

GUILD TALK . . .

ONCE upon a time, prizefighters had cauliflower ears; stylishly bearded doctors dressed themselves in Prince Alberts; musicians had long hair and gazed on life with a far away look.

Now, prizefighters pay plastic surgeons to remove the traces of their unluckier professional moments; doctors are clean shaven and dress in sack suits; musicians keep their favorite barbers occupied and spear life with sharp glances.

They all look like bankers.

Something may be said in favor of the metamorphosis. The ancient days, when each guild had its own costume, are past. Modern life, where all forms of human activity are closely interrelated, has broken down the old isolation of well-defined groups, and has brought about a degree of standardization of dress, manners and thought.

This democratic mixing can have an enriching value. Through it, men engaged in one form of activity exchange ideas and experiences with men who are busy in entirely different fields of endeavor. Thus, a fertilization of mind and spirit may take place.

However, where the tendency towards standardization of thought passes a certain point, there is danger that the members of a particular group may lose their peculiar value to society. A banker with mental processes similar to those of a musician would soon lose his place in the financial world. (Proof? Look over the stubs in any musician's check book.) Likewise, a musician who tried to think as a banker would soon find himself neither musician nor banker.

Is this whistling about nothing?

Well, one may ask whether, in this country, musicians do not often tend to lose sight of the fundamental values of themselves in relation to their art and to society. Frequently the musician seems to ape the business man in his interests and his attitude towards life. A large income is more to be desired than constant artistic development. A low golf score is a greater achievement than a consummate musical performance. A new heavyweight champion is a more exciting topic of conversation than a new composer. When an admirer says: "Why, no one would ever think that you are

a musician," it is given and accepted as the apotheosis of flattery.

This may be a hangover from the days when all but the distinctly utilitarian professions were looked upon askance by Americans. An architect was necessary to the erection of a building. He belonged. A doctor saved, or tried to save, life. He belonged. But the musician was a curious animal.

He didn't belong until there came into being a large public that liked music well enough to enable a prominent practitioner of the art to become an important depositor in the First National. And then he belonged—not because of his music, but because he was a depositor.

Happily, this attitude is passing. Over the years, there has developed here a public sincerely and deeply appreciative of music and of those who make music. But the musician's social inferiority complex has been disappearing more slowly.

Until AGMA was created, the solo musician refused to organize for group protection or development. Business men might organize but there was no opprobrium attached to that since they were the admired business men. Doctors might organize, but they were doctors. The dear old inferiority complex whispered to the musician that if he organized, in the eyes of society he would put himself into the same class as a laborer whose idea of heaven (do you remember this far back?) was a 48 hour week.

That AGMA exists gives hope that musicians are beginning to realize their true worth to the world around them.

Group consciousness, where it exists to antagonize and destroy other groups, is evil. Group consciousness, where it exists to stimulate pride of group to a point where that group will be encouraged and enabled to make finer contributions to society, is good.

This is the kind of group consciousness AGMA wishes to promote among musicians.

Music is a proud art. Any musician who is ashamed of his profession or is ashamed to associate with his colleagues in attempting to improve the conditions under which he brings music to the public should find some other occupation for himself.

EDWARD HARRIS.

No Business Tax for Musicians

by RICHARD BONELLI

Mr. Bonelli Headed the AGMA Committee Which Argued the Appeal for Exemption of Musical Artists From Payment of the New York State 4% "Unincorporated Business Tax" Before the Tax Bureau.

ACTING under the provisions of Article 16A of the Tax laws of the State of New York, the New York State Tax Commission had notified several members of AGMA at the beginning of June that they were, in the eyes of the Commission, carrying on a form of "unincorporated business" in the pursuit of their professional activities and were, therefore, subject to the payment of the 4 per cent tax imposed on the net income of such businesses.

This flat 4 per cent tax would have been imposed on them in addition to the many other taxes paid by musical artists as individuals to both the State and Federal Government. The amount of this tax would have been deductible from their income subject to Federal and State income tax only as an "expense" so that the new tax would have resulted in an actual expenditure of a considerable sum by every musical artist who carried on any activity in New York State.

At its meeting on May 17th the Board of Governors appointed a committee to work with the Guild Counsel, Mr. Henry Jaffe, to enter an appeal with the Commission for an exemption in behalf of musical artists.

On May 27th the AGMA Committee, consisting of Leo Fischer, Mr. Jaffe and myself and supported by a letter to the Commission from Walter Damosch, appeared before representatives of the State Tax Bu-

reau and made the appeal for exemption.

Mr. Jaffe's brief supported the appeal for exemption on two points. First, on the ground that musical artists were engaged in the pursuit of a profession which was generally recognized as a "learned science" and of great public service and was, as such, exempted by the law from the payment of the unincorporated business tax. Secondly, that musical artists, in their professional activities, acted in the capacity of "employees" in opera, concert and on the radio, and were, as "employees" and as persons whose income was derived from "personal services rendered" in "activities in which 80 per cent of the gross income is derived from services in which capital is not a material income producing factor", exempted under the law and the rulings of the Commission.

In establishing the status of musical artists as members of one of the general exempted "professions" Mr. Jaffe demonstrated that the original intention of the framers of the law had been to tax unincorporated businesses (as the term "business" is generally understood by the man in the street) so as to destroy the artificial advantage which unincorporated businesses enjoyed over corporations which were already subject to taxation on their net incomes or profits.

The Tax Bureau was not completely satisfied that it had been the intention, or implied intention, of the framers of the law

to exempt musical artists as members of one of the favored "professions" and requested Mr. Jaffe to submit a further brief on this point.

However, they completely agreed with our contention that musical artists were, in nearly all of their professional activities, "employees" and in accordance with the decision they made the following ruling:

"Musical Artists engaged in the following activities are regarded as 'employees' within the meaning of Article 16A of the tax law of the State of New York and as such are exempted from payment of the Unincorporated Business Tax:

1. Vocalists or instrumentalists who sing or play in a radio broadcast, both where such broadcast is part of series of broadcasts, and where it is a guest appearance.

2. Vocalists or instrumentalists who appear in concerts, where such concerts are managed and operated by civic or community associations, by music clubs or by local managers.

3. Vocalists who sing in opera, both where they are paid weekly, bi-weekly or monthly salary, and where they are paid by the performance.

4. Vocalists and instrumentalists engaging in the above described activities are 'employees,' notwithstanding that they may employ a secretary or an accompanist, or may rent an office for the carrying on of the above-described activities."

In gaining this ruling AGMA has saved substantial sums to all musical artists who are active in New York State.

New Entrance Restrictions in England

IN the June 2nd issue of "Variety," under the heading, "ENGLAND LIMITS FOREIGN TALENT" is an undetailed account of a new British Labor Ministry ruling which limits the active residence of any alien performer in Great Britain to six months or less. After the duration of that time, performers who have gained entrance to Great Britain for professional activity must leave the country and may not return for professional engagements until another six months have elapsed. The ruling becomes effective in June, 1937.

According to the "Variety" article the only performers exempt from this restriction are vaudeville units which enter the country as a group. This would seem definitely to indicate that the restriction applied to musical artists as well as the "scores of actors in legit, vaud, and niteries" although AGMA has not conclusively ascertained that this is so. Information is being sought now on this point and a final report of the situation will be given in our next issue.

For the present any speculations as to whether the musical artist may be exempted from this rigorous restriction must be guided by the report which AGMA has received from the Department of State, through the courtesy of Mr. John Farr Simmons, Chief of the Visa Division.

Mr. Simmons' report reads, in part, as follows:

"The Ministry of Labor is empowered to exercise considerable discretion in the granting or withholding of permits. The general policy of the Ministry is, therefore, an important consideration.

"Applicants for permits are divided by the Ministry into six general classifications, one of which is called 'The Entertainment Industry.' Under this general heading, applicants are divided into four sub-classifications, viz:

- (a) musicians and concert artists
- (b) dance bands
- (c) actors
- (d) vaudeville and cabaret performers."

From this it would appear that the Labor Ministry is in the habit of handing down rulings for the whole of the "Entertainment Industry" classification

and making specific exemptions within this classification, as, in the present ruling, vaudeville performers of a certain type are exempted. This further indicates that in face of the lack of any specific exemption in their behalf, Musical Artists will be included in the new restrictions. This new ruling radically alters the policy of the Labor Ministry which is described in Mr. Simmons' report of last Winter.

"With regard to this class in general (the Entertainment Industry) it is the practice to grant permits freely to performers of international reputation. Permits are similarly granted with a time limit, for performers presenting special features of novelty or attractiveness. The case of musicians playing dance music in restaurants or hotels is, however, subject to special consideration by the Ministry of Labor, while severe restrictions have been imposed on the admission of American dance orchestras."

This new ruling would appear to have extended these severe restrictions to affect all of the other branches of the so-called "Entertainment Industry" with the specific exception of aliens operating a complete vaudeville unit.

The results of the "severe restrictions" imposed upon dance bands in comparison to other branches of the "Entertainment Industry" are shown in a table contained in the State Department report.*

OCCUPATION	LABOR PERMITS GRANTED	LABOR PERMITS REFUSED
	Jan., 1935-May, 1936	Jan., 1935-May, 1936
Concert hall vocalists	24	0
Concert hall instrumentalists	65	0
Theatrical artists	200	4
Musicians and arrangers for dance bands	4	156*

Will this new ruling result in similar restriction of the entrance of concert singers and instrumentalists? More details will be secured for the next issue of AGMA. In the meantime, if the information should be of vital concern to any member, it may be had as soon as it has been secured by calling the office.

Something for Nothing in the Theatre

by QUEENA MARIO

This Speech Was Made by Mme. Mario, As the Delegate of AGMA, at the First Annual Convention of the American Theatre Council, Held at the Hotel Astor, May Twenty-fourth to Twenty-seventh. At Its Conclusion Mme. Mario Received What Amounted to an Ovation. . . .

Mr. Chairman and delegates to the Convention:

THE delegates to this Convention have a great many significant problems to consider as representatives of a Theatre that is only now emerging from one of the most trying periods in its history. There are problems in connection with the Road and Broadway: problems dealing with the influence of the Radio and Motion Picture: problems concerned with raising the standards of intelligence of plays and playgoers.

But widely varied though these problems may seem, they are all actually concerned, I think, with one deep and fundamental question,—the continuance of the Theatre as a vital, healthy and *profitable* activity in the scheme of American life. To this purpose are dedicated all the energies of the playwrights in writing the best plays they know how, the experienced judgment of the producers in putting them before the public and the skill of actors in interpreting and recreating them for their audiences. They are all activated by one eminently practical desire, to keep the Theatre as alive as it ever has been—to make its significance and necessity to modern life more immediate than ever, and so to arouse the interest and enthusiasm of the public and make it willing and anxious to support the Theatre by paying for its admission at the box office.

While, then, the representatives of actors, playwrights and

producers are here considering ways and means by which the Theatre and its business procedures may be perfected even beyond their present stage of perfection, let me, as the representative of the Musical Theatre, bring to your attention the growth of a condition which unless speedily stopped may have a disastrous effect upon the whole world of legitimate entertainment. It has already brought about almost ruinous results in certain towns, which I shall explain more fully later.

The condition of which I speak is the one that now prevails in several Broadway theatres which until a short time ago housed legitimate dramatic productions. These theatres now are filled by capacity audiences which flock *free of charge* every night including Sundays to the radio-broadcast performances of famous artists of the stage, screen and concert hall who appear sponsored by commercial advertisers. While the leasing of these theatres by major broadcasting companies has some special significance because it represents the invasion by free-of-charge entertainment of the precincts of Broadway itself, this is really only a detail of the whole situation—a situation which has grown to such proportions that the Broadcasting buildings of the major companies are now built to contain studios accommodating one, two or even three thousand people. The studio audience has been adopted as a permanent institution. That is the significant thing—the real

threat—the fact that every night unnumbered thousands are getting into the habit of getting their entertainment free of charge. And it is *good* entertainment. A great deal of expert attention is lavished upon these studio productions to make sure that—besides their primary appeal to millions over the air—they have a very definite visual appeal to the two or three thousand in the studio.

Of course I suppose that you have heard all this before — I know that there has been a tendency among Theatre people to discount the significance of it by claiming that the persons who are to be found in the so-called “radio theatres” are not the persons who are supporting or who have ever supported legitimate drama—and so the legitimate drama need not concern itself with the possible consequences.

In the first place I am not so sure that patrons of the legitimate drama and patrons of concert and opera are not to be found in increasingly large numbers in radio studios. It seems to me that when every effort has been made over a period of some years to attract these very persons — when first rank artists have been engaged in excellent productions, when, in dramatic programs, sets and drops and props have been used to heighten the effect for the audience in the studio—then these persons, the regular patrons of the theatre and concert hall, can ultimately be expected to succumb to the allurements, and I do know for a fact that they have already succumbed in large numbers.

But even if we were sure that the “radio theatre” were not invading the ranks of regular theatre patrons — even if we knew that its influence was confined to patrons of the movies and the ball park—is it any less a matter of concern to us? Can we be so short sighted as to

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The American Theatre Council

FROM May 24th to 27th, at the Hotel Astor, the American Theatre Council held its first Annual Convention, conducted seven business sessions, ate four luncheons, and celebrated its emergence upon the Broadway scene with a Gala Supper and Entertainment in the Northeast Ballroom, where several notables from current stage successes entertained the delegates.

To remark, however, that, in its first official appearance, the ATC constituted one of the most interesting and stimulating of the season's Broadway attractions, would be to disregard, for the sake of questionable witticism, the really significant aspect of the occasion, for the Convention clearly demonstrated, through the remarks of the various delegates who spoke at the several sessions that, in the minds of those whose primary concern is the healthy and progressive development of Theatrical Art, the centralization of the Theatre's activity along Broadway is, perhaps, one of the least encouraging of present day tendencies.

One of the most persistent motifs to be struck was the expression of the belief that the true future of the Theatre lay in its expansion over the whole area of the United States and the awakening of a live interest in the legitimate drama in the minds of that vast audience which now depends for its edification and diversion entirely upon the motion picture and the radio.

The American Theatre Council was formed by the co-operation of the guiding Group Forces which control the American Theatre today, as a sort of clearing house through which their separate efforts might be co-ordinated and directed toward a common goal. The Actors Equity Association, The Dramatists Guild, The United Scenic Artists of America, The International Alliance of Theatrical Stage Employees, the Theatre Guild, the League of New York Theatres and some others have for a long time been active in advancing the interests of the respective groups within the Theatre which they individually represent. In the formation of the American Theatre Council they have indicated their determination to work together in the larger common interest of them all—the vitality and progress of the Theatre itself.

The Board of Directors of the Council

is composed of Frank Gillmore, President of Equity; Sidney Howard, President of the Dramatists Guild; Warren P. Munsell, Business Manager of the Theatre Guild; Paul N. Turner, Counsel of Equity; J. C. McDowell, Secretary of the Theatrical Protective Union; Marcus Heiman, President, and Lawrence Langner, Governor, of the League of New York Theatres, Luise Silcox of the Dramatists Guild, James J. Brennan of the IATSE and Fred Marshall of the United Scenic Artists of America.

To the sessions of the Convention came representatives of Broadway, and representatives of the Road; of the Summer Theatre, of the Little Theatre, of the Theatre in the University; representatives of the Critical Press, representatives of the Actor and the Playright and the Producer; representatives of the WPA Theatre and of the General Public.

All of these persons expressed their firm conviction in "the continued vitality of the Theatre" in America—all except the Critics who were unshakably pessimistic. The Council, it has been announced, will, during the year, study the various proposals made at the Convention with the hope of putting some of them into practical application.

The interest of the Council is, of course, in the affairs of the legitimate drama in the strict construction of that term, and Queena Mario, in making the speech which is printed on the opposite page, spoke as the representative of the Musical Theatre rather than as a representative of AGMA as a whole.

But just as her remarks contained a deep significance for those representatives of the drama, so did many of the developments of the Convention, many of the suggestions made there from the point of view and in the interest of the Stage, hold nevertheless, a deep significance for those whose interest lies in the development and progress of American Opera.

The Dramatic Theatre has succeeded in establishing itself—even more extensively perhaps in the past than in the present—on a much wider scale than the Operatic Theatre has ever done, as a self supporting, significant and profitable part of American life. Consequently, it may be supposed that, in studying the methods

by which the Stage has succeeded in gaining this position, and in considering the proposals by which the Stage proposes to further advance and revitalize itself, the Musical Theatre may find some suggestion for certain alterations which might promote a similar expansion and revitalization for itself.

At the third luncheon of the Convention, on May 25th, Garrett H. Leverton, Director of the Northwestern University Theatre at Chicago, told the delegates something of what the "Laboratory Theatres" in the nation's universities and colleges were doing in the way of actual practical assistance to the professional theatre on Broadway.

The University Theatre has, within the last few years, become a tremendously significant and practical form of education for the young actor, and an invaluable opportunity for experimentation for the Theatre at large. Students are trained with the realization that they must subsequently earn their living by putting what they have learned into professional practice and emphasis is therefore on the production of such plays as have a real bearing on current tendencies. Students have often the opportunity of appearing before an audience in plays which are subsequently produced in New York. "Novelties" and "Artiness" are severely avoided because it is understood that the experience which a student may acquire by participation in productions which have no parallel in professional life will have no value to him in his problem of making a living as a professional.

Schools of Music are in even a better position than these drama workshops to perform this practical function for their students, because the opera repertoire in current professional usage is a stabilized and constant thing and Schools of Music have the opportunity of giving their students training in the singing of "Traviata" so that when they are confronted with the necessity of singing "Traviata" for a living they will not find it an entirely novel experience.

The new advances in staging and scene designing that have been initiated in these Theatre Schools have tremendous significance to the problems of American Opera likewise, for

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S O C I A L S E C U R I T Y

The Federal Law, As It Now Stands, Will Work A Grave Injustice To Musical Artists

THE Federal Social Security Act has recently been declared constitutional by the Supreme Court and the Government has announced its intention of taking immediate measures to set its complicated machinery going and check up on the payment of all due assessments by the employers and employees of the Nation. Musical artists may expect, therefore, to be required, shortly, to file reports of their activities both as employees and employers in accordance with the provisions of the law.

Musical artists will in many cases find themselves in the position of paying Social Security assessments both for themselves, as employees, in connection with their performances in concert, radio and opera, and also for their employees;—accompanists, secretaries, etc. — The Social Security Act provides that every employee—with certain specific exceptions which do not concern musical artists—shall pay a tax of one percent per annum on annual income up to \$3,000.00 received from any one employer. Any income above this amount received from any one employer is not subject to assessment. The Act also provides that every employer must pay a social security tax of one percent per annum on all wages up to \$3,000.00 annually paid to any employee.

At the age of sixty-five any employee may retire and receive a pension from the Government in accordance with the amount of money that has been paid on his account during the years of his employment.

It is generally considered that this plan as it will function in ordinary circumstances, will work great benefit to the people of the country in assuring them

of pecuniary security in old age for themselves and their dependents. In ordinary circumstances the maximum that could be paid in any one case is \$60.00 per year—\$30.00 by the employee and \$30.00 by the employer.

However, in the case of musical artists, and other professionals who work for many employers during the course of a year the Act is so designed that it will work a very grave injustice to the employee and the employer concerned.

Section 811A provides that an employee must pay, as Social Security assessment, one percent on income up to \$3,000.00 received from each separate employer for whom he works.

It will immediately be seen that, in the case of an artist performing on radio, the situation is very grave. If an artist (as an extremely prosperous example) has a ten weeks' series at a salary of \$30,000.00 he will pay one percent on \$3,000.00 or \$30.00 and the sponsor of the series will pay the same amount. If an artist, however, has ten separate appearances in the course of a season at a fee of \$3,000.00 for each appearance he must pay \$30.00 and his sponsor must pay \$30.00 for each engagement so that, for the same amount of money earned, \$60.00 will be paid for one artist and \$600.00 for another. Since the benefit he will presumably receive from the eventual pension will be the same in amount this will be seen to be extremely disproportional and unfair.

It must be remembered that this comparison holds good equally for greater and lesser amounts of money earned and for concert and operatic appearances as well as for radio. Gen-

erally speaking, the greater the number of separate employers the artist may work for, the greater will be the amount he must pay for Social Security protection. A young artist who secured a number of small engagements during a season would probably pay more than a bank president with an income too fabulous to estimate.

Since it was obviously the intention of the framers of the bill to make assessments proportional to income, and in no case to have a large class of persons pay more than \$30.00 annually (one percent of \$3,000.00) it may be expected that this condition will be soon rectified.

In seeking to protect its members from this disproportional assessment, AGMA could argue for the complete exemption of musical artists from the payment of Social Security assessments. This would entail the exclusion of musical artists from the benefits of the system as well, however, and would still leave them in a losing position. The Board of Governors believes that AGMA members wish to be included in the benefits of the Social Security system and at the same time pay a proportional and equitable share of their earnings.

The Screen Actors Guild has already filed a petition for an amendment to the Social Security Act which will adjust this situation in the interests of Screen Actors and other professionals similarly affected. AGMA members are urged to write personal letters of appeal to United States Senators Robert Wagner and Royal S. Copeland (if residents of New York State), their district Congressman, the Secretary of Labor and the Chairman of the Social Security Board.

Something for Nothing in the Theatre (Continued from Page 6)

suppose that a condition which undermines the vitality of one section of the theatre world by violating its most fundamental principles of professionalism will not finally undermine these principles throughout the profession and will not ultimately or immediately undermine the principles and blight the vitality of our own particular section of the profession? I do not think we are so short sighted—the fact that we are gathered here in this convention proves that we are not. Let us then, for the sake of our own careers and for the sake of the future of independent theatrical enterprise in America, see what we can do about it.

When I speak of the principles of professionalism, I mean that principle of mutually respectful give-and-take between the performer and his public by which the public recognizes the value of what the performer has to offer and exhibits, by its patronage, its willingness to pay for that value at the box office. This is the principle upon which the theatrical profession, in common with all other profitable and independent professions and businesses, has built its strength and its position. It was the preservation of this basic principle which I cited as the fundamental problem which we have before us in this convention. And it is at this principle that the free audience practice is dealing a direct blow.

I do not think that an art can thrive and prosper except under conditions of freedom and independent status. Therefore I do not think that the theatre—the whole circle of the theatre in which I include, as a very important part, Radio itself—can endure unless the free audience practice is abolished. The theatre is the servant of whoever pays for it. The theatre has made great strides when it has been the servant of the public—I do not know whether it would be happy under any other conditions.

Perhaps one of the most ironic aspects of the situation is called up by the reflection that the

studio audience is no part of the regular business of broadcasting—that it can have nothing but a disastrous effect upon radio itself—since Radio is part of the theatre and subject to the same necessities—and that, in its awkward illegitimacy it can only hamper the development of a real honest radio technique. This is radio's private misfortune, however, and I want only to stress the general significance of the condition now.

There is already a change in the psychological attitude of the public toward the theatre. In my own special field, I know that it is now impossible for an artist of international reputation to induce an audience to pay for a concert in a town where he has appeared at one of these free-for-all broadcasts. In one city, where a rotating audience of over five thousand *hears and sees* a first rank musical artist every week for nothing the concert business is dead.

Things are happening that could never have happened before. The free audience is spreading like a plague outside the bounds of Radio. In a recent issue of "Variety" is an account of a series of concerts being presented free to the public of Kansas City under the sponsorship of a local druggist named Katz. Sales talks are given during intermissions. In Buffalo, according to "Variety" a local radio station is sponsoring a free concert in a large hall to advertise recent alterations in its wiring equipment. Bank Night has been instituted in every movie house in New York and still receipts fall off because the one-time patrons of the house are watching the movie stars appear in person in a radio studio.

Walking past the CBS Radio Theatre on Broadway at 53rd Street a few weeks ago a friend of mine was accosted by seven small boys who offered to sell a pair of tickets to the broadcast of a famous stage artist for a quarter.

In the studios themselves the situation is, to the musical artist,

intolerable. They are forced to sing to two audiences at once—one in the studio and one over the air—and the two audiences require absolutely different performance techniques!

In the many programs where half the entertainment is broadcast from New York and half from California the artists must entertain the studio audiences in New York while California is on the air—and *vice versa*. Thus, if an artist is paid \$1,000.00 to advertise to a radio audience of twenty million, half of his time—five hundred dollars worth of his talent!—is wasted to keep a free studio audience of two thousand from growing restless.

This is what is happening now. What will be happening in the future?

We have all heard of television and we all realize that it will be here before we know it. It is not unlikely that dramatic presentations will be given with great success over radio-television; presentations complete with sets and costumes. The radio-television listener will tune in on Hamlet at home.

This is all very well, for there will still be a live demand for Hamlet behind the footlights; Hamlet was written for footlights and as long as Hamlet lives the Live Theatre will live. But if the studio audience is still an institution in this future time, the live theatre will not make an independent living. Because footlights will be installed in radio studios and the public will continue to go to radio studios free of charge, and no one will be able to induce the public to go to a theatre in Forty-Fifth Street and pay \$2.00.

All of the theatre is represented here. We all believe in the fundamental vitality of the theatre and we all believe in its fundamental professional principles.

If we want to do something to abolish free audiences we must do it right away—we have probably wasted too much time as it is.

Special Delivery

IN this column, as was announced in the first issue, will be printed letters from members of AGMA to the membership of AGMA.

Writers of such letters are requested to sign their communications for the convenience of the editor. If it is desired, the name will be withheld when the letter is published.

Dear AGMA:

I have only recently joined AGMA as a Class A member—I joined, originally, because so many of my friends seemed to be members that I didn't want to be conspicuous by not being one myself—but already I have discovered several ways in which the Guild can be of great help to me. There are so many problems that crop up every day in one's relations with one's manager and with impresarios that can be solved most easily and quickly by an organization like ours which has, so to speak, a bird's eye view of the whole field and is not limited, in its consideration of situations, to the experiences of one lonely and harassed individual!

I suppose (and ardently hope) that when AGMA has been active for a year or so more and has had the opportunity of dealing with all of the innumerable hopeless situations with which we find ourselves faced it will have worked out a formula for the solution of each problem so that a member may relieve himself, by a mere call upon the Guild of the burden of trying hopelessly and endlessly to fight it out alone.

What I envisage is, I suppose, the formulation of a set of standards:—standard usages and policies embodied in standard contract forms such as Equity has put into practice in the interests of its membership. With such a standard contract in use, insuring for the musical artist a decent minimum of justice, such outrageous practices as are described by Mr. Reuter and Miss Warren in their recent letters to AGMA would be impossible. I know that in my own case, had AGMA come into existence five years ago and had certain standard contracts been in use now I would find myself in a much more enviable position.

I am a beginner and like all beginners apt to jump at anything which even faintly resembles a chance. Consequently when a manager offered to make a contract with me for five years covering all of my professional work, I did not hesitate to sign with him. At the time my entire activity was confined to radio performances and since my manager had excellent radio connections and has been successful in securing engagements for me on the radio I could foresee no difficulties.

Now, however, I am attempting to extend my activities to concert—possibly opera. And in these fields my manager is quite ineffectual—he is not familiar with the ground to begin with and even if he were the concert business is pretty well tied up from the managerial end and an outsider would find considerable difficulty breaking in.

In the meantime there is what seems to be a fairly alluring prospect for several concert engagements through a regular concert manager—but it seems almost impossible to adjust my contract with my own manager so that I can take advantage of the opportunity. There is nothing I can do about it now of course but make up my mind never to commit myself so completely again, but I am sure that had AGMA come five years sooner or I five years later I could more easily arrive at a sensible adjustment.

It would be a wonderful thing if AGMA could give assistance, through standardization of contracts, to young artists. After all, an artist's relationship with his manager is a purely business arrangement and I can see no reason why, beyond a certain minimum responsibility, the obligations should be all on the artist's side and the protection all on the manager's.

With best wishes and great hopes for the future,

Cordially,

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One of the most needed things in the musical profession is the establishment of a certain security and regularity in the relationships between artists and those associated with them in the business aspects of their activity, and it would indeed, as our correspondent says, be a wonderful thing if AGMA could bring about this

security and regularity by the institution of certain standards which would apply to definite types of contracts between artists and managers and impresarios.

After all, as the writer of the letter remarks, these are purely business relationships and it should not be hard to determine, in certain typical and well defined cases, just what should be expected of both parties to a transaction—just what are the general mutual responsibilities of all parties.

Because there has been recently called to our attention the activities of certain “managers” in the midwest and on the coast, we may take as an example the relationships between a manager and an artist.

Now, most musical artists who are active employ the services of a manager. Managers perform certain indispensable but well defined functions and all artists know what these are — a manager should secure engagements for his clients throughout the country and he should plan a series of single or extended engagements in such a way that they will contribute to the professional and artistic development of the artist. These are the fundamental aspects of the relationship — in practice these are the “standards” which determine the proficiency of the manager.

In the case of the abuses of these West Coast “managers” these fundamental responsibilities were evaded and these standards disregarded — the “manager” had no intention of performing any service for the artists he contracted, his whole intention being to defraud them of whatever money he could induce them to advance.

He was able to defraud them in this way and to induce them

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Special Delivery . . . (Continued from Page 10)

to sign contracts which protected him from legal retribution because of the lack of a widespread acceptance of these "Standards" of relationship. If, as the writer of the letter suggests, standard contracts were in use by AGMA members—contracts which embodied the fundamental principles of equitable relationship, these abuses could never have been perpetrated.

The lack of such standard contracts puts artists in the position, also, of competing with one another where such competition is neither necessary nor wise. Even in New York where musical activity is to a great extent organized and on a fairly uniform basis as regards the activity of the various managers, the contracts which are drawn up for the same sort of activity are so widely different that there is veritable chaos. An artist who is about to sign a contract with a manager has no way of determining whether the terms he is offered are equal to the terms offered others in similar situations—he has no way of judging by comparison to

recognized "standards" and he must, as in the case of our correspondent, take whatever terms are offered and often finds that he has agreed to terms not at all to his advantage. Because of the lack of any recognized standards, artists are placed in the incongruous position of overbidding one another for the services of their managers.

The formulation of a set of such standards and the embodiment of their most fundamental provisions in standard contracts would be of untold help to artists and managers alike. Each would then know, in a stabilized field of activity, what were mutual responsibilities of one to the other. And such nefarious and unethical—such frankly criminal—practices as were described by Mr. Reuter and Miss Warren would be impossible because artists would know before they signed a contract that, by comparison to the standards of legitimate activity throughout the country, the contract offered them was unsatisfactory from every point of view.

The American Theatre Council (Continued from Page 7)

if it is true that one of the most serious obstacles to the development of the Opera in America as a popularly supported form of entertainment is the great expense of its production and the immobility of its mechanical appurtenances, which make it impossible to keep open more than two or three first class opera houses throughout the country, then the achievement in modern, effective and *ridiculously inexpensive* staging and stage setting that is represented by such productions as the WPA "Faustus" may possibly hold the answer.

From the standpoint of effectiveness the simple black hangings and white lights of the WPA "Faustus" have the impact of a cannon ball; yet the whole affair could be packed up and shipped to Philadelphia in a hatbox. And, although they were marvelously rich and suggestive in appearance, their cost must have been trifling in comparison with the cost of a conventional opera set. What is more, these particular settings in "Faustus" were especially well adapted to the requirements of Opera.

With the adoption of this sort of stage technique—and there is an amazing wealth of new and inexpensive material and method—it is quite within the realms of possibility that

three hundred opera houses could profitably operate throughout the country.

The description of the activities of the "Summer Theatres" of America that was given at this same luncheon by Mr. Day Tuttle of the Westport Playhouse gives rise to fanciful pictures of two or three thousand opera singers packing their drapes and their costumes under their arms and setting up for one-night stands as part of the Summer Theatre commerce of the larger resorts.

This particular idea may, of course, to the opera singers themselves, appear to be something more reprehensible than merely an idle and innocuous fancy, and it is not insisted upon as the first step in the campaign for the revitalization of the Opera. It may even be questioned that there is anything at all the matter with opera in America and that it is in any need of revitalization.

However, when the legitimate drama is not completely satisfied with its prosperity and takes steps to see what can be done to bring about a more satisfactory state of affairs, the opera and its adherents will probably suffer no affront to their dignity in doing likewise, and in examining the circum-

stances to ascertain if there is not something which will perfect opera and its business procedures in this country—as Mme. Mario said—"even beyond their present state of perfection."

The least we can do, at all events, is to watch the activities of the American Theatre Council and possibly be guided by some of its observations and experiences.

L. T. CARR.

Optimism Note

Now and then we run across things in the paper in connection with the so-called "waning of public interest in good music."

We haven't noticed any waning of public interest—on the contrary, lots of people go to concerts now who never did before. For instance, someone about the office made a very rough estimate of the drawing capacity of four of the many big radio-broadcast-concert series and discovered that approximately 500,000 persons had attended these four series during the past year.

That's encouraging.

The AMERICAN GUILD of MUSICAL ARTISTS

What Is It?

A Page of Questions and Answers for Non-members.

What is AGMA?

AGMA is an organization of musical artists, American and Foreign, who are active in America and who have joined together to protect their own interests and to advance the development and prosperity of Music in America.

Who are its members?

AGMA numbers among its members today most of the prominent artists in this country. It aims to enroll, as soon as possible, any artist who has not as yet joined. A complete membership list may be had by mailing the coupon below.

Is AGMA a Union?

YES. AGMA intends to secure for its members all of the advantages of organized action that are now enjoyed by members of unions in all other branches of industrial and artistic activity—security, recognition and protection.

AGMA's members have voted to affiliate with the Associated Actors and Artists of America, the Branch of the Federation of Labor which is composed of Actors Equity Association, the Screen Actors Guild, Chorus Equity Association, the American Federation of Actors, etc., etc.

How can you learn more about AGMA? — join AGMA?

By sending the coupon below in the envelope enclosed you will receive material which will tell you all there is to know about the Guild—who are its members, what are its purposes, what it has accomplished and what it intends to accomplish, how it has been received by the Press, what are the classifications of membership—what fees are required, etc., etc. You will also receive an application blank.

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Gentlemen: Please send me an application blank and literature describing the activities and purposes of AGMA.

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