

Pubbers Contest Suit Over Rights To Bartok Concerto

NEW YORK, Sept. 4.—Papers were filed in U. S. District Court here this week by Boosey & Hawkes (B&H), Ltd., of London, asking for dismissal of the suit brought by the executors of the estate of Bela Bartok, involving the rights to the composer's *Third Piano Concerto*.

The B&H pub claims rights to the concerto under a 1939 agreement with Bartok for a five-year period and renewed in 1944 for another five-year period terminating in May, 1949. According to B&H, the pact with Bartok provided for a termination clause six months prior to the ending of the contract and since no such notice was given, the agreement is in full force until 1949.

The pub asks in counterclaims (filed with the answers) against Bartok's executors, Victor Bartok and Julius G. Brown, that the court declared B&H sole and exclusive owners of all rights in all countries. The pub further asked the court to okay the assignment by them for the rights in this country to Boosey-Hawkes, Inc., the latter also a defendant, and Columbia Records, Inc., who waxed *Concerto* thru license from the American firm. Columbia is also a defendant in the action.

King Records To Distribute Other Labels

NEW YORK, Sept. 4.—King Records this week revealed the adoption of a new distrib policy which will allow the firm to take on other wax lines for national distribution. Initial waxery to hook up with King under the new distrib policy will be DeLuxe Records, which recently completed reorganization under terms of Chapter XI of the Chandler Act.

Initially King will distrib the DeLuxe line only in the following territories: St. Louis, Kansas City, Des Moines, Cleveland, Detroit, Cincinnati, Pittsburgh, Nashville, Louisville, Memphis, Birmingham, Charlotte and Atlanta. DeLuxe distrib in other territories will not be disturbed by the change. Diskery will continue to issue regular releases.

King, which operates a distrib network made up mainly of self-owned branches, intends to push DeLuxe's versions of *You Call Everybody Darlin'* (by Bruce Hayes) and *Whose Head Is That* (a race item by Roy Brown).

MGM Records Buys Masters From Joe Davis

NEW YORK, Sept. 4.—MGM Records this week revealed the purchase of several thousand masters which were owned by Joe Davis. The terms of the deal were not revealed, Davis at one time advertised his masters for sale at a figure of \$50,000.

The Davis disks include sides by Harry James with Dick Haymes; Sammy Kaye, Coleman Hawkins, Savannah Churchill and innumerable others. These have been released at one time or another on the Davis, Beacon and Celebrity labels. Some of the Davis masters are previously unreleased.

RCA Victor Markdown Drive

E.T.'s Dubious Diamond Plan Can Be Legal

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which charges the AFM with conducting a strike and perpetration of a secondary boycott rather than the claimed ban. In the event the NLRB should find in favor of Standard, Petrillo would, under terms of the Taft-Hartley Act, be forced to go into arbitration to settle the recording situation.

Meanwhile, e.t. execs report that tho the retail disk industry apparently is anxious to settle with Petrillo by finding a method of paying him the same royalty which he had received previously, they still would prefer a settlement which would eliminate the statutory payment.

Next Step Is Socolow's

It is understood that the next step in the recording matter will be taken by Socolow, who will attempt to talk with all branches of the recording and e.t. biz in order to attempt creation of a unified effort to settle with the AFM.

Meanwhile, despite the current impasse in the Petrillo-disk discussions and what appears to be a similar situation in the AFM-e.t. confabs, many top disk execs expressed a confidence that the ban would be at an end in a short time. This optimism, according to the diskers, is based on "hunches" rather than a firm foundation.

Apollo Distrib For Embassy

NEW YORK, Sept. 4.—Apollo Records this week completed a deal with Lew Gray, of Embassy Records, for the Apollo firm to take over national distribution and promotion of the Embassy wax line.

This marks the second small diskery which Apollo has taken on for a national distributing and promotion job, the other being the Gem diskery's line.

All-Out Licensing Drive Begun by BMI; Help Added

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Pittsburgh have now been added, with additional offices projected for Philadelphia, Syracuse and Baltimore. In the Midwest, offices have been set up in Detroit and St. Louis, with Cincinnati and Des Moines to follow. In the Far West a San Francisco office has been established, and Denver and Portland, Ore., offices will be opened soon. The South will have offices in New Orleans, Dallas, Jacksonville and Atlanta.

1,000 Hotels Signed

BMI's hotel licensing operation has been in good shape, with about 1,000 hotels signed as compared with ASCAP's approximately 1,500. Roller rink licenses number 283, compared with about 500 for ASCAP. However, BMI's night club, amusement park and ballroom contracts require considerable hypoing before they can measure up to the rival organization's attainments in these types of locations. BMI feels that the expansion will remedy the disproportion within the near future.

Columbia's First LP Disks Ready, Pop to Longhair

NEW YORK, Sept. 4.—Columbia diskery's first monthly release of the new long-playing (LP) platters is skedded to hit the market sometime this month, with the listed works ranging from pop to longhair selections. In all, 14 disks, consisting of six 12-inch and eight 10-inch platters will make up the first release, augmenting the diskery's initial catalog of 101 LP's.

Headlining the 14 etchings is a two-disk offering of Puccini's *La Boheme*, which will retail for \$9.70, with the libretto being sold separately for 85 cents per. In addition to *La Boheme*, the release offers a Basil Rathbone dramatization of *Sinbad the Sailor* and the Budapest Quartet rendering Beethoven's *Quartet No. 6 in B Flat Major*, coupled with Beethoven's *Quartet No. 11 in F Minor*.

Semi-pop and pop tunes also are part of the new LP sked. Talent here includes Dinah Shore, Morton Gould, Andre Kostelanetz, Kay Kyser, Buddy Clark and the Charioteers.

All selections also are available in the regular Columbia shellac albums, tho to date some have not been released.

New Wax Tied To "Sing-Tina"

NEW YORK, Sept. 4.—First release of Gold Medal Records, newly organized diskery, features a tie-up with the Sing-a-Tina, a kind of kazoo being marketed by flick flack Hal Horne. The tune, *The Sing-a-Tina and the Trambourine*, is a Ben Bloom copyright.

Aaron S. Bloom, Gold Medal prexy, has made distribber arrangements with Music Suppliers of New England for the new England area; James H. Martin, Inc., for Illinois, Indiana, Iowa, Wisconsin and Minnesota, and Staff Distributing Company for Oklahoma.

Price Slash On 100 Disks Aids Dealers

Nationwide Campaign Set

NEW YORK, Sept. 4.—Heralded as a move to aid in the stabilization of inventories of retail record dealers, RCA Victor Records this week revealed that the firm was going to conduct a nationwide price markdown program. The drive, which will allow Victor dealers to sell the line's 75-cent wax at 35 cents or three for \$1, will be launched September 13 and run for five days.

The price-cut plan, which was issued to Victor distrib this week, will be supported by intensive newspaper and radio advertising. The program will be confined to a list of 100 cut-out records in the diskery's pop, country, Western, blues and rhythm catalogs and will be tagged "RCA Victor Value Week."

Victor's distrib in areas where fair-trade agreements are in effect are notifying dealers that fair-trade contracts will be amended for the duration of the diskery's cut price promotion, with a note that dealers are to revert to normal fair trade price listings after the sale period.

Victor execs claim that the program should enable dealers to straighten unbalanced inventories which came as a result of "seasonal declines" in wax sales "which were more pronounced this year than at any time since the end of the war." The Victor-sponsored program aims to ensure for the dealer quick disposal of slow-moving and surplus records in order that the merchant could raise the necessary capital which he needs for proper purchasing prior to the pre-Christmas peak volume sales period.

King To Allow 100% Returns On Folk Disks

NEW YORK, Sept. 4.—King Records is now offering dealers 100 per cent return privileges on the diskery's Western and hillbilly output. Plan does not apply to firm's race or pop output. In order to benefit from the arrangement, retailers are required to take on King's entire folk line.

Diskery evidently feels it won't be stuck with returns as consequence of the new offer, on the thesis that folk platters are generally regarded as evergreen merchandise that will be picked up by one buyer, tho returned by another.

Modernaires Quit GAC for MCA

HOLLYWOOD, Sept. 4.—Modernaires have pulled out of the General Artists' Corporation (GAC) fold to join Music Corporation of America (MCA). One-year pact with MCA was arranged by Modernaires' personal manager, Tom Shiels.

Vocal corps had been with GAC for past three years and prior to that was booked by William Morris.