Auditorium Co., Ely Krautgramer, Manager, Wrightstown, Wis.

WYOMING

Whinnery, C. L., Booking Agent, Casper, Wyo. Wyoming Consistory, Cheyenne, Wyo.

DISTRICT OF COLUMBIA

Ambassador Hotel, Washington, D. C. Central High School, Washington, D. C. Club Havana, Guy T. Scott, Proprietor, Washington, D. C. Columbia Musicians' Guild, W. M. Lynch, Manager, Washington, D. C. Constitution Hall, Washington, D. C. D. A. R. Building, Washington, D. C. Eastern High School, Washington, D. C. Farmhouse, Washington, D. C. Hi-Hat Club, Washington, D. C. Hurwitz, Louis, Washington, D. C. Epstein, Benjamin, Booker, Washington, D. C. Lee, Charlie, Black and White Circle Club, Murray's Casino, Washington, D. C. McKinley (Tech.) High School, Washington, D. C. Mancel, Lee, Washington, D. C. Roosevelt High School, Washington, D. C. Von Hurbella, Walter O., Manager, Pilgrims' Club (Club Michel), Washington, D. C. Walkathon, Geo. L. Ruty, Proprietor, Washington, D. C.

CANADA

Andrews, J. Brock, Toronto, Ont., Canada. Associated Screen News, Montreal, Canada. Beullion Hotel, Ile Aux Nols, Quebec, Can. Campbell, Charles, Montreal, Canada. Cokerill, W. H., Toronto, Ont., Canada. Colgate Auditorium, Peterboro, Ontario, Canada. Dumbells Amusement Co., Capt. M. W. Plunkett, Manager, Canada. Eastern Township Agriculture Association, Sherbrooke, Canada. Legge, C. Franklin, and Legge Organ Co., Toronto, Ont., Canada. McDevine Music Co., Kitchener, Ont., Can. McEwing, A. J., Saskatoon, Sask., Canada. Music Corporation of Canada, Pat Burd and J. S. Burd, Toronto, Ont., Canada. Palm Grove, London, Ont., Can. Peterborough Exhibition, Peterborough, Ont., Canada. Richardson, Wm. and David, Promoters, Toronto, Ont., Canada. St. Andrews Hall, Wm. T. Richardson, Manager, Sarnia, Ont., Canada. Strine Temple, Victoria, B. C., Canada. Strine Slipper Dance Hall, Toronto, Ont., Can. Spencer, W. G., Montreal, Canada. Willan, Dr. Healy, Toronto, Ont., Canada. Wynness, Howard, Montreal, Canada.

MISCELLANEOUS

Barton, George, Manager, Shufflin Sam from Alabama Co. Bernatkin, Ruben, Promoter. Blackman, Teddy, Theatrical Promoter. Bowley, Ray. Brau, Dr. Max, Wagnerian Opera Co. Burns, Charles, Theatrical Promoter. Cmap, Sonny. Collins, Bert, Theatrical Promoter. Collins, David, Promoter. Cooper, A. J., Promoter. Daniels, Bebe. Leil Monte, J. P. Dolen & Bonger, Theatrical Promoters. Edmonds, E. E., and His Entertainers. Evening in Paris Co. Fiesta Company, George H. Boles, Manager. Joe Sam, Marathon Promoter. Fraley, Paul, Theatrical Promoter. Frank, W. E., Promoter. Freeman, Harry Z., Manager, "14 Bricktops." Gabel, Al. J., Booking Agent. Gimburg, Max, Theatrical Promoter. Ginter, Melville M., Theatrical Promoter. Gonia, George F. Goolby, William B., Promoter. Hanover, M. L., Promoter. Heim, Harry, Promoter. Heiney, Robert, Trebor Amusement, Co. Howard, Arthur, Promoter. Hot Cha Revue (known as Moonlight Revue), Prather & Maloy, Owners. International Walkathon Co. Jacovits, Sondell, Promoter. James, Manager Jimmy, Theatrical Promoter. Jassmania Co., 1934. Kane, Lew, Theatrical Promoter. Kessler, Sam, Promoter. King, Phil (Kalifets), Promoter. Kipp, Roy. Kolb, Matt, and Moeller, Art, Theatrical Promoters. Layton, B. M., Promoter. Louis, Lew, Theatrical Promoter. Lockwood, L. E., Promoter. Meryer, William, Promoter. McKay, Gall E., Promoter. Macdon, Louis O., Theatrical Promoter. Muggard, Jack, Promoter. Mascan, Joe, Manager, "Surprise Party" Co. Mark Twaiv Production Co. Mischler, James W. Milled and Maurice, Vaudeville Performers. Middle, Ben, Theatrical Promoter. Moravsey, Will, Theatrical Promoter. National Speedathon Co., N. K. Antrim, Manager. Neale Helvey Co. Nicks, Miss, Vaudeville Performer.

O'Hanrahan, William. Perrin, Adrian, Theatrical Promoter. Poe, Coy, Promoter. Polack Bros. Indoor Circus. Ratoff, Gregory, Theatrical Promoter. Roch, Larry, Promoter. Rudnick, Max, Burlesque Promoter. Russell, Ross, Booking Agent. Scottish Musical Players (traveling). Smith, Bert, Theatrical Promoter. Steamship Lines: Albany Day Line. American Export Line. Bernatein Line. Clyde Line. Colombian Line. Colonial Steamship Line. Furness Withy Line. Munson Line. Savannah Line. Sunderlin, Art, Manager, Promoter. The Great Raymond. Welsh Finn and Jack Schenck, Theatrical Promoters. Wheelock, J. Riley, Promoter. Wilner, Max, Theatrical Promoter. Wise and Weingarden, Managers, "Mixed Nuts" Co. Yokel, Alex, Theatrical Promoter.

THEATERS AND PICTURE HOUSES ARRANGED ALPHABETICALLY AS TO STATES AND CANADA

ALABAMA Ritz Theatre, Birmingham, Ala. Gayety Theatre, Mobile, Ala. Pike Theatre, Mobile, Ala. Rainbow Theatre, Opelika, Ala. ARIZONA Lyric Theatre, Yuma, Ariz. Yuma Theatre, Yuma, Ariz. ARKANSAS Fifth Avenue Theatre, Arkansas City, Ark. Dillingham Theatre, Eldorado, Ark. Star Theatre, Eldorado, Ark. Auditorium Theatre, Hot Springs, Ark. Best Theatre, Hot Springs, Ark. Paramount Theatre, Hot Springs, Ark. Princess Theatre, Hot Springs, Ark. Spa Theatre, Hot Springs, Ark. State Theatre, Hot Springs, Ark. Community Theatre, Pipe Bluff, Ark. Majestic Theatre, Smackover, Ark. CALIFORNIA Anaheim Theatre, Anaheim, Calif. Fairlyland Theatre, Anaheim, Calif. Brawley Theatre, Brawley, Calif. Broadway Theatre, Broadway, Calif. Photo Theatre, Burlingame, Calif. Flamingo Theatre, Carmel, Calif. Crona Theatre, Crona, Calif. Strand Theatre, Dinuba, Calif. Liberty Theatre, Eureka, Calif. Hialto Theatre, Eureka, Calif. State Theatre, Eureka, Calif. State Theatre, Ferndale, Calif. State Theatre, Fort Bragg, Calif. State Theatre, Fortuna, Calif. Strand Theatre, Gilroy, Calif. Andy Wright Attraction Co., Hollywood, Calif. T. & D. Junior Theatre, Lodi, Calif. T. and D. Theatre, Lodi, Calif. Tokay Theatre, Lodi, Calif. Dale Theatre, Long Beach, Calif. Strand Theatre, Long Beach, Calif. Harbor Theatre, Los Angeles, Cal. Follies Theatre, Los Angeles, Cal. Frollo's Theatre, J. V. (Pete) Frank and Roy Dalton, Operators, Los Angeles, Calif. Million Dollar Theatre, Harry Popkin, Operator, Los Angeles, Calif. Rialto Theatre, Loveland, Calif. Liberty Theatre, Marysville, Calif. National Theatre, Marysville, Calif. New Menlo Theatre, Menlo Park, Calif. Sequoia Theatre, Mill Valley, Calif. Lyric Theatre, Modesto, Calif. National Theatre, Modesto, Calif. Princess Theatre, Modesto, Calif. State Theatre, Modesto, Calif. State Theatre, Napa, Calif. Fulton Theatre, Oakland, Calif. Orange Theatre, Orange, Calif. Richmond Theatre, Richmond, Calif. Tamapals Theatre, San Anselmo, Calif. El Camino Theatre, San Bruno, Calif. El Camino Theatre, San Rafael, Calif. Orpheum Theatre, San Rafael, Calif. State Theatre, South San Francisco, Calif. New Turlock Theatre, Turlock, Calif. State Theatre, Ukiah, Calif. National Theatre, Woodland, Calif. COLORADO Chief Theatre, Greeley, Col. Kiva Theatre, Greeley, Cal. Main Theatre, Pueblo, Col. Uptown Theatre, Pueblo, Col. CONNECTICUT Crown Theatre, Hartford, Conn. Liberty Theatre, Hartford, Conn. State Theatre, Hartford, Conn. Strand Theatre, Middletown, Conn. Rialto Theatre, New Britain, Conn. Play House, New Canaan, Conn. White Way Theatre, New Haven, Conn. Bradley Theatre, Putnam, Conn. Theatre in the Woods, Greek Evans, Promoter, South Norwalk, Conn. Darien Theatre, Stamford, Conn. Hillcrest Theatre, Taffville, Conn. Alhambra Theatre, Waterbury, Conn. Carroll Theatre, Waterbury, Conn. Fine Arts Theatre, Westport, Conn. Strand Theatre, Winsted, Conn. DELAWARE Everett Theatre, Middletown, Del. Rialto Theatre, Wilmington, Del. FLORIDA Avalon Theatre, Avon Park, Fla. Hollywood Theatre, Hollywood, Fla. Jaz. Beach Theatre, Jacksonville, Fla. Seventh Ave. Theatre, Miami, Fla. Temple Theatre, Miami, Fla. Biscayne Plaza Theatre, Miami Beach, Fla. Capitol Theatre, Miami Beach, Fla. Coconut Grove Theatre, Miami Beach, Fla. Mayfair Theatre, Miami Beach, Fla. Tower Theatre, Miami Beach, Fla. Grand Theatre, Winter Haven, Fla. Williamson Theatre, Winter Haven, Fla. GEORGIA DeKalb Theatre, Atlanta, Ga. IDAHO Gayety Theatre, Idaho Falls, Idaho. Rex Theatre, Idaho Falls, Idaho. Rie Theatre, Idaho Falls, Idaho. ILLINOIS Caploy Theatre, Barrington, Ill. Marvel Theatre, Carlinville, Ill. Duquoin Theatre, Duquoin, Ill. Avenue Theatre, East St. Louis, Ill. Winnieshiek Players Theatre, Freeport, Ill. Fargo Theatre, Geneva, Ill. Grand Theatre, Lincoln, Ill.

Lincoln Theatre, Lincoln, Ill. Capitol Theatre, Litchfield, Ill. Riviera Theatre, Rock Island, Ill. Capitol Theatre, Springfield, Ill. Ritz Theatre, Springfield, Ill. INDIANA Orpheum Theatre, Anderson, Ind. Von Ritz Theatre, Bedford, Ind. Indiana Theatre, Bloomington, Ind. Lincoln Theatre, Goshen, Ind. New Circle Theatre, Goshen, Ind. Circle Theatre, Indianapolis, Ind. Civic Theatre, Indianapolis, Ind. Mutual Theatre, Indianapolis, Ind. Colonial Theatre, Kokomo, Ind. Indiana Theatre, Kokomo, Ind. Isis Theatre, Kokomo, Ind. Sipe Theatre, Kokomo, Ind. Woods Theatre, Kokomo, Ind. Mishawaka Theatre, Mishawaka, Ind. Grand Picture House, New Albany, Ind. Kerrigan House, New Albany, Ind. Rex Theatre, Terre Haute, Ind. Moon Theatre, Vincennes, Ind. Rialto Theatre, Vincennes, Ind. IOWA Liberty Theatre, Council Bluffs, Iowa. Strand Theatre, Council Bluffs, Iowa. Spensley-Orpheum Theatre, Dubuque, Iowa. Park Theatre, Fort Dodge, Iowa. Pokadot Theatre, Fort Dodge, Iowa. Engiert Theatre, Iowa City, Iowa. Family Theatre, Marshalltown, Iowa. Seff Theatre, Iowa, State City, Iowa. Sun Theatre, State Center, Iowa. Graham Theatre, Washington, Iowa. KANSAS Starr Theatre, Arkansas City, Kan. Columbia Theatre, Coffeyville, Kan. Fox-Midland Theatre, Coffeyville, Kan. New Tackett Theatre, Coffeyville, Kan. Tackett Theatre, Coffeyville, Kan. Eris Theatre, El Dorado, Kan. Beldorf Theatre, Independence, Kan. Midway Theatre, Kansas City, Kan. Dickinson Theatre, Manhattan, Kan. Granada Theatre, Lawrence, Kan. Jayhawk Theatre, Lawrence, Kan. Patee Theatre, Lawrence, Kan. Varsity Theatre, Lawrence, Kan. Abdallah Theatre, Leavenworth, Kan. Lyceum Theatre, Leavenworth, Kan. Ritz Theatre, McPherson, Kan. Marshall Theatre, Manhattan, Kan. Wareham Theatre, Manhattan, Kan. Ritz Theatre, Parsons, Kan. Royal Theatre, Salina, Kan. Capitol Theatre, Topeka, Kan. Civic Auditorium Theatre, Topeka, Kan. Crawford Theatre, Wichita, Kan. Ritz Theatre, Winfield, Kan. KENTUCKY Capitol Theatre, Ashland, Ky. Grand Theatre, Ashland, Ky. Sylvia Theatre, Bellevue, Ky. Family Theatre, Covington, Ky. Shirley Theatre, Covington, Ky. Gayety Theatre, Louisville, Ky. Savoy Theatre, Louisville, Ky. LOUISIANA Palace Theatre, Lake Charles, La. Seigle Theatre, Monroe, La. Dauphine Theatre, New Orleans, La. Globe Theatre, New Orleans, La. Lafayette Theatre, New Orleans, La. Strand Theatre, New Orleans, La. Tudor Theatre, New Orleans, La. Saenger Theatre, Shreveport, La. Happy Hour Theatre, West Monroe, La. MAINE Cameo Theatre, Portland, Me. Derrine Theatre, Portland, Me. Keith Theatre, Portland, Me. MARYLAND Beirnot Theatre, Baltimore, Md. Boulevard Theatre, Baltimore, Md. Community Theatre, Baltimore, Md. Forrest Theatre, Baltimore, Md. Grand Theatre, Baltimore, Md. Jay Theatre Enterprise, Baltimore, Md. Keith's Theatre, Baltimore, Md. Palace Picture House, Baltimore, Md. Regent Theatre, Baltimore, Md. Rivoli Theatre, Baltimore, Md. State Theatre, Baltimore, Md. Temple Amusement Co., Baltimore, Md. New Theatre, Elkton, Md. MASSACHUSETTS Union Theatre, Attleboro, Mass. Casino Theatre, Boston, Mass. Park Theatre, Boston, Mass. Tremont Theatre, Boston, Mass. Majestic Theatre, Brockton, Mass. Modern Theatre, Brockton, Mass. Thompson, Sq. Theatre, Charlestown, Mass. Majestic Theatre, Fitchburg, Mass. Strand Theatre, Fitchburg, Mass. Lafayette Theatre, Haverhill, Mass. Holyoke Theatre, Holyoke, Mass. Suffolk Theatre, Holyoke, Mass. Capitol Theatre, Leominster, Mass. Capitol Theatre, Lowell, Mass. Crown Theatre, Lowell, Mass. Gates Theatre, Lowell, Mass. Rialto Theatre, Lowell, Mass. Victory Theatre, Lowell, Mass. Medford Theatre, Medford, Mass. Riverside Theatre, Medford, Mass. Liberty Theatre, Roxbury, Mass. Capitol Theatre, Somerville, Mass. Somerville Theatre, Somerville, Mass. Strand Theatre, South Boston, Mass. State Theatre, Stoughton, Mass. MICHIGAN Lafayette Theatre, Bay City, Mich. Temple Theatre, Bay City, Mich. Washington Theatre, Bay City, Mich. Wenonah Theatre, Bay City, Mich. Woodside Theatre, Bay City, Mich. Adam Theatre, Detroit, Mich. Broadway Theatre, Detroit, Mich. Century Theatre, Dowagiac, Mich. Ramona Theatre, East Grand Rapids, Mich. Columbia Theatre, Flint, Mich. Michigan Theatre, Flint, Mich. Richard Theatre, Flint, Mich. Ritz Theatre, Flint, Mich. Roxy Theatre, Flint, Mich. Star Theatre, Flint, Mich. State Theatre, Flint, Mich. Strand Theatre, Flint, Mich. Crescent Theatre, Grand Haven, Mich. Powers Theatre, Grand Rapids, Mich. Ramona Theatre, Grand Rapids, Mich. Rialto Theatre, Grand Rapids, Mich. Savoy Theatre, Grand Rapids, Mich. Garden Theatre, Lansing, Mich. Orpheum Theatre, Lansing, Mich. Plaza Theatre, Lansing, Mich. Bijou Theatre, Mt. Clemens, Mich. Macomb Theatre, Mt. Clemens, Mich. Vista Theatre, Negaunee, Mich. Rivera Theatre, Niles, Mich. Michigan Theatre, Saginaw, Mich. Colonial Theatre, Sault Ste. Marie, Mich. Soo Theatre, Sault Ste. Marie, Mich. Temple Theatre, Sault Ste. Marie, Mich.

MINNESOTA Regent Theatre, Eveleth, Minn. Astor Theatre, Hibbing, Minn. New Ulm Theatre, New Ulm, Minn. Broadway Theatre, Winona, Minn. MISSISSIPPI Lyric Theatre, Greenwood, Miss. Rose Theatre, Hattiesburg, Miss. Arabian Theatre, Laurel, Miss. Jean Theatre, Laurel, Miss. Strand Theatre, Laurel, Miss. Nelson Theatre, Pascagoula, Miss. A. and G. Theatre, St. Louis, Miss. Yazoo Theatre, Yazoo, Miss. MISSOURI Delphus Theatre, Carthage, Mo. Gem Theatre, Joplin, Mo. Liberty Theatre, Kansas City, Mo. Civic Theatre, Webb City, Mo. MONTANA Lyric Theatre, Billings, Mont. NEBRASKA Empress Theatre, Kearney, Neb. Kearney Opera House, Kearney, Neb. NEW HAMPSHIRE Colonial Theatre, Nashua, N. H. Park Theatre, Nashua, N. H. NEW JERSEY Ocean Theatre, Asbury Park, N. J. Paramount Theatre, Asbury Park, N. J. Royal Theatre, Atlantic City, N. J. Rivoli Theatre, Belmar, N. J. Majestic Theatre, Bridgeton, N. J. New Butler Theatre, Butler, N. J. Apollo Theatre, Camden, N. J. Victoria Theatre, Camden, N. J. Wait Whitman Theatre, Camden, N. J. Ritz Theatre, Carteret, N. J. Strand Theatre, Clifton, N. J. Lyceum Theatre, East Orange, N. J. Roxy Theatre, Glassboro, N. J. Rex Theatre, Irvington, N. J. Majestic Theatre, Jersey City, N. J. Transfer Theatre, Jersey City, N. J. Palace Theatre, Lakewood, N. J. Strand Theatre, Lakewood, N. J. Oxford Theatre, Little Falls, N. J. Paramount Theatre, Long Branch, N. J. Ritz Theatre, Lyndhurst, N. J. Palace Theatre, Netcong, N. J. Broad St. Theatre, Newark, N. J. City Theatre, Newark, N. J. Congress Theatre, Newark, N. J. Court Theatre, Newark, N. J. De Luxe Theatre, Newark, N. J. Essex Theatre, Newark, N. J. Mayfair Theatre, Newark, N. J. Mt. Prospect Theatre, Newark, N. J. Orpheum Theatre, Newark, N. J. Savoy Theatre, Newark, N. J. Shulert Theatre, Newark, N. J. Strand Theatre, Ocean City, N. J. Palace Theatre, Passaic, N. J. Playhouse Theatre, Passaic, N. J. Rialto Theatre, Passaic, N. J. Capitol Theatre, Paterson, N. J. Plaza Theatre, Paterson, N. J. Main Theatre, Phillipsburg, N. J. Broadway Theatre, Pitman, N. J. Pompton Lakes Theatre, Pompton Lakes, N. J. Rivoli Theatre, Rutherford, N. J. Traco Theatre, Toms River, N. J. Westwood Theatre, Westwood, N. J. NEW YORK Colonial Theatre, Albany, N. Y. Eagle Theatre, Albany, N. Y. Harmanus Theatre, Albany, N. Y. Leland Theatre, Albany, N. Y. Royal Theatre, Albany, N. Y. Orpheum Theatre, Amsterdam, N. Y. Capitol Theatre, Auburn, N. Y. Beacon Theatre, Beacon, N. Y. Roosevelt Theatre, Beacon, N. Y. Bronx Opera House, Bronx, N. Y. Tremont Theatre, Bronx, N. Y. Windsor Theatre, Bronx, N. Y. Borough Hall Theatre, Brooklyn, N. Y. Brooklyn Little Theatre, Brooklyn, N. Y. Classic Theatre, Brooklyn, N. Y. De Kalb Theatre, Brooklyn, N. Y. Galety Theatre, Brooklyn, N. Y. Halsey Theatre, Brooklyn, N. Y. Liberty Theatre, Brooklyn, N. Y. Lyric Theatre, Brooklyn, N. Y. Mapleton Theatre, Brooklyn, N. Y. Parkway Theatre, Brooklyn, N. Y. Star Theatre, Brooklyn, N. Y. Kenmore Theatre, Buffalo, N. Y. Roosevelt Theatre, Buffalo, N. Y. Community Theatre, Catskill, N. Y. Cortland Theatre, Cortland, N. Y. Strand Theatre, Dolgeville, N. Y. State Theatre, Glens Falls, N. Y. Capitol Theatre, Haverstraw, N. Y. Electric Theatre, Johnstown, N. Y. Ritz Theatre, Kingston, N. Y. Hippodrome Theatre, Little Falls, N. Y. Bayshore Theatre, Bayshore, L. I., N. Y. Central Theatre, Cedarhurst, L. I., N. Y. Easthampton Theatre, Easthampton, L. I., N. Y. Playhouse Theatre, Hicksville, L. I., N. Y. Huntington Theatre, Huntington, L. I., N. Y. Carlton Theatre, Jamaica, L. I., N. Y. Red Barn Theatre, Locust Valley, L. I., N. Y. Mincola Theatre, Mineola, L. I., N. Y. Patchogue Theatre, Patchogue, L. I., N. Y. Rialto Theatre, Patchogue, L. I., N. Y. Sag Harbor Theatre, Sag Harbor, L. I., N. Y. Sea Cliff Theatre, Sea Cliff, L. I., N. Y. Southampton Theatre, Southampton, L. I., N. Y. Playhouse Theatre, Mt. Kisco, N. Y. Embassy Theatre, Mt. Vernon, N. Y. Academy of Music, Newburgh, N. Y. Apollo Theatre (125th St), New York City, N. Y. Arcade Theatre, New York City, N. Y. Audubon Theatre, New York City, N. Y. Bannister, Chas., Music Hall, New York City, N. Y. Beacon Theatre, New York City, N. Y. Belmont Theatre, New York City, N. Y. Belmont Theatre, New York City, N. Y. Beneson Theatre, New York City, N. Y. Blenheim Theatre, New York City, N. Y. Central Theatre, New York City, N. Y. Clinton Theatre, New York City, N. Y. Cosmopolitan Theatre, New York City, N. Y. Gotham Theatre, New York City, N. Y. Grand Opera House, New York City, N. Y. Irving Place Theatre, New York City, N. Y. Loocia Theatre, New York City, N. Y. Mt. Morris Theatre, New York City, N. Y. National Theatre, New York City, N. Y. Olympia Theatre, New York City, N. Y. Parkway Theatre, New York City, N. Y. People's Theatre, Bowery, New York City, N. Y. Provincetown Playhouse, New York City, N. Y. Schwartz, A. H., Century Circuit, Inc., New York City, N. Y. Wallack Theatre, New York City, N. Y. Washington Theatre, 145th St. and Amsterdam Ave., New York City, N. Y. West End Theatre, New York City, N. Y. Hippodrome Theatre, Niagara Falls, N. Y. Palace Theatre, Olean, N. Y. Victoria Theatre, Ossining, N. Y. Gem Theatre, Oswego, N. Y.

