

LAW OFFICES
HALEY, WOLLENBERG & BADER
FIFTH FLOOR, BROADCASTING-TELECASTING BUILDING
1735 DE SALES STREET, N. W.
WASHINGTON 6, D. C.

ANDREW G. HALEY
J. ROGER WOLLENBERG
MICHAEL H. BADER
WILLIAM J. POTTS, JR.
STANLEY SPORKIN
ROBERT D. CRANE

DISTRICT 7-2724
CABLE ADDRESS
HALRADIO

August 8, 1961

RECEIVED
AUG 8 1961
F. C. C.
OFFICE OF THE SECRETARY

Mr. Ben F. Waple
Acting Secretary
Federal Communications Commission
Washington 25, D. C.

Dear Mr. Waple:

On behalf of Gotham Broadcasting Corporation, applicant for renewal of license for Station WINS (File No. BR-211), there is enclosed in triplicate, for filing with the Commission, "Exhibits to Response of Gotham Broadcasting Corporation to Letter of July 6, 1961 from Federal Communications Commission." The response was filed on August 7, 1961 and the enclosed document supplements the response. Copies of the response and of the enclosed document are being sent to the persons listed below.

Also enclosed herewith in triplicate is an errata sheet containing minor corrections in the August 7, 1961 response. It is requested that the errata sheet be associated with the response.

If there are any questions concerning the above matter, kindly communicate directly with this office.

Very truly yours,

Andrew G. Haley
Andrew G. Haley

Enclosures

Copies to:

The Honorable Newton N. Minow, Chairman
The Honorable Frederick W. Ford
The Honorable Rosel H. Hyde
The Honorable Robert T. Bartley
The Honorable Robert E. Lee
The Honorable T. A. M. Craven
The Honorable John S. Cross
Joseph N. Nelson, Esquire
John C. Harrington, Esquire

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington 25, D. C.

In the Matter of Application of)
GOTHAM BROADCASTING CORPORATION) File No. BR-211
For Renewal of License)

ERRATA

The response of Gotham Broadcasting Corporation dated August 7, 1961 to the Commission's letter of July 6, 1961 concerning the renewal application for Station WINS (File No. BR-211) is corrected as follows:

1. Page 6. Final sentence should read:

"Ronnie Granger was hired by Station WINS in September, 1956 as a record librarian."

2. Page 8. First sentence of final paragraph should read:

"Leeds was hired as Program Director of Station WINS in August, 1957."

3. Page 18. Citation at end of first paragraph should read:

"(Exhibit 8.)"

4. Page 41. Name of licensee should read:

"GOTHAM BROADCASTING CORPORATION"

Respectfully submitted,


Andrew G. Haley

Haley, Wollenberg & Bader
1735 De Sales Street, N. W.
Washington 6, D. C.

Attorneys for
GOTHAM BROADCASTING
CORPORATION

August 8, 1961

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OFFICE OF THE SECRETARY

Before the
Federal Communications Commission
Washington 25, D. C.

In the Matter of Application of)	
GOTHAM BROADCASTING CORPORATION)	File No. BR 211
For Renewal of License)	

EXHIBITS TO

RESPONSE OF GOTHAM BROADCASTING CORPORATION
TO LETTER OF JULY 6, 1961 FROM FEDERAL
COMMUNICATIONS COMMISSION

RECEIVED
AUG 8 1961
F. C. C.
OFFICE OF THE SECRETARY

Suite 606
1697 Broadway
New York 19, N. Y.

MAURICE JOACHIM
Creative Record Enterprises

May 19, 1959

RECEIVED
AUG 8 1961
F. C. C.
OFFICE OF THE SECRETARY

Mr. J. Elroy McCaw, President
Radio Station WINS
7 Central Park West
New York, N. Y.

Dear Mr. McCaw:

We regret to have to bring to your attention a matter which involves Ronnie Granger, music librarian at your station.

The attached letter to the undersigned from Jim Gribble who contacts radio stations for the airing of our records, speaks for itself.

We believe you can instruct Mr. Granger to return the sum of \$100. which was paid him and for which he failed to carry out certain obligations.

On receipt of this sum we will consider the matter closed and we thank you for your co-operation.

Very truly yours,
CREATIVE RECORD ENTERPRISES, INC.

/s/ Maurice Joachim

MJ/tbm

President

COPY

May 13, 1959

De WITT - 1697 Broadway, New York 19, NY

RECEIVED

AUG 8 1961

F. C. C.
OFFICE OF THE SECRETARY

Mr. Maurice Joachim
1697 Broadway
New York, New York

Dear Mr. Joachim:

I took Mr. Ronnie Granger to lunch in March of this year and gave him copies of all Sentry and Nostalgic releases and suggested that we would be glad to have him serve in an advisory capacity with Creative Record Enterprises, Inc. and help us in the selection of masters, in distribution and other pertinent matters. For this service he was offered a part interest in the company. He said because of his coming marriage he would rather have money than an interest in the company. And we would pay him monthly for plugs on WINS and also to meet with us from time to time. We have set several appointments with him which he didn't keep and also none of us who have monitored have heard any of the records plugged.

Mr. Joe Hintz and I called on Mr. Granger on April 12, 1959 and gave him \$100 in cash. We both have taken records to him also have set appointments with him which were not met even after several telephone calls.

Yours truly,

JIM Grubble.

May 22, 1959

RECEIVED

AUG 8 1961

F. C. C.
OFFICE OF THE SECRETARY

Mr. Maurice Joachim
Suite 606
1697 Broadway
New York 19, New York

Dear Mr. Joachim:

Thank you for your letter of May the 19th. We are naturally disturbed by the information contained therein and intend to investigate the matter.

We will be in touch with you shortly.

Very truly yours,

J. Elroy McCaw

JEM/a

Suite 606
1697 Broadway
New York 19, N. Y.

MAURICE JOACHIM
Creative Record Enterprises

June 16, 1959

RECEIVED

AUG 8 1961

F. C. C.
OFFICE OF THE SECRETARY

Mr. J. Elroy McCaw, President
Radio Station WINS
New York, New York

Dear Mr. McCaw:

I received your letter of May 22nd and am wondering if there are any further developments in regard to the matter of the money paid to your music librarian.

You advised that you would be getting in touch with me shortly, hence this letter.

I would appreciate an early reply.

Very truly yours,

/s/ Maurice Joachim

Maurice Joachim

MJ/tbm

July 9, 1959

Mr. Maurice Joachim
Suite 606
1697 Broadway
New York 19, New York

RECEIVED
AUG 8 1961
F. C. C.
OFFICE OF THE SECRETARY

Dear Mr. Joachim:

This is to notify you that Ronnie Granger,
our music librarian is no longer in our
employ.

Very truly yours,

ML/fl

Mel Leeds
Program Manager

NEW YORK STATE PENAL LAW - Section 439
(Commercial Bribery Statute)

RECEIVED
AUG 8 1961
F. C. C.
OFFICE OF THE SECRETARY

Section 439: Corrupt influencing of agents, employees or servants.

1. A person who gives, offers or promises to an agent, employee or servant of another, any gift or gratuity whatever, without the knowledge and consent of the principal, employer or master of such agent, employee or servant, with intent to influence such agent's, employee's or servant's action in relation to his principal's, employer's or master's business; or an agent, employee or servant who without the knowledge and consent of his principal, employer or master, requests or accepts a gift or gratuity or a promise to make a gift or to do an act beneficial to himself or to another, under an agreement or with an understanding that he shall act in any particular manner in relation to his principal's, employer's or master's business, or receives a reward for having so acted; or an agent, employee or servant, who, being authorized to procure materials, supplies or other merchandise either by purchase or contract for or on account or the credit of his principal, employer or master, or to employ service or labor for his principal, employer or master, receives directly or indirectly, for himself or for another, a commission, discount, gift, gratuity or bonus from the person who makes such sale or contract, or furnishes such materials, supplies or other merchandise, or from a person who renders such service or labor; and any person who gives or offers such an agent, employee or servant such commission, discount or bonus; and any person, corporation, partnership or other organization who shall use or give to an agent, employee or servant of another, or any agent, employee or servant who shall use, approve, or certify, with intent to deceive the principal, employer or master, any receipt, account, invoice or other

document in respect of which the principal, employer or master is interested, which contains any statement which is wilfully false or erroneous in any material particular or which omits to state fully the fact of any commission, money, property or other valuable thing having been given or agreed to be given to such agent, employee or servant, is guilty of a misdemeanor and shall be punished by a fine of not more than five hundred dollars, or by imprisonment for not more than one year, or by both such fine and imprisonment. [Emphasis supplied]

February 5, 1960

Miss Mary Jane Morris, Secretary
Federal Communications Commission
Washington 25, D. C.

Dear Miss Morris:

This is the response of Gotham Broadcasting Corporation to paragraph one of the Commission's inquiry of December 2, 1959, reference 81378. Gotham is licensee of station WINS, New York, New York. WINS's response to paragraph two of the inquiry was sent to the Commission on December 30, 1959.

WINS has maintained continuously strict controls to enable the station to ascertain the possible existence at WINS of the practices described in paragraph one of the inquiry. Those controls are described in the station's answer dated December 30, 1959, responsive to paragraph 2 of the Commission's inquiry. As an example of the application of these controls, and as stated below, WINS took action in July and August of 1959 [prior to the time that the subject of "payola" became an issue in the broadcasting industry] following the discovery that a member of the staff had been said to have received compensation from an outside source, and that such source had the expectation that he would influence the broadcasting of certain records. The station's immediate action, pending investigation, was to shift the employee to another department of the station wherein no opportunity was offered for him to influence the selection and presentation of broadcast matter. This employee resigned shortly after the transfer.

Based upon the licensee's experience in applying these controls and based on investigations made by station WINS, as described below, we have found no evidence that any matter was broadcast by WINS

RECEIVED
AUG 8 1961
F. C. C.
OFFICE OF THE SECRETARY

between November 1, 1958, and the date of this statement, for which service, money or any other valuable consideration has been directly or indirectly paid, or promised to, or charged, or accepted by WINS, or anyone in its employ, or independent contractor, engaged by WINS in furnishing programs, from any person, which matter at the same time so broadcast has not been announced or otherwise indicated as paid for or furnished by such person. In support of the foregoing statement the information set out below is presented:

1. WINS management on November 18, 1959 held a meeting of program personnel at which it was explained to the announcers, music librarians, program director and other personnel concerned that the station must know of any instance where "payola" practices exist or are proposed. All personnel were asked then to state whether they knew of any such activities, and no such activities were reported. Each person was then asked individually whether he knew of such activities, and none were reported. Key disc jockeys were specifically questioned, and no information was obtained as to the existence of such practices.

2. On December 4, 1959, station WINS directed to some 600
* record companies and record distributors an inquiry in the form attached hereto. The inquiry was made to determine whether any form of compensation had been given to WINS employees by the record companies and distributors. A substantial number of these groups have answered an inquiry and stated that they gave no such compensation to WINS employees. Many firms have not answered the inquiry, however.

3. On January 16, 1960 all present and former personnel were
* sent the attached questionnaire and requested to furnish an affidavit, the form of which is attached. All but two parties [and they are on vacation] answered and supplied affidavits, and all affiants responded

in the negative to question 3. Some former personnel have not answered the request as yet.

4. The station announced the sources of its program matter such as the news programs, the Drew Pearson program, the programs featuring national, state and local elected officials [the governor, congressmen, and the like], forum programs, and so on.

5. A large quantity of records are received constantly by WINS, from record manufacturers and distributors, and others are addressed to individuals. Most of these records are discarded as unsuitable. A small percentage are used. The selection of records to be used in no way is related to the fact that some are received at no cost to the station. The records of quality and acceptability are used; those which are not of broadcast quality and acceptability are discarded.

6. Prizes awarded on various programs are clearly identified as to source.

7. At times a personal appearance by a WINS disc jockey is announced on WINS. The announcement states the name of the disc jockey, and describes the event sufficiently to inform the public as to the identity of the participants in the event.

8. According to press accounts published on December 23, 1959, a former employee of station WINS, Ronald Granger, has stated that record manufacturers gave him sums of money at various times. Mr. Granger was music librarian for WINS until the summer of 1959. In July and August of 1959 Mr. Granger was reported to have been given a sum of money by a record manufacturer. This came to the attention of station WINS, and the station transferred him from the music librarian's position to another position in the news department of WINS, pending investigation of the incident. Mr. Granger resigned a few days

after being transferred, and station WINS has not employed him since August of 1959. Mr. Granger was asked to prepare and sign an affidavit in the form attached. He has not yet done so.

9. Mel Leeds, former program director of WINS, stated that he had received consulting fees for advisory services from four record manufacturers. The management of WINS asked that he furnish evidence of the actual performance of such services, of the agreement pursuant to which such services were rendered, and a list of persons to whom he had rendered such services. Mr. Leeds advised that he would furnish such data, which as yet has not been received. However, he was ill for a considerable period and has subsequently resigned. His attorney assures us that Mr. Leeds can amply substantiate the fact that services were performed for the compensation received which he stated was quite nominal. He further stated that the record companies involved have already testified under oath that substantial and adequate services were performed by Mr. Leeds.

10. These men, Granger and Leeds, had close contact with station WINS's music programming, but there is no evidence that they influenced the preparation or presentation of broadcast matter as a result of having received money or other valuable consideration from sources outside the station. On the contrary, WINS received a complaint from the firm who assertedly had paid sums of money to Granger that the record of that firm had not in fact been played by WINS. There is considerable evidence that over a period of time numerous offers of "payola" were made to Mr. Leeds which were firmly rejected. Furthermore, the selection of music to be played on WINS was, and is, accomplished by the program director and the disc jockeys of WINS based on published lists in trade journals. Some extra records, not on the lists, are carried. However, since our disc jockeys have all stated under oath that they have not

received or been promised anything of value for influencing WINS's broadcasts, we cannot conclude that any matter was carried by WINS as a result of improper payments or promises as described in paragraph 1 of the Commission's inquiry.

11. One employee of WINS advised that he once bought small interests in two music publishing companies, but had sold these interests some time before the subject of "payola" had become a public issue. He advised that he had not profited on the sale. One disc jockey advised that some of his relatives owned a firm which produced an album featuring the disc jockey. The album has been played on WINS. In neither case, however, have we found any reason to believe that WINS's programs were presented under the circumstances outlined in paragraph 1 of the Commission's inquiry.

In sum, station WINS has consistently forbidden the acceptance of "payola" in connection with the station's broadcasts. The station has investigated several unfair and false rumors as to the existence of the forbidden practices among personnel at WINS, and the station has determined that such rumors had no basis in fact. WINS's programs are not surreptitiously influenced by outside sources. The station staff has cooperated in enabling WINS to make a complete and thorough investigation. WINS has endeavored to be extremely careful not to harm any innocent individuals and to wait until we have all facts before making any decision which might affect a person's career, reputation or livelihood. Furthermore, WINS has continued to cooperate with official governmental bodies which are investigating the practices known as "payola". The nature and extent of the current investigation are such to assure that all of the facts will be developed fully. The investigatory bodies through powers of subpoena and requiring testimony under oath

are in a position to develop information of a type which no private individual or company can do. If the Commission requires additional information, we will be happy to supply it.

Gotham Broadcasting Company

By /s/ J. Elroy McCaw
J. Elroy McCaw
President

Subscribed and sworn to before
me this fifth day of February, 1960

/s/ Ethna White
Ethna White, Notary Public
for the District of Columbia

My commission expires: February 14, 1961.

The annexed are but a few of the thousands of press clippings written about Alan Freed. They are presented herein for the purpose of visually demonstrating Freed's popularity, his other business interests and his extensive sources of income during the time he was employed by WINS, and to show that WINS management had no reason to suspect that a man with Freed's reputation, prestige, popularity and affluence would gamble with his future by accepting payola.

The exhibits are classified as follows:

Pp. 6A - 6J	Public Appearances
Pp. 6K - 6L	Television and other Activities
Pp. 6M - 6N	Motion Picture Activities
Pp. 6O - 6P	Other Activities and Miscellaneous
P. 6Q	Publicity <u>re</u> leaving WINS
P. 6R	Freed's denials of taking payola bribes

The New York Times.

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Entered as Second-Class Matter.
Post Office, New York, N. Y.

NEW YORK, SATURDAY, FEBRUARY 23, 1957.

Times Square, New York 36,
Telephone LACKAWANNA 4-1

Rock 'n' Roll Teen-Agers Tie Up the Times Square Area

Line Up at Theatre
18½ Hours—175
Police Called

By EDITH EVANS ASBURY

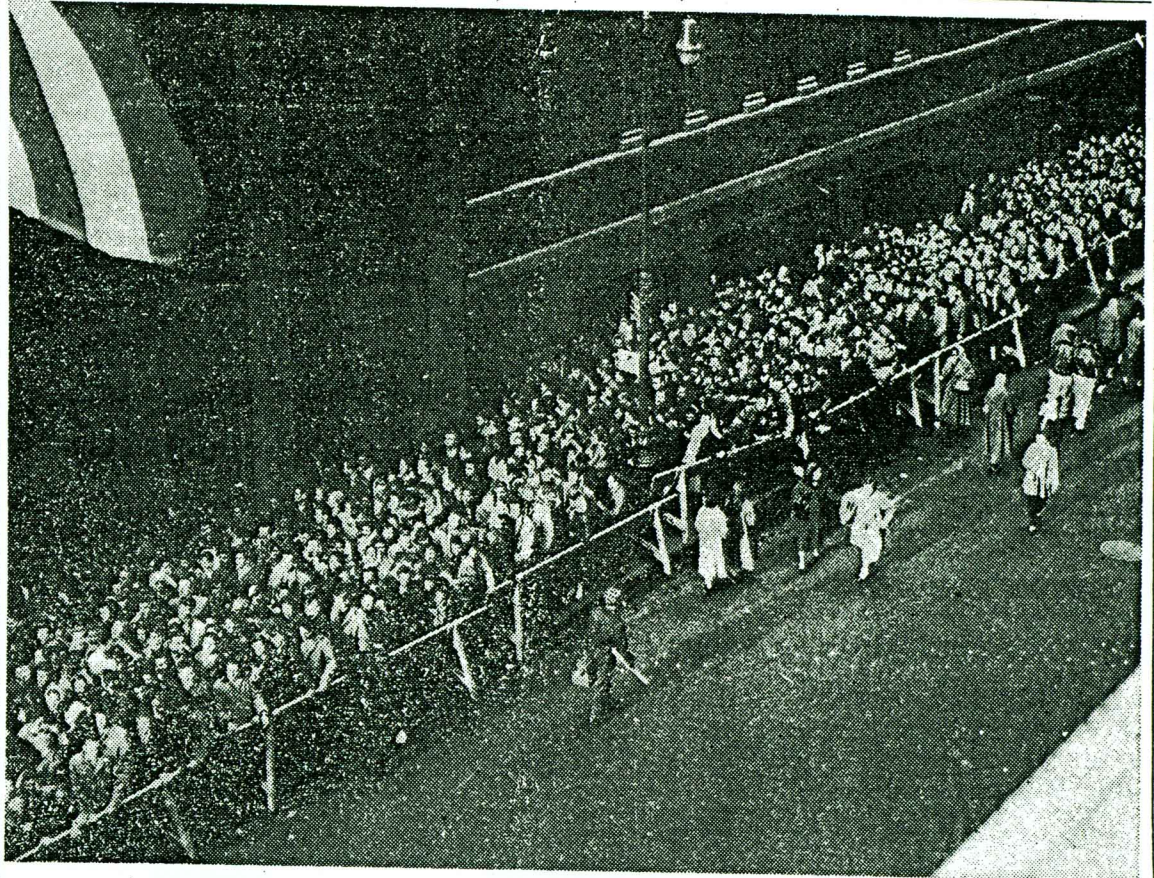
Teen-age rock 'n' roll enthusiasts stormed into the Times Square area before dawn yesterday and all day long they filled sidewalks, tied up traffic and eventually required the attention of 175 policemen.

They began lining up at 4 A. M. to see the show at the Paramount Theatre. It wasn't until eighteen and a half hours later—at 10:30 P. M.—that the last of the line entered the theatre. Late arrivals continued buying tickets, however, until the box office closed shortly after 1 A. M. The show featured Alan Freed, a disk jockey who takes credit for coining the phrase rock 'n' roll.

The rock 'n' rollers stamped their feet so vigorously in the theatre that firemen became alarmed and sent for inspectors from the Fire and Buildings Departments at 5 P. M. The management cleared three-fourths of the 1,600 youngsters from the second balcony as a precautionary measure.

All but the first four rows, seating 206, were refilled at 7:30 after a preliminary report by a building inspector, and at 8 o'clock occupancy of the entire second balcony was approved by Nicholas Lanese, chief construction inspector of the Building Department.

A theatre spokesman said that 15,220 patrons had attended the six stage and seven movie shows



Part of the holiday crowd waiting yesterday on West Forty-third Street for admittance to the Paramount Theatre

between 8 A. M. and 1 A. M. The attendance figure and receipts of \$29,000 set opening day records for the thirty-one-year-old theatre, the spokesman said.

When the last stage show

ended most of the crowd left, leaving only a handful of persons watching the final showing of the movie.

"Rock 'n' roll is really swing with a modern name," Mr. Freed

said in his backstage dressing room between performances. "It began on the levees and plantations, took in folk songs, and features blues and rhythm. It's the rhythm that gets the kids.

They are starved for music they can dance to, after all those years of crooners."

Other experts described rock

Continued on Page 12, Column 2

FRONT PAGE STORY

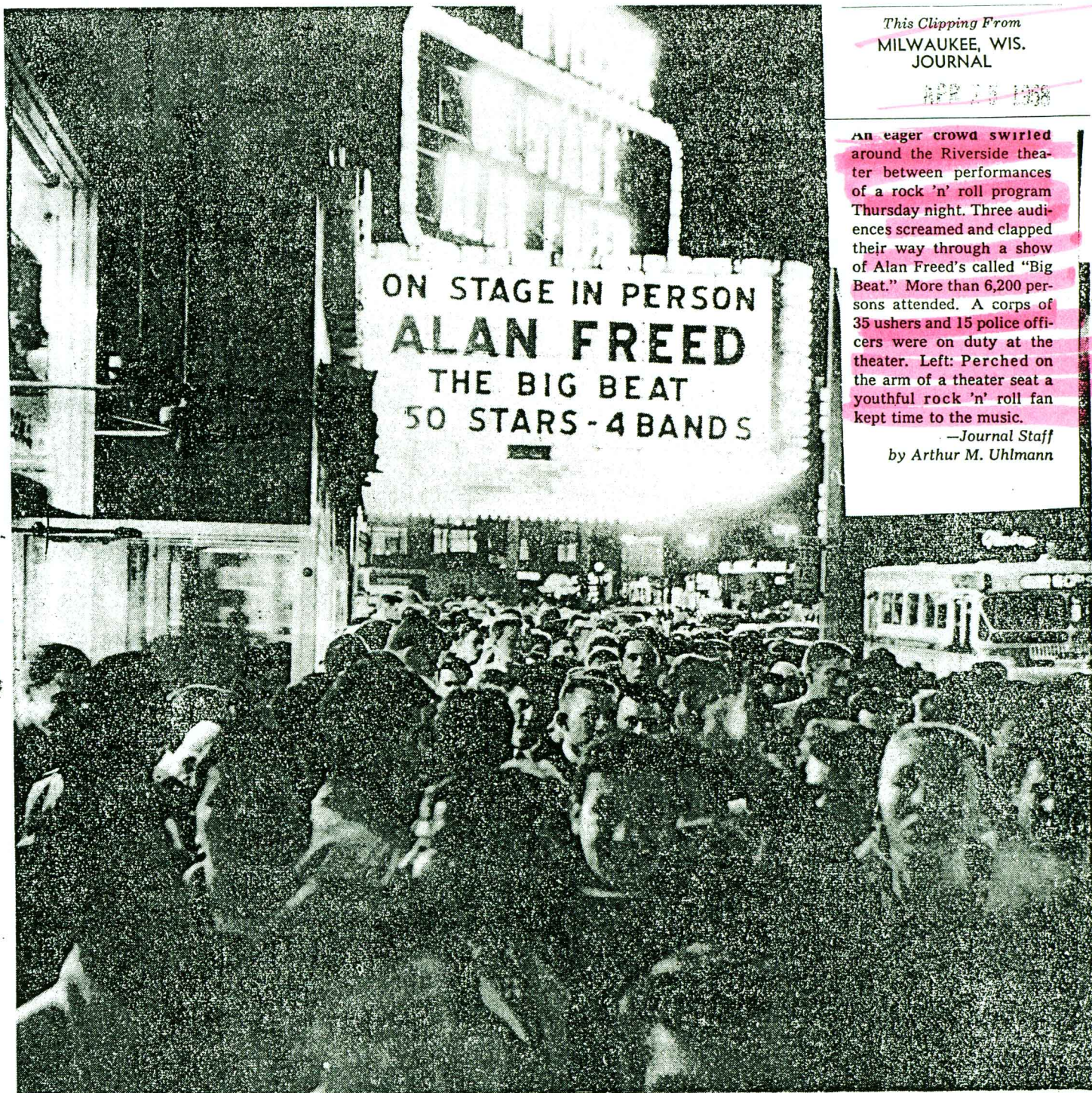
'Big Beat' Makes Big Hit With Rock 'n' Roll Fans

This Clipping From
MILWAUKEE, WIS.
JOURNAL

APR 23 1958

An eager crowd swirled around the Riverside theater between performances of a rock 'n' roll program Thursday night. Three audiences screamed and clapped their way through a show of Alan Freed's called "Big Beat." More than 6,200 persons attended. A corps of 35 ushers and 15 police officers were on duty at the theater. Left: Perched on the arm of a theater seat a youthful rock 'n' roll fan kept time to the music.

—Journal Staff
by Arthur M. Uhlmann



1955

January 29, 1955

NEW YORK:

The Alan Freed "Rock-n-Roll" Ball held at the St. Nicholas Arena, New York, on Friday and Saturday nights, January 14 and 15, had to be seen to be believed. A total of about 12,000 people jammed the hall on both nights. When we say jammed we must add that the word hardly describes the solid mass that stood for five hours to see the wonderful r & b show that Freed had arranged. Seen from above, the enthusiastic teeners seemed to be jelled into one swaying body with thousands of heads. That they adored Freed was evident from the uproarious welcome with which they greeted his appearance. The enthusiasm of the audience was transferred to the performers. The latter loved the kids and reacted to the frenzy with tremendous performances. A finale that lasted about half an hour was rocked in the atmosphere of a revival meeting. With Joe Turner at the mike and Fats Domino at the piano the entire troupe returned to the stage for a closing that was without parallel. Singers and instrumentalists danced, dancers and singers grabbed instruments and instrumentalists and dancers sang. Alan Freed and his lovely wife, Jackie, jitterbugged and the kids went wild. An exhausting but thrilling experience. Joe Turner was awarded The Cash Box Juke Box operators poll trophy as number one rhythm and blues male performer of 1954 about midway through the evening.

"Rock 'n Roll" Ball



NEW YORK—One of the most exciting R & B shows ever to hit Manhattan was seen last week, Friday and Saturday, January 14 and 15 at the St. Nicholas Arena. Alan Freed, ex-Mr. Moondog and WINS R & B big gun, promoted his "Rock 'n Roll" Ball to a frenzied audience of roughly 6,000 each night. Gross figures for the two nights were \$27,500.

Freed, whose St. Nicks shindigs were his first offerings to the New York audience although he has put on similar affairs in Cleveland and Akron, Ohio and Newark, N. J., lined up a bill of headline acts that floored a "hep" crowd of teen-agers. The show was composed of Buddy and Ella Johnson, Dakota Staton, Al Sears, Fats Domino and his orchestra, the Rivileers, Red Prysock, Danny Overbea, the Harptones, the Drifters, Babs Gonzales, Nolan Lewis, the Clovers, the Moonglows and the Moonlighters.

Both nights were complete sellouts. When Freed announced jokingly to the audience that the next dance would be held at Madison Square Garden it may have been for laughs, but—well, it's a thought.

Seen above are Alan Freed and wife, Jackie. Alan is letting the overflow crowd in on a secret. There'll be another Freed shortly.

SEP 30 1957

Rock and Roll Galaxy Booked at the Broad

"Mister Rock and Roll," featuring 30 rock and roll tunes performed by an array of 15 headliners in that field of music, will open Thursday, Oct. 10, at Loew's Broad.

Alan Freed, disc jockey who helped make rock and roll a national craze, is starred. Lionel Hampton and his orchestra are heard and the talent lineup includes Frankie Lymon and the Teen-agers, Chuck Berry, LeVern Baker, Clyde McPhatter, Brook Benton, Little Richard, Ferlin Husky, The Moonglows and Shaye Co-gan.

Co-starring in the music-packed jamboree are Rocky Graziano, the fighter turned actor; Teddy Randazzo, young singer; Lois O'Brien, Al Fisher and Lou Marks.

THE TUNES include "Kid-dio," "I Was the Last One to Know," "I'll Stop Anything I'm Doin'," "Next Stop Paradise," "It's Simply Heavenly" and others.

Co-feature will be "Stow-away Girl" with Trevor Howard and Elsa Martinelli. Howard plays the captain of a tramp steamer and Miss Martinelli is a stowaway. Mexican star Pedro Armendariz is cast as the ship's engineer.

Starting this Thursday the Broad will show "Until They Sail" with Paul Newman and Jean Simmons and "The Hired Gun" with Rory Calhoun and Anne Francis. Both films are in black-and-white CinemaScope.

Windsor, Ontario, Canada
STAR

MAR 26 1958

The Theatre and Its People

By JOHN GARDINER

Rock 'n' Roll

The biggest one-shot rock 'n' roll show in Windsor's history comes to the Windsor Arena in the evening of Wednesday, April 9, featuring such name performers as emcee Alan Freed, Frankie Lymon, The Diamonds, Jerry Lee Lewis and his band.

Other stars on deck will be Buddy Holly, The Crickets, Chuck Berry, Danny and the Juniors, Billy and Lillie, Billy Ford and the Thunderbirds, The Chantels, Dicky Doo and The Don'ts, Larry Williams and his orchestra, Screamin' Jay Hawkins, The Pastels and Jo Anne Campbell.

Famous disc jockey Alan Freed, rated as one of the daddies of rock 'n' roll, will also lead his Big Rockin' Band, which features soloist Sam "The Man" Taylor. Freed, one of the moving forces behind the popularity of rock music, is also a recording artist, movie star, song writer and rock 'n' roll impresario.

In all, there are 62 entertainers who make up several bands and 17 headline acts. Windsor is among the show's first stop in a Canadian tour.

The Diamonds, one of the continent's fastest-rising vocal quartets, are probably the most familiar to Canadians of all the featured entertainers appearing here, for they are Canadian and got their original start in and around Toronto. Since that time, the group has made good in a big way.

The quartet is also well-known for such hit recordings as "Little Darlin'" and "The Stroll."

Teen-aged Frankie Lymon is also popular with Canadians. This singer has made big hits with such recordings as "Goodie, Goodie," and "Why do Fools Fall in Love."

This Clipping From
THE CASH BOX
NEW YORK, N. Y.

JAN 11 1958

Freed Sets Records At N. Y. Paramount

NEW YORK—Is rock and roll on the wane? The music business got its answer when Alan Freed took his high priced package into the New York Paramount Theatre for a twelve-day run.

Freed had already set a couple of records and was aiming at a \$275,000 gross for the complete stand. At press time Freed was well on his way to racking up this mark.

The WINS deejay pulled in an unbelievable \$193,000 for his initial seven days, breaking the former New York Paramount record gross of \$147,000 held by Dean Martin and Jerry Lewis. A one-day record of \$37,000 was also set, breaking the old Johnnie Ray highmark. This took place on Friday, December 27.

Lines were reportedly nine and one-half blocks long at peak hours and on two days the accompanying picture feature, was completely eliminated. This is the first time in the history of The New York Paramount that this has been done.

Freed took with him one of the heaviest nuts ever carried into a theatre, and approximately \$150,000 package, and concern was expressed by many, including some of Freed's close associates. However, opening day wiped out all fears as it became evident that the deejay-showman had lost none of his appeal.

Freed follows his Paramount stand with a two-day in Hartford on January 11 and 12 and follows almost immediately with a six-week one-nighter tour.

This Clipping From
HARTFORD, CONN.
TIMES

PUBLIC APPEARANCES

DAYTON, OHIO
JOURNAL HERALD

APR 4 - 1958

Alan Freed Reopens State Jan. 11-12

THE STATE THEATER will offer its first augmented stage revue of 1958, on Saturday and Sunday, Jan. 11 and 12.

Headlining will be Alan Freed, billed as "King of Rock 'n' Roll" (top right); and his "Holiday of Stars."

Featured artists include Chuck Berry (center left), with his popular recording, "Rock 'n' Roll Music"; Bill Justis and Band, who skyrocketed to fame with "Raunchy"; Lee Andrews and Hearts, recording stars of "Tear Drops," and the Moon-glows, popular rhythm group, singing "The Beat of My Heart."

Also appearing are Jo-Ann Campbell (top left), of "Wa! a Minute" fame; the Dubs with "Could This Be Magic"; the Twin-Tones, whose recording of "Jo-Ann" has gained them national recognition, and the Sparkletons (bottom) with their hit recording, "Penny Loafers and Bobby Sox."

Freed will also present his 18-man Band featuring Sam "The Man" Taylor (center right) and King Curtis.

Performances will be continuous with late stage shows nightly at 10 p. m. Regular admission prices will prevail.

This Clipping From
NEW YORK, N. Y.
WORLD-TELEGRAM & SUN

APR 1 1958

Rock and Roll Show

The New York Coliseum will have its first rock 'n' roll show and dance tomorrow evening. Producer Phil Landwehr will present Alan Freed and his stage show.

Freed's "Big Beat" Show At Memorial Hall Tonight

Tonight's the night Alan Freed, New York's top man in jazz and rock 'n' roll music, brings his "Big Beat" show to Memorial hall. Curtain is set for 8 p.m.

Freed has collected a wealth of entertainment for this tour, headed by Jerry Lee Lewis, rated in many quarters as another Elvis Presley.

Among other outstanding attractions will be Larry Williams and his orchestra, the Diamonds, Screamin' Jay Hawkins, Jo Ann Campbell and Alan Freed's Big Rockin' recording band featuring Sam "The Man" Taylor and others.

Freed has joined the ever-growing list of Ohioans who have come to the big city and made good, following the example of Bob Hope, Jack Paar, Dody Goodman and Jonathan Winters.

This Clipping From
CLEVELAND, OHIO
PRESS

APR 7 - 1958

Sights and Sounds— Milt Widder

WEEKEND NOTES: Harry James, the hot trumpet man, and his band will be in town for a one-nighter May 4 (Sunday) at Aragon Ballroom, W. 25th St.; same people are bringing in Les Brown and his band June 15—also a Sunday. . . . Alan Freed's Rock and Roll show in Public Hall drew 6000 folks last night. Thirty-seven policemen were on duty fearing a New York-type riot.



This Clipping From
VARIETY
NEW YORK, N. Y.

MAR 26 1958

Philadelphia

Duke Ellington at the Red Hill Inn, March 28-30. . . . Gene Milner, WIP deejay, to emcee the NAACP concert at Convention Hall, April 13. Stars include Lionel Hampton, Louis Armstrong, Count Basie, Chris Connor, Maynard Ferguson. . . . Toni Arden skedded for the Latin Casino, April 7-12; followed by Carol Channing, 14-22. . . . Chess Records, Chicago, now distributing the local Singular label. . . . Alan Freed's "Big Beat" show booked into Convention Hall April 1. . . . Glenn Rose plays a one-nighter at Sunnybrook March 29. . . . Georgie Shaw and Dick Lee both switching to MGM Records. . . .

Bandsman Oscar Dumont severs all connections with Sunset Beach at the end of the month after 15 years at the Jersey dance spot. . . . Cozy Morley and Dave Appell slated for Andy's Log Cabin March 28.

This Clipping From
BARTLESVILLE, OKLA.
EXAMINER-ENTERPRISE

MAR 30 1958

SHOW COMING

Fresh from his record breaking triumph at the New York Paramount Theatre on Broadway, the king of rock and roll, Alan Freed, brings "The Big Beat" to Bartlesville, Okla., at the Civic Center on April 21 as one of its stops on a limited tour of the major eastern and midwestern cities.

"The Big Beat" stars Jerry Lee Lewis and his band, Buddy Holly, The Crickets, Chuck Berry, Frankie Lymon, The Diamonds, Danny and The Juniors, Billy and Lillie, Billy Ford and The Thun-

This Clipping From
THE CASH BOX
NEW YORK, N. Y.

JAN 4 1958

Freed To Start 6 Week Tour of U.S. March 28

NEW YORK—Shaw Artists Corp., last week announced that it has signed D.J. Alan Freed, for his first tour of the U.S., starting March 28th, playing six weeks in some of the nation's largest arenas and auditoriums. Freed will conduct his own orchestra and will star many of the performers who are appearing in his Xmas show at the New York Paramount Theatre.

Milton Shaw, head of the Booking Corporation which handles some of the biggest rock 'n roll names, anticipates the largest box offices ever registered in the history of music concert tours. In a statement, Shaw said, "Our estimated gross for Freed's 6 week tour is one million dollars. The overwhelming response we have had thus far from the territories we will play indicates that rock 'n roll, far from being dead, is the liveliest 'corpse' in showbusiness today."

AKRON, OHIO
BEACON JOURNAL

APR 27 1958

Alan Freed Plays Here

WAKR's Scott Muni and WCUE's Art Roberts will serve as emcees when Alan Freed presents his giant rock 'n roll show this Wednesday at the Armory. There will be performances at 4:30 and 8:30 p. m.

The show, called "The Big Beat," will star Jerry Lee Lewis and his band, Buddy Holly, the Crickets, Chuck Berry, Frankie Lyman, the Diamonds, Danny and the Juniors, Billy and Lillie, Billy Ford and the Thunderbirds, the Chantels, Dicky Doo and the Don'ts, Larry Williams and his orchestra, Screamin' Jay Hawkins, the Pastels, Jo Ann Campbell and Freed's band featuring Sam Taylor.

Advance tickets are on sale at Richman's.

BALTIMORE, MD.
AMERICAN

MAR 30 1958

'Big Beat' Due Here

Alan Freed will head an all-star rock-'n-roll show, "The Big Beat," which will set the pace at the Coliseum Thursday night.

Two shows, at 7 and 9:30 o'clock, will feature such performers as Jo-Ann Campbell, Jerry Lee Lewis and his band, Buddy Holly, Chuck Berry and The Crickets.

Others on the bill are Frankie Lyman and the Diamonds, Danny and the Juniors, Billy and Lillie, Billy Ford and the Thunderbirds, the Chantels and Dicky Doo and The Don'ts.

Also, Larry Williams and his orchestra, Screamin' Jay Hawkins, the Pastels and Freed's band with Sam "The Man" Taylor.

WATERBURY, CONN.
REPUBLICAN

Alan Freed Show At Arena Thursday

Springtime is circus time and in keeping with that spirit, a great, fun-packed and music-jammed three-ring entertainment will be offered at the New Haven Arena Thursday night at 8 o'clock.

Traveling under the name of Alan Freed's "Big Beat" it will feature Jerry Lee Lewis and his band, Buddy Holly, The Crickets, Chuck Berry, Frankie Lyman, The Diamonds, Danny and The Juniors, Billy and Lillie, Billy Ford and The Thunderbirds, The Chantels, Dicky Doo and The Don'ts, Larry Williams and his Orch., Screamin' Jay Hawkins, The Pastels, Jo Ann Campbell, The Alan Freed Big Rockin' Coral Recording Band Featuring Sam "The Man" Taylor and others.

It's a veritable musical circus. And like they say in the circus, it's bigger and better than ever—it's six shows for the price of one—so hurry, hurry, and get your tickets to see "The Big Beat."

This Clipping From
CHICAGO, ILL.
TRIBUNE

APR 13 1958

Recording Stars to Present Jazz Show on April 26

"The Big Beat," one of the largest collections of recording

stars ever assembled in Chicago will play a one-night engagement in the Opera house Saturday, April 26. Heading the production will be Jerry Lee Lewis,  Jerry Lee Lewis, Danny and the Juniors, The Diamonds, Screamin' Jay Hawkins, Billie and Lillie, Buddy Holly, Dicky Doo and the Don'ts, the Crickets, plus many other stars. Scheduled for two performances at 7 and 10 p. m. the revue will showcase Alan Freed's band, featuring "Sam the Man" Taylor. Other bands on the program will be Billy Ford and his Thunderbirds, the Jerry Lee Lewis band, and Larry Williams and his orchestra.

LOCK HAVEN, PA.
EXPRESS

MAY 10 1958

Rock 'n Rollers Behave in Hershey

HERSHEY, Pa., (AP) — New York disc jockey Alan Freed's rock 'n roll show went off here last night without incident. An estimated 2,500 persons — mostly teenagers — saw the performance in the Hershey Arena.

Freed himself was not present. He faces charges in Boston of inciting to riot after several persons were injured there following a series of riots following a performance last Saturday night.

APR 6 - 1958

At Fairgrounds Friday

17 Top Name Acts, Four Bands In Six-Hour 'Big Beat' Show

One of the biggest "live" shows ever to appear in Allentown will play a one night stand at the Agricultural Bldg. at the Allentown Fairgrounds Friday, May 2.

The program will last for about six hours starting at 7 p.m. and will consist of Alan Freed's "Big Beat" show to be followed by dancing. The floor of the Agricultural Bldg. is being refinished especially for the dancing, according to Allentown promoter A. J. Perry.

17 Top Attractions

The Freed Show will have 17 top attractions including four bands and a cast of 60.

One of the featured attractions will be Jerry Lee Lewis and his Sun recording band. Lewis has featured three song hits recently, "Breathless," "Great Balls of Fire" and "A Whole Lotta Shakin' Goin' On."

Lewis is a 21-year-old Louisiana native who made such a hit on the Steve Allen show recently that he was called back to sing his "Shakin'" song within two weeks after his initial appearance. It was the first time an artist had been brought back to the program for an encore within such a short time.

Many Other Stars

Among the other stars on the program are: Buddy Holly, "The Crickets," Chuck Berry, Frankie Lyman, "The Diamonds," Danny and the Juniors, Billy and Lillie, Billy Ford and the Thunderbirds, "The Chantels," Larry Williams and his orchestra, "The Pastels," Dicky Doo and the Don'ts, "Screamin' Jay" Hawkins, Jo Ann Campbell, Ed Townsend who has just recorded the hit, "For You Love," and Alan Freed and his Coral Records "Rockin' Band" starring Sam "The Man" Taylor.

CANTON, OHIO
REPOSITORY

APR 4 - 1958

'Mad Daddy' To Appear

Local Talent Scheduled In Rock'n'Roll Program

Alan Freed, the man credited with the growth of rock 'n' roll in popularity, disclaims any credit for the rise of that type of music. He says all disc jockeys across the



Phil McLean Bill Hamaker

country helped raise this music to its present status.

It is for this reason he will have three local radio and TV personalities for Monday's "Big Beat" show at Canton Memorial Auditorium.

Representing the local radio stations will be Bill Hamaker of WCMW. He is heard daily on the station in a three-hour afternoon program. He will emcee the 4:30 p.m. matinee.

Since Canton is without a television station, promoters Vince Risko and Ernie Roth reached into the Cleveland area and booked Phil McLean to appear. He will

act as master of ceremonies for the 8:30 p.m. performance.

Mr. Risko and Mr. Roth announced today the newest disc jockey rage in Cleveland, "The Mad Daddy," will make an appearance at both shows.

The evening performance has been moved from 8:15 to 8:30 to accommodate downtown workers who will be working late Monday.

As an added highlight at Monday's matinee, Mr. Hamaker will conduct backstage interviews for his afternoon broadcast.

With Alan Freed and such stars as Jerry Lees Lewis, Buddy Holly, The Crickets, Chuk Berry, Frankie Lymon, The Diamonds, Danny and the Juniors, Billie and Lillie, Billy Ford and the Thunderbirds, The Chantels, Dicky Doo and the Don'ts, Larry Williams and his orchestra, Screamin' Jay Hawkins, The Pastels, Jo Ann Campbell and Sam "The Man"

Taylor to draw from, it is believed this program will be the biggest single show ever to assemble so many recording artists in one local location.

A brisk advance sale in tickets is reported for Monday's shows, but many choice seats for both the 4:30 and 8:30 p.m. performances are available at various local and out-of-town outlets.

Canton Has Alan Freed

Alan Freed will present an all-star stage show called "The Big Beat" Monday at the Canton Memorial Auditorium. There will be performances at 4:30 and 8:30 p. m.

The stars will include Jerry Lee Lewis and his band, Buddy Holly, the Crickets, Chuck Berry, Frankie Lymon, the Diamonds, Danny and the Juniors, Billy and Lillie, Billy Ford and the Thunderbirds, the Chantels, Dickey Doo and the Don'ts, Larry Williams' orchestra, Screamin' Jay Hawkins, the Pastels, Jo Ann Campbell and Freed's orchestra featuring Sam Taylor.

PHILADELPHIA, PA.
INQUIRER

MAR 23 1958

'Big Beat' Show Features Top Hits

Alan Freed's "Big Beat" show at Convention Hall, Tuesday, April 1, 8 P. M., will feature several of today's top songs including "Great Balls of Fire," "Peggy Sue," "Maybe Baby," "Sweet Little Sixteen," "At the Hop" and "La Dee Dah."

Recording favorites interpreting the hits will be Jerry Lee Lewis and his band, Buddy Holly, The Crickets, Chuck Berry, Frankie Lymon, The Diamonds, Danny and The Juniors, Billy and Lillie, Billy Ford and The Thunderbirds, The Chantels, Dicky Doo and The Don'ts, Larry Williams and his orchestra, Screamin' Jay Hawkins, The Pastels, Jo Ann Campbell, The Alan Freed Rockin' band featuring Sam "The Man" Taylor.

PUBLIC APPEARANCES

This Clipping From
WICHITA, KAN.
MORNING EAGLE

APR 6 - 1958

17 Recording Stars In 'Big Beat' Show

Seventeen of the top recording stars, including four bands, will perform at the Wichita Forum Friday night, April 18, in a show titled Alan Freed's "Big Beat." Two performances are scheduled—starting at 7 and 9:30.

The roster of stars includes Jerry Lee Lewis and his band, Buddy Holly, the Crickets, Chuck Berry, Frankie Lyman, the Diamonds, Danny and the Juniors, Billy and Lillie, Billy Ford and the Thunderbirds, the Chantels, Dicky Doo and the Don'ts, Larry Williams and his orchestra, Screamin' Jay Hawkins, the Pastels, Jo Ann Campbell, the Alan Freed Big Rockin' Coral Recording band featuring Sam "The Man" Taylor, and others.

The "Big Beat" comes directly from its engagement at the New York Paramount Theater where it established an all-time attendance mark of a quarter of a million dollars, averaging almost \$30,000 a day during its run.

In addition to his heavy television and radio commitments, Freed carries on as a rock 'n' roll impresario, emcee, band leader, recording artist, movie actor, song writer and disc jockey, as well as other chores that have resulted from his popularity in these fields. There are more than 4,000 Freed fan clubs, mostly in the East. He averages about 10,000 letters a week in fan mail.



ALAN FREED

EASTON, PA.
EXPRESS

APR 23 1958

Six-Hour Show To Mark Opening Of New Ballroom

Seventeen of the country's top recording artists, including four bands, will appear in person at a six-hour show on May 2 marking the opening of the new Allentown Fairgrounds ballroom. The show will begin at 7 p. m.

Billed as "The Big Beat," the show is being produced by Alan Freed and promoted in Allentown by A. J. Perry, operator of the new ballroom. The same show recently completed a record-breaking engagement at New York's Paramount Theater.

Recording stars scheduled to appear are Jerry Lee Lewis and his band, Buddy Holly, The Crickets, Chuck Berry, Frankie Lyman, The Diamonds, Danny and The Juniors, Billy and Lillie, Billy Ford and The Thunderbirds, The Chantels, Dicky Doo and The Don'ts, Larry Williams and his orchestra, Screamin' Jay Hawkins, The Pastels, Jo Ann Campbell, Alan Freed and his Big Rockin' Coral Recording Band featuring Sam "The Man" Taylor.

This Clipping From
KANSAS CITY, MO.
STAR

APR 13 1958

ROCK 'N' ROLL NIGHT.

Alan Freed and "The Big Beat" Saturday.

Alan Freed, "rock 'n' roll" specialist, will present "The Big Beat," a fine aggregation of entertainers, in a show and dance Saturday night in the



Alan Freed.

Arena of the Municipal Auditorium.

The cast will include Jerry Lee Lewis and his band, Buddy Holly, The Crickets, Chuck Berry, Frankie Lyman, The

This Clipping From
KANSAS CITY, MO.
STAR

APR 20 1958

AN EVENT TO 7,000.

Alan Freed Show Draws a Crowd.

About 7,000 persons last night attended Alan Freed's "Big Beat" musical show at the Municipal Auditorium Arena.

The 17 acts included the Jerry Lee Lewis band and three others, the Diamonds and other recording vocal groups.

This Clipping From
KALAMAZOO, MICH.
GAZETTE

MAR 21 1958

Rock 'n' Roll Stars to Be In Show Here

A huge rock 'n' roll show, featuring such names as Jerry Lewis, The Crickets, The Diamonds, and a string of others, will be brought to Kalamazoo for two performances at Central high school auditorium April 28.

Called "The Big Beat," the show is being put together and presented by Alan Freed.

It will include 17 top stars and four bands in the field of rock 'n' roll music. In all, approximately 70 persons will participate in the two-hour show.

Contract for the local appearance was signed Thursday but details of the program have not been received here as yet.

CINCINNATI, OHIO
POST

APR 4 - 1958



Disc Jockey Alan Freed, who originated the rock-and-roll name, brings the "Big Beat" music show to Cincinnati Garden April 14.

This Clipping From
NEW YORK, N. Y.
POST

JAN 3 1958

Freed Breaks All Records

A new all-time record was established at the Paramount Theater during the first week of Alan Freed's rock 'n' roll stage show. Managing director Bob Shapiro anticipates at least a gross of \$270,000 by the time the show closes its engagement Sunday.

APR 13 1958

'Rock' Stars For Waterloo

WATERLOO, IA. — Four bands and 17 top rock 'n' roll stars will appear at the Hippodrome Auditorium here on Tuesday, Apr. 22, in Alan Freed's stage show, "The Big Beat."



LEWIS

Freed, called the "high priest of r. & r.," will present in person these recording stars: Jerry Lee Lewis, Buddy Holly, the Crickets, Chuck Berry, the Diamonds, Danny and the Juniors, Billy and Lillie, Screamin' Jay Hawkins, Sam (the Man) Taylor, the Chantels, Frankie Lyman and others (time, 8:15 p. m.; it is not a dance).

This Clipping From
MILWAUKEE, WIS.
JOURNAL

APR 2-5 1958

6,200 'Rock' Addicts Find 'Big I

By LOREN H. OSMAN
Of The Journal Staff

Three audiences of rock 'n' roll addicts screamed, clapped and clawed the air Thursday night at the Riverside theater for Alan Freed's "Big Beat" show.

It was quite a night for everybody. Delighted theater officials reported more than 6,200 per-

Pictures on Picture Page

sons for the three shows, including two sellout houses of 2,500 each. That put it in a class with "Snow White," but there the similarity ended.

Manager John McKay had 35 ushers on duty, compared with the normal 10—and the extras

were there not to help customers find seats but to keep them in the seats.

"You have to plan ahead for these things," commented McKay.

Police Also Attend

The police department, cognizant of the head of steam that can be built up at such concerts, had six uniformed officers, six detectives and three youth aid bureau members on hand.

Making themselves as obvious as possible, the policemen kept matters under a firm hand. The officers' job was not only to preserve order indoors but to keep mobs moving behind the theater, where a photograph hounds jammed up, and also in front of the lobby, where the

young and eager crowd swirled around for hours, dwarfing the Thursday night shopping jam.

Never has the Riverside's venerable stage taken such a pounding. The entertainers stomped about in great circles, trailing the cords of their electric guitars. They beat on the floor, some on all fours. They leaped off the piano, they danced, they hopped like lame ducks.

It was "songobatics" with a beat, hillbilly pounded to a pulp, songs without words and singers billed as screamers, lost in their own noise.

In the company of 50, the unbelievable Jerry Lee Lewis emerged as the wildest cat of them all. Waving his mop of curly blond hair and wearing a vermilion colored tux with

This Clipping From
DAYTON, OHIO
JOURNAL HERALD

APR 5 - 1958

Get Hep—Go, Man, Go

Rock 'N' Roll Show Wows 'Em— They Were Dancing In Aisles!

Mr. Rock-and-Roll himself, Ohio-born Alan Freed, came to town last night to give local addicts of that form of terpsichore the most tremendous evening of their young life—so far.

Playing to capacity for an 8 o'clock show (which was sold out by Thursday afternoon) a second show was arranged for 10 p.m. but not announced until given over the air yesterday afternoon. It, too, was capacity.

Freed was born near Salem, O., and several years ago was a survivor of an automobile wreck in which his heart stopped its beat and he was considered a goner.

But he recovered, became a disc jockey and is generally credited with being the originator of Rock 'n' Roll. Perhaps no popular dance form has been so successful in holding

its spot. Last night was evidence that it is in a most flourishing state.

The most thunderous applause, of course, came when the show's top star, Jerry Lee Lewis, swung into action, this consisting largely of swinging his thick mane of yellow hair in a peculiar backward all-shook-up motion and gyrating his limbs.

And the crowd went wild, letting loose with piercing screams, shouts and whistles, actually dancing in the aisles where possible and standing on the seats and yelling and clapping hands to a fare you well.

It was a demonstration of young America steaming into action, with no indication that any harmful results would eventuate therefrom.

Freed accompanied the unit

here, his band playing the first half and that of Larry Williams for the second half. Every name announced in advance appeared. There was no cheating on this score.

Among them we might mention a few outstanding, though really all were of that caliber. There was Frankie Lyman, a 15-year-old lad with a most promising voice . . . Jo Ann Campbell, vocalist and what a figure! . . . "Screamin' Jay Hawkins and his rubber legs . . . Dicky Doo and the Don'ts, five lads with restless energy . . . the Chantels, four excellent vocalists . . . Danny and the Juniors, four lads with a nice "Schoolboy Romance" . . . Ed Townsend, whose "Lonesome Road" was outstanding . . . Billy Ford and his Thunderbirds and a half dozen more equally as good.

No doubt induced by the success of this troupe, another with a lot of well known names in this particular field, was announced for April 27, with shows afternoon and evening.—A. S. KANY.

MILWAUKEE, WIS.
SENTINEL

APR 12 1958

Alan Freed Le

ALAN FREED, a New York disc jockey who has become a nationally known figure through his connection with rock 'n' roll music, will bring a troupe of 60 entertainers to the stage of the Riverside Theater April 24. Three shows have been scheduled. All seats will be reserved.

In addition to Freed and his "Big Rocking Band," the list of recording artists in "The Big

Beat" show includes: Frankie Lymon, Dicky Doo and the Don'ts, Chuck Berry, The Diamonds, The Crickets, Buddy Holly, Jerry Lee Lewis and his band, Danny and the Juniors, Jo Ann Campbell and The Pastels.

Freed began his career as a sports announcer on station WAKR in Akron, Ohio. When the station's disc jockey got sick one night, Freed was pressed into service.



HEAD MAN—Alan Freed, New York disc jockey, heads the troupe of record artists who will appear on the stage of the Riverside on April 24.

HE MOVED ON to Cleveland where he initiated a program which played rhythm and blues songs exclusively. Freed christened the music rock 'n' roll.

When he took a job at WINS in New York, Freed began to promote rock 'n' roll dances at the St. Nicholas Arena. In addition he carried a heavy broadcasting load.

Now he tapes shows for two American radio stations outside of New York and one in Europe. He has also handled a network radio program and starred in an ABC television series.

Since 1955 Freed has been making appearances at the Brooklyn Paramount Theater and more recently at the Para-

mount Theater on Broadway. His holiday shows have broken every attendance record at both theaters. In 1957 an en-

gagement at the New York Paramount brought in \$250,000, or an average of \$30,000 a day.

This Clipping From

NEW YORK, N. Y.
SUNDAY NEWS

APR 28 1957

Rock 'n' Roll Gets Ready for TV

By KAY GARDELLA

Nail down the furniture and fasten your seat belts! Worse than a prospective nuclear blast is the announcement that rock 'n' roll is going to invade television, May 4 and 11, 7:30 P. M., via ABC.

In command of the operation will be Alan Freed, the deejay strategist who maneuvered rock 'n' roll to the No. 1 spot in *Tin Pan Alley*. *Cashbox*, the pop music magazine, reports 40 out of the top 60 best sellers are rock 'n' roll tunes. On the May 4 "Rock 'n' Roll Revue," Freed will be flanked by some of the vocalists who recorded these hits—Guy Mitchell, June Valli, Sal Mineo, Martha Carson, The Dell Vikings, The Clovers and Screamin' Jay Hawkins. The audience, according to Freed, will be all teen-agers and ABC is building special bleacher seats to accommodate them.

The home audience is another thing. Freed's hoping it'll consist of parents as well as youngsters, particularly those who've built up a strong prejudice against rock 'n' roll. "A parent doesn't have to like what his kid likes," comments the 35-year-old deejay, "but the least he could do is try to understand it." Alan's speaking from experience. He has

four youngsters of his own—"all rock 'n' roll fans."

Speaking with Freed backstage at the Brooklyn Paramount, he was reminded of the days when the parents of today stormed the Paramount to hear Tommy Dorsey swing it or to swoon over a Frank Sinatra ballad. "We were criticized then, just as the dungaree brigade is today," he said. "I can recall insisting on doing my homework with A Benny Goodman record going. Invariably, my mother would open the door of my room and command, 'Will you please turn that noise off!'"

Rock 'n' roll, according to its chief ambassador, had to happen. "Jazz got so far out, it lost its beat and the bands became conscious of new sounds, forgetting people still liked simple melodies. For 10 years the kids were starved for music they could dance to."

The explosion came about three years ago in Cleveland when Freed, foreseeing the possible im-



Alan Freed
Leads the way

pact this music would have, launched his Rock 'n' Roll Party. The music swept the country and before Alan had time to flip platters, station WINS was after him to head his current disk show. He now receives a six-figure annual income.

MILWAUKEE, WIS.
SENTINEL

APR 4 - 1958

EARL WILSON

... Syd Chaplin discovered Martha Hyer and took her to Goldie's ... Aly Khan hired a tutor, is learning Russian ... NBC-TV's paying \$10,000 to put the Alan Freed rock 'n' roller on the Garroway show once from Detroit.

JUL 12 1957

TV Big Beat Rocks 'n' Rolls Tonight

By ROLAND E. LINDBLOOM

So Rock 'n' Roll is on the way out? Wishful thinking, it seems.

Tonight at 10, Alan Freed, the authority on this strange craze, begins a half-hour series he calls "The Big Beat" on ABC and though the program has no sponsor, it is scheduled to continue at least into October. It'll be the same format Alan used in two on-the-air auditions he staged on the network last May under the franker title of "The Rock 'n' Roll Revue."

The new series will originate live in a big studio at ABC's Television Center in West 67th St., Manhattan, and there will be bleacher accommodations for about 300. Alan has control of the ticket output to make certain that the more rabid fans don't tear up the studio when the tempo mounts. Well-behaved teen-agers are preferred though adults will be admitted, too.

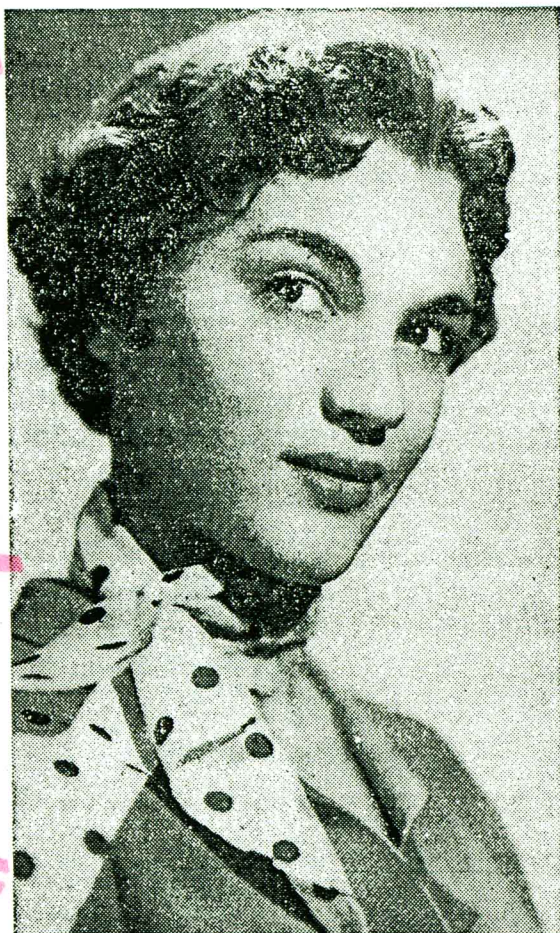
Alan says the "musical series will mirror the popular tastes of America as reflected by record sales" adding "the music will, of course, include rock 'n' roll but will also offer other musical forms in current popularity." That statement may be open to argument.

In addition to having as guest artists the outstanding recording personalities of today, the program will feature an 18-piece orchestra which includes such well-known instrumentalists as Sam "The Man" Taylor and "Big Al" Sears. Alan will conduct.

Guest Stars

Guests tonight will include Belleville's Connie Francis, the Billy Williams Quartet, Ferlin Huskey, Sunny Gale, Johnnie and Joe, and the Everly Brothers. (Next Friday: Andy Williams, Martha Carson, the Fontanne Sisters, Betty Johnson, Chuck Berry, Frankie Lyman, the Teen-agers and Bobby Darin.)

Why do teenagers love R & R? Says Alan Freed: "Because R & R is to a large extent music by, for and about



PREMIERE GUEST—Belleville's Connie Francis will appear on Alan Freed's "The Big Beat" which starts on Channel 7 at 10 tonight.

teenagers, a relationship other musical forms are not offering them." Ah, yes.

This Clipping From
HUNTINGTON, W. VA.
ADVERTISER
JUL 12 1957

'The Big Beat' Debuts Tonight

"The Big Beat," a new live series which will mirror the popular musical tastes of America as reflected by record sales, will debut tonight on WHTN-TV.

Alan Freed will emcee the program. The show will present the nation's popular recorded songs and the artists who have made the songs best-sellers on records. It is planned that seven record stars will appear on each program.

This Clipping From
ATLANTA, GA.
CONSTITUTION

APR 10 1958

On Television and Groucho M. Provides T

PECK OF THE DAY—Groucho Marx's easy-going quiz show is a Thursday night "must" for many Atlanta viewers who cherish Groucho's zany cracks and antics. If you're one of his fans, you won't want to miss this week's show, for veteran stage and screen star Gilda Gray—originator of the "shimmy"—will be one of the contestants. This one is at 8 p.m. Thursday on Channel 2.

VARIETY

Dave Garroway, originating his Today show in Detroit, will feature disc jockey Alan Freed and his rock 'n' roll ensemble. —Channel 2 at 7 a.m.

This Clipping From
NEW YORK, N. Y.
DAILY NEWS

OCT 17 1957

FREED MOTION PICTURE ACTIVITIES

State Sets a Pace For Rock and Roll

By DOROTHY MASTERS

★ ★ ½★

As an enthusiastic exponent of today's acrobatic abandon to the primitive beat, Alan Freed is the victim of a few verbal bruises in "Mister Rock and Roll." A disapproving editor calls him a "Pied Piper for illicit adolescent emotion."

In his own defense, the disk

"Mister Rock and Roll," a Paramount film, directed by Charles Dubin, produced by Ralph Serpe and Howard B. Keitsek. Written by James Blumgarten. Presented at Loew's State Theatre. Running time: 1 hour, 26 minutes.

THE CAST:
Teddy Randazzo.....Himself
Carol Hendricks.....Lois O'Brien
Joe Prentiss.....Jay Barney
Alan Freed.....Himself
Larry and Lou.....Himself
Leo.....Earl George
Rocky Graziano.....Himself
Lionel Hampton.....Himself
Station Representative.....Ralph Stantley

jockey says he "just happened to be there when the breeze started blowing up a storm." In defense of his "corrupted juveniles," Paramount Pictures supplies him with lively entertainment related to cause and effect, plus a spectacular campaign in which the kids generously shell out their shekels for a heart fund drive.

Surpasses Predecessors

"Mister Rock and Roll" is better than its predecessors in presentation as well as entertainment values, spotlighting Teddy Randazzo in such hits as "Kiddio" and "Next Stop Paradise" as well as some less rowdy tunes. With him are Frankie Lyman and the Teenagers, Chuck Berry, LaVern Baker, Clyde McPhater, Little Richard, The Moonglows, Brook Benton, Shaye Cogan, Lois O'Brien and Ferlin Husky, all of whom have popular platters in circulation.

Lionel Hampton plays several



Alan Freed

new numbers due soon on the juke box circuit, and Al Fisher and Lou Marks introduce "Sing Song Siren," also slated for waxing. Rocky Graziano's status in the film is vague, but he, too, gets in the act by dueting with Randazzo on "Rocky's Love Song."

Although Loew's State probably isn't very happy about advertising a rival house in Times Square, the film gets some of its footage from the Paramount Theatre, where several of the rock and roll specialists have been given frenzied reception on stage.

OAKLAND, CAL
TRIBUNE
4/17/56

Disc Jockey Plays Self In T-D Film

Disc Jockey Alan Freed of New York's radio station WINS plays himself in the new rock 'n' roll musical, "Rock Around the Clock," which stars Bill Haley and his Comets, and opens tomorrow at the T & D. Freed, who has been instrumental in developing the rock 'n' roll music craze now sweeping the country, appears in the film along with the platters (Ernie Freeman Combo), Tony Martinez and his band, Freddie Bell and his Bellboys, Johnny Johnston and Alix Talton.

NEW YORK, N. Y.
DAILY MIRROR

NOV 16 1957

Katzman Signs Freed

Alan Freed, who brings his biggest rock 'n' roll revue into the Paramount Christmas Day, has been signed by Columbia for his third movie at that studio. He'll play a straight dramatic role in the Sam Katzman production, as yet untitled.

BILLBOARD
CINCINNATI, OHIO

AUG 26 1957

ON THE

WOV's Jocko Henderson will conduct a big rock and roll show at the Apollo Theater over Labor Day weekend. . . . Vik Records purchased its first master, "I've Got a Love," by Gene Norris, from Slim Willet of Edmoral Records, Abilene, Texas.

Alan Freed and an all-star lineup planned to England last week for three weeks of one-nighters. The entourage will play the Rank Theaters—the same route covered by Bill Haley on his trek there last winter. When he returns, he starts rehearsals at Columbia Pictures for his third film for producer, Sam Katzman. . . . Bill

FREED MOTION PICTURE ACTIVITIES

ELMIRA, N. Y.
TELEGRAM
SEP 30 1956

Disc Jockey In 2nd Film

HOLLYWOOD — Alan Freed, leading disc jockey exponent of rock and roll rhythms, over New York radio station WINS, has been signed for a starring role in "Rhythm and Blues."

Freed, who also was starred in Katzman's previous rock and roll picture, "Rock Around the Clock," again joins Bill Haley and His Comets, top-ranking band.

Cir. (D 660,246) (S 866,233)

This Clipping From
NEW YORK, N. Y.
JOURNAL-AMERICAN

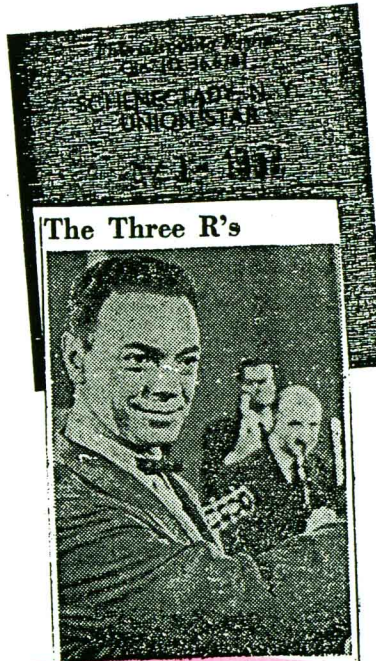
NOV 10 1957

Theatre Spotlight

A Nice Week's Pay

Financial note: Leonard Bernstein's share of the take of the fabulously successful "West Side Story" is said to be 3 and 7/8% of the weekly gross. At last week's total of \$59,800, Leonard's take home pay came to \$2,311.25.

Alan Freed, who brings his Rock 'n' Roll revue into the Paramount Theatre on Christmas Day, has just been signed by Columbia Pictures to do his third picture there. Uniquely enough, it will be a straight dramatic role in a Sam Katzman production as yet untitled. Freed's previous R 'n' R films, although rapped by the critics, have been among Columbia's biggest grossers.



The Three R's

Alan Freed is starred in the musical extravaganza, "Rock, Rock, Rock," starting today at the Plaza Theater. The second feature is "Running Target," story of a manhunt in the Colorado mountains.

PETERSBURG, VA.
PROGRESS-INDEX

APR 13 1958

It Happened Last Night

By EARL WILSON

THE WEEK-END WINDUP . . .

"DON'T PRINT THAT!": A famed entertainer, who became a star overnight in a B'way show, is broke and is fighting off creditors waving summonses . . . A singing star (no, not J. Garland) charged a \$265 limousine service bill to the owner of the cafe employing her — and she'll never work there again.

David Merrick's four Broadway plays have grossed \$4,000,000 since October . . . Rock 'n' roll boss Alan Freed copyrighted the film title, "I was A Teen-Age Teen-Ager," hopes to star Ricky Nelson . . . Dore Schary and Carl Sandburg are talking about a Lincoln biography for B'way . . . Sophia Loren will rent Audrey Hepburn's house in Switzerland for the summer . . . The flag lobby's reportedly against statehood for Hawaii and Alaska — they'd be stuck with huge stocks of 48-star banners. (But everybody'd need a new one and business'd boom.)

WISH I'D SAID THAT: "The most tempting dish in some restaurants is the waitress." — Carey Williams.

TODAY'S BEST LAUGH: Max Loew saw the most adult TV western of 'em all — the saloon had strolling violinists.

Disk jockey Ray Carroll of WICC, Bridgeport, invited many famous entertainers to his ann'y party. "I got immediate answers," notes Ray, "—they all said No." . . . That's earl, brother.

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DAYTON, OHIO
NEWS
APR 14 1958

OTHER ACTIVITIES
OF FREED

IDEA MAY SPREAD

Alan Freed Teen-Club To Get Miami Tryout

By GEE MITCHELL

Alan Freed—whose Big Beat show surpassed all expectations at Memorial hall—is a young man brimful of ideas . . . his latest is a teen-age nightclub featuring the same type attractions he presented here and at other stops on his current tour . . . Freed plans to put the idea to a test at the conclusion of the present tour . . . he has leased the old Vagabonds club in Miami Beach and hopes to open May 12 under the name of Sugar Bowl . . . if the club clicks he'll expand to New York and other cities.

Concerning Freed's Dayton appearance . . . the story's being passed around that Jerry



Lee Lewis not only had his listeners in a frenzy but was so carried away himself that \$19 worth of repairs had to be made on the Memorial hall piano after the two shows . . . also in the wake of the Freed show: a decided upswing in calls for Lewis' record of Breathless (Sun) and Jo-Ann Campbell's You-oo b/w Wassa Matter With You (Gone).

RCA REPORTS another million-in-advance-of-release sales for Elvis Presley's Wear My Ring Around Your Neck which is backed with Doncha Think It's Time . . . two typical Elvis performances: one an up-tempo drive, the other a ballad . . .

All told, Elvis is credited with 14 million-sales discs and RCA is wrapping them up in an album titled, appropriately, Elvis' Golden Records . . . and don't be surprised if the album

This Clipping From
THE CASH BOX
NEW YORK, N. Y.
MAY 24 1953

Hooke Joins Hanover

NEW YORK — Jack Hooke has joined Len Levy's Hanover Record Company as head of A & R activities.

Hooke started in the music business as music publishers' representative in 1946. In 1949 he became co-owner and General Manager of Roost Records, producing albums by such jazz artists as Erroll Garner, Dizzy Gillespie, Johnny Smith, Stan Getz, Sonny Stitt, etc. He produced quite a few single hits, one of them "Priscilla" by Eddie Cooley and The Dimples.

He parted with Roost Records in August 1957 to join Alan Freed as partner and manager with whom he is still associated. In their music publishing venture since last August they have published about a dozen songs which reached the Top Twenty bracket nationally. Among them were "Short Shorts", "Jo-Ann", "Maybe", etc.

During the past year, he has also produced a few jingles for advertising agencies such as Ogilvey-Benson & Mather, Thom McAn and others.

Recently he produced a record for Mercury by Gino and Gina titled "Pretty Baby", currently climbing the charts.

This Clipping From
SHAMOKIN, PA.
NEWS-DISPATCH
MAY 3 - 1958

This Clipping From
VARIETY
NEW YORK, N. Y.

APR 9 1958

Freed's R&R Sugar Bowl For Miami B'ch Teeners

Alan Freed, rock 'n' roll disk jockey (WINS, N. Y.), is prepping a nitery for teeners in Miami Beach. Club, which Freed will operate in tandem with Ralph Watkins, will be on the site of the old Vagabonds.

Spot, which seats about 600, will be run on a \$1 admission and a soft drink policy. Rock 'n' roll entertainment will be dished out, of course.

Freed plans to call the teener room Alan Freed's Sugar Bowl. The Miami Beach operation will serve as a test for the building up of a string of Sugar Bowls around the country.

* * *
Another big nitespot planned for Broadway—intended primarily for teenagers and operated by Alan Freed, the rock 'n' roller. It will be labelled the Broadway Sugar Bowl . . . Triple A Indorsement: The flock of peppery tunes emerging from Ted Straeter's newest album: "Come Dance With Me" . . . Wanna buy a luxury home that may be haunted with pleasant croons—Bing Crosby's Lakefront lodge in Idaho is for sale—asking price \$95,000 . . .

The Smart Set

By Cholly Knickerbocker

Think rock 'n' roll's a joke? Alan Freed just added a Miami Beach mansion to his Stamford home and his New York apartment.

VARIETY
NEW YORK, N. Y.

OCT 23 1957

Joyce Pacts Alan Freed

Philadelphia, Oct. 22.

Deejay Alan Freed has been pacted by Jolly Joyce to a new management contract covering ptx, television and tours. A European trip has been pushed back to enable the rock 'n' roller to head for the Columbia lot for feature role.

He leaves for the Coast after his Christmas week booking at the Paramount, Brooklyn, N.Y.

Freed goes on his first European tour, with a rock 'n' roll unit, the latter part of January.

This Clipping From
THE CASH BOX
NEW YORK, N. Y.

NOV 16 1957

Alan Freed Pacted For Six Week Tour

NEW YORK—Shaw Artists, Inc., this week announced it had signed deejay Alan Freed to a six-week pact for a national tour scheduled for early spring.

The deejay turned film star, recording artist and video emcee, will headline a package of top record stars for the one-night trek. According to Milt Shaw, the agency's president, the package will play all the major concert halls and auditoriums from coast-to-coast.

Shaw indicated that immediate reaction from promoters as well as record companies promises a cross-current of cooperation from both areas of the entertainment industry unprecedented in his experience.

Shaw also announced that within the next several weeks announcement will be made of some of the attractions who will tour with Freed. It is understood that the roster will include only top names in current nationwide favor.

SHOW BUSINESS
NEW YORK, N. Y.
AUG 26 1957

Alan Freed Aids R&R Performers

Thanks to Alan Freed, rock 'n' roll entertainers will still find many facets for their talent. The disk jockey, who is credited with initiating the popularity of the frenzied form of music, has lined up a schedule for this fall and early '58 which includes a new Columbia movie, a four-week personal appearance tour in England, the possibility of a rock and roll TV film series and an eight-weeks stage show at the New York Paramount.

The Paramount Theatre deals calls for Freed to present a new stage show each week for eight consecutive weeks. It will get underway sometime in mid-January and will highlight the top rock and roll talent in the country.

Freed will also line up talent for the rock and roll musical film series which will be produced by Gene Autry's Flying A Prod. He will leave on a European junket in Sept. or Oct. with his big band and a couple of r&r acts.

THE ORIGINAL ROMEIKE PRESS CLIPPINGS

330 TOMPKINS AVE.
STATEN ISLAND 4, N. Y.
Tel. Gibraltar 7-6800

This Clipping From
New York, N. Y., World-Tel-
egram & Sun (B'klyn Sect.)

AUG 26 1957

Grant, Kerr Teamed In Comedy at Albee

By JAY FULTON,
Staff Writer.

A love story of an international playboy and a sophisticated night-club singer, "An Affair to Remember," is the movie showing at the Albee Theater. Cary Grant and Deborah Kerr are teamed in this romantic comedy, with supporting help from Richard Denning, Neva Patterson and Cathleen Nesbitt.

"Bermuda Affair," co-starring Kim Hunter and Gary Merrill, is the co-feature. The picture was filmed in Bermuda and tells of two people caught in a whirlpool of emotions.

"Band of Angels," film of the Civil War era in the South, is entering its third week at the Fox Theater. Clark Gable and Yvonne De Carlo are co-starred in this Warner color production.

"Sweet Smell of Success," starring Burt Lancaster and Tony Curtis will be showing for the last time tomorrow at Loew's Metropolitan Theater. "The Pride and the Passion," with Frank Sinatra, Sophia

Loren and Gary Grant, and "Tomahawk Trail," starring Chuck Connors, will run for an entire week, beginning Wednesday.

Two science fiction pictures are the attractions at the Brooklyn Paramount Theater. They are "Beginning of the End" with Peter Graves and Peggy Castle, and "The Unearthly," starring John Caridine and Allison Hayes.

Beginning Friday, Alan Freed will appear in person to head the all-star cast of rock 'n' roll favorites including Little Richard and orchestra, The Del Vikings and The Diamonds.

This Clipping From
MIAMI, FLA.
NEWS

FEB 11 1958



Dateline Miami Herb Rau

Alan Freed, sometimes known as the "King of Rock 'n' Roll," just bought a \$65,000 winter home in Miami Beach. (Look at me, Ma, I'm still waltzing!)

MAY 9 - 1958

MAY 10 1958

Indicted Disc Jockey Quits N. Y. Station

NEW YORK, May 9. (AP)—Indicted disc jockey Alan Freed has quit New York Radio Station WINS, saying it failed to give him any support after a riot which followed his rock 'n' roll show in Boston.

Freed said last night that the station's lack of support was a "hard thing to swallow."

"Certainly they should have given me a little support after all the unproved publicity from Boston. But they ran all week refusing to say anything."

Freed was reached by phone after his manager, Jack Hooke, made public a letter of resignation that Freed sent to WINS.

Hooke said there was a "wishy-washy" attitude by WINS toward Freed since the violence in Boston last Saturday night.

The letter resignation was sent by messenger to WINS' general manager, Jock Fearnhead. Neither Fearnhead nor any other station official could be reached immediately for comment.

LETTER QUOTED

Freed's letter to Fearnhead said:

"After having come to New York and WINS almost four years ago, at which time WINS was one of the lesser important stations in the market, having diligently and earnestly striven to make my WINS program the most listened to radio show in New York, thereby helping WINS achieve the prominence of being the number one radio station in the market . . . I regret that I must hereby tender my resignation because I feel that you have failed to stand behind my policies and principles."

JAMAICA, N. Y.
L. I. PRESS

MAY 9 1958

Alan Freed Quits Radio Station in Rock 'n' Roll Row

Indicted disc jockey, Alan Freed has quit radio station WINS saying it failed to give him any support after a riot which followed his rock 'n' roll show in Boston.

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Hooke said there was a "wishy-washy" attitude by WINS toward Freed since the violence in Boston last Saturday night.

THE LETTER of resignation was sent by messenger to WINS' general manager, Jock Fearnhead.

Neither Fearnhead nor any other station official could be reached immediately for comment.



ALAN FREED
No Support



What's On?

By BEN GROSS

Disc jockey Alan Freed, who quit his job at WINS Thursday night, because he felt the station let him down during his current trouble in Boston, "took the station by complete surprise" with his sudden action.

Jock Fearnhead, veepee and general manager of WINS, said in a statement yesterday "that the station's position in the Freed case was one of a third party and separate entity because the incidents involved the non-radio activities of Mr. Freed." He wished Freed the best.

Freed allegedly incited a riot last Saturday in Boston with his "Big Beat" show. One of New York's first rock 'n' roll deejays, he's carved a lucrative career out of catering to teen-age tastes.

A spokesman for Freed said the disk jockey was not under contract to WINS. "His last deal expired six months ago." He indicated Freed had already received other offers from New York stations.

Freed will be allowed to tell his story of the rock 'n' roll headline furor and subsequent disagreement with WINS on Art Ford's WNTA-radio deejay show, Tuesday, May 13 (4:30 to 6 P.M.).

K. G.

Freed's letter to Fearnhead said:

"After having come to New York and WINS almost four years ago, at which time WINS was one of the lesser important stations in the market, having diligently and earnestly striven to make my WINS program the most listened to radio show in New York, thereby helping WINS achieve the prominence of being the number one radio station in the market . . . I regret that I must hereby tender my resignation because I feel that you have failed to stand behind my policies and principles."

This Clipping From
BILLBOARD
CINCINNATI, OHIO

MAY 27 1957

Freed-Levy Team Back in Harness

NEW YORK — Rock and roll jockey king Alan Freed, has become reassociated with the Morris Levy, Phil Kahl interests. Freed announced last week that henceforth, Levy will operate as his personal manager for all personal appearances, television and motion picture deals.

Only recently, Freed and Levy had amicably split up their various mutual interests. Reportedly, prior to the rejoining of forces, Morris Levy negotiated the ABC-TV junkie for Freed with General Artists Corporation. Besides the personal management deal, Freed also named Levy executive producer and Phil Kahl associate producer of his TV shows.

Pic deals now in the works for Freed include a new musical extravaganza to be shot in the U. S. next month, with another next winter to be filmed in Europe, both for Dino Di Laurentis and Ralph Serpe, producers of "War and Peace," and Academy Award winner, "La Strada."

It was also indicated that Freed would not actively engage in any of Levy's and Kahl's other business interests. These include Kahl, Planetary and Patricia Music, the Tico, Gee, Rama and Roulette disk labels, Tico Distributing Corporation, Variety Artists Management, Birdland Star Tours, and Birdland and the Embers night clubs in Manhattan. Freed indicated that Jackie Music, which he previously had sold to Levy, might be reactivated but that he would have no interest in it.

Regarding previously announced possibility of his starting his own record and publishing operations. Freed said that such was not in the cards now. "Disk jockeys have no business being in the record and publishing fields," he said, adding that "jockeys can't be fair to all record companies and pub-

lishers when they are competing in the same business themselves."

Trade speculation also centered on how the new moves might affect any mutual interests which Freed may have with George Goldner, another alumnus of the Tico-Gee-Rama-Roulette axis. When told of the new tie-up, Goldner said he was "surprised and shocked." Altho he and Freed were friendly, he said, he denied that they had any mutual business interests.



IN NEW YORK rock 'n' roller Alan Freed also has some interests in music publishing houses, has received Christmas gifts. He says that he has rejected bribes but accuses record makers of racketeering.

LIFE MAGAZINE
November 23, 1959
page 47

Court of Special Sessions of The City of New York,
County of New York

The People of the State of New York

against

ALAN FREED,

Defendant

Be it Remembered that I, FRANK S. HOGAN, the District Attorney of the County of New York, by this information, accuse the above-mentioned defendant of the CRIME OF REQUESTING AND ACCEPTING A GIFT AND GRATUITY, AS AGENT AND EMPLOYEE OF ANOTHER, IN VIOLATION OF SECTION 439 OF THE PENAL LAW, committed as follows:

The said defendant, on or about February 28, 1958, in the County of New York, being an agent and employee of a certain broadcasting station called WINS, owned and operated by the Gotham Broadcasting Corporation, unlawfully did request and accept from Roulette Records, Inc., without the knowledge and consent of his principal and employer, a gift and gratuity, to wit, a bank check in the amount and of the value of \$10,000, under an agreement and with an understanding that he, the said defendant, act in a particular manner in relation to his principal's and employer's business. [Emphasis supplied.]

FRANK S. HOGAN,
District Attorney.

Summary of Charges Contained in May, 1960 Information Pending in Court of Special
Sessions of The City of New York Against Allen Freed

<u>EMPLOYER</u>	<u>PAYOR</u>	<u>DATE</u>	<u>AMOUNT</u>	<u>COUNT NO.</u>
WABC, owned by ABC	Cosnot Distributing Corp.	Sept. 29, 1958	\$2000.00	1
"	"	July 2, 1959	\$2000.00	2
"	"	October 7, 1959	\$2000.00	3
"	Alpha Distributing Co.	July 14, 1959	\$ 500.00	4
"	"	August 25, 1959	\$ 500.00	5
"	"	October 2, 1959	\$ 500.00	6
"	Superior Record Sales Co., Inc.	August 11, 1958	\$ 400.00	7
"	"	Sept. 30, 1958	\$ 700.00	8
"	"	Nov. 21, 1958	\$ 500.00	9
"	"	Dec. 18, 1958	\$ 700.00	10
"	"	Feb. 16, 1959	\$ 700.00	11
"	"	March 25, 1959	\$ 700.00	12
"	"	April 28, 1959	\$ 700.00	13
"	"	May 25, 1959	\$ 700.00	14
"	"	June 25, 1959	\$ 700.00	15
"	"	August 5, 1959	\$ 700.00	16
"	"	Sept. 1, 1959	\$ 700.00	17
"	"	Oct. 5, 1959	\$ 700.00	18

<u>EMPLOYER</u>	<u>PAYOR</u>	<u>DATE</u>	<u>AMOUNT</u>	<u>COUNT NO.</u>
WABC, owned by ABC	Superior Record Sales 1959	Nov. 4, 1959	\$1000.00	19
"	Action Records, Inc.	Sept. 2, 1959	\$ 500.00	20
"	"	Oct. 5, 1959	\$ 500.00	21
"	"	Nov. 6, 1959	\$1000.00	22
WNS, owned by Gotham B/cg. Corp.	United Artists Records, Inc.	May 12, ^[*] 1958	\$ 750.00	23
WABC, Owned by ABC	"	June 30, 1958	\$ 750.00	24
"	"	July 30, 1958	\$ 750.00	25

2Freed had in fact left the employment of WINS on May 8, 1958.]

(Copy of Affidavit the original of which was filed with
the Commission on May 15, 1961
as Attachment VI.)

Nassau County)
State of New York) SS:

Henry G. Kirwan, being first duly sworn, deposes and says as follows:

I am presently employed with George Lax Company, Public Accountants at 107 Williams St., New York City. My home address is 8550 Forest Parkway, Woodhaven 21, New York. My professional experience is as follows: I was graduated from New York University with a Bachelor of Commercial Science Degree. In 1941 I received the degree of Certified Public Accountant from the State of New York. I am a member of the New York Society of Certified Public Accountants.

I was employed at Station WINS from September 1950 to September 1957. During this period I was in charge of the accounting and billing for Gotham Broadcasting Corporation, licensee of Station WINS, New York. Prior to July 1956, Mr. Leder who was then the General Manager of Station WINS came to me and advised me that from that time on an announcer named Alan Freed would broadcast from his home in Stamford, Conn. The Freed show usually ran from 7:00 P.M. to 11:00 P.M. six nights a week, Monday through Saturday. Mr. Leder advised me that he had an arrangement with Alan Freed whereby Alan Freed would be charged and billed for all the expenses that were incurred by the station in setting up the facilities at Mr. Freed's residence. In addition to expenses, Mr. Freed was to reimburse the station for equipment which had to be purchased and which was used by Freed at his home. Shortly thereafter, Mr. Fearnhead became General Manager of WINS.

Pursuant to the arrangement entered into between Leder and Freed, I then proceeded to set up accounting procedures to show the charges to Freed and to be able to carry out the arrangement. The procedure that I designed was as follows:

- (1) I directed those who worked under me and were accountable to me to segregate all the expenses and other charges which were connected with the Freed operation.
- (2) At the end of every month, these expenses were itemized in detail and a bill was sent to Mr. Freed at his home.
- (3) The Freed account was maintained in the General Ledger.

When Mr. Freed would make payments against his account, the payments would either be mailed to us by Mr. Freed or presented to us by Mr. Freed or someone associated with Mr. Freed. This was the general method of payment. I have no recollection who was the payer on any of the checks. But it is my recollection that when the Freed bill was paid, he would accompany his remittance generally with a copy of the station's invoice which was sent to him. Therefore the checks which were attached to the bill and sent back by Freed to the station in payment of his charges were applied against Freed's account. During my tenure this account was handled by me and by my assistants in the regular course of our business and it was in the regular course of our business to handle the account with Freed in this manner. I never brought the manner of payment to the attention of Mr. McCaw, or Mr. Leder or Mr. Fearnhead or Mr. Keating any circumstance whatever surrounding the receipts of monies from Freed or the billing of expenses and other charges to Freed except that on occasion I would mention to Mr. Fearnhead that Freed was a little slow on payment. I was never advised nor did I have personal knowledge that any monies received on payment of Mr. Freed's bills were paid by record

distributing companies. In my accounting experience, the transaction merely represented an accomodation transaction. The procedure I designed to handle the receipt of money from payments on Accounts Receivable were as follows: (1) The mail would come in and would be opened by a clerk. The checks were taken out of the envelopes by a clerk and the clerk then made up the deposit slips and attached these checks thereto. The mail room boy would then pick up the deposit slip with the checks and make the deposit at the bank. Prior to the deposit slip being made up, the clerk would enter the checks in the cash receipts book.

The accounts receipt book would indicate the account credited, as well as the amount received. The clerk handling the accounts receivable book and the making up of the deposit slips would handle these matters as part of her duties in the ordinary course of business.

In early 1959 I was questioned by the Assistant District Attorney of New York City, New York concerning this arrangement between Station WINS and Alan Freed whereby Alan Freed arranged to have his nightly program broadcast from his home in Stamford, Connecticut.

/s/ Henry G. Kirwan
Henry G. Kirwan

Subscribed and sworn to before me this 11th day of May 1961.

/s/ Murray H. Siegal
Murray H. Siegal
Notary Public, State of New York
No. 30-8886885
Qualified in Nassau County
Commission Expires March 30, 1962

NEW YORK POST, WEDNESDAY, MAY 4, 1960

Freed Says ABC Forced Kickback

By EDWARD KOSNER

Disc jockey Alan Freed charged today that ABC officials threatened to throw him off the air unless he kicked back \$30,000 of his \$40,000 annual salary.

"I didn't want to buy time to plug my stage shows," Freed told The Post. "But I was told: 'Either you kick back \$10,000 three times a year, or your microphone will be taken away.'"

"I was plugging the stage shows on my WNEW-TV programs for nothing," Freed said. "After the ultimatum, I plugged them on WABC—to get something for the money I was kicking back. It wasn't my idea."

WABC program manager Ben Hoberman declined comment today on Freed's latest charges.

At yesterday's closing session of the House payola hearings in Washington, Rep. Moss (D-Calif.) said it had been established from Freed's closed-door testimony that he had agreed to buy \$30,000 worth of time on his WABC shows to plug the stage presentations.

Freed conceded today that the \$30,000 payments were covered in his contract with ABC, but insisted he had no alternative but to agree.

Controversy Over Affidavits

Freed, who was dropped by WABC and WNEW-TV last winter after the payola scandal broke, also disputed ABC president Leonard H. Goldenson's contention yesterday that the payola affidavit Freed was asked to sign was no tougher than the one given teenage idol Dick Clark.

"I could have signed—and I would have signed—the affidavit; they gave Clark," said Freed. "He himself said he

couldn't have signed the one they handed me."

Freed flew into town today from the West Coast, where he said, he signed a contract to do a Rock 'n' Roll show on KDAY in Los Angeles.

The program director at KDAY is Mel Leeds, who left a similar job at radio station WINS here during a payola investigation.

Freed said he would meet with his lawyers, M. Warren Troob and Moses Kove, this afternoon to discuss possible legal action against ABC "because Dick Clark's working and I'm not."

House investigators have charged that ABC has given preferential treatment to Clark because of the vast advertising revenue he brings the network through his shows. The subcommittee has been using the figure of \$12,000,000 as Clark's advertising output. Yesterday, Goldenson said the figure was actually \$6,000,000.

Goldenson Defends Freed Deal
At the hearings yesterday, Goldenson said he thought the arrangement under which Freed paid ABC to promote the stage shows he ran around the country was proper.

Goldenson said Freed was advertising the stage shows on his program and that ABC felt he should pay for such plugs.

January , 1955

Gotham Broadcasting Corporation
28 West 44th Street
New York 36, N. Y.

Gentlemen:

The undersigned SIEG MUSIC CORP. admits, recognizes and acknowledges that the GOTHAM BROADCASTING CORPORATION has entered into a contract with ALAN FREED as TALENT for a period of ten years commencing on or about August 10, 1954 for the exclusive rendition by him of his services to the GOTHAM BROADCASTING CORPORATION for radio and television broadcasts, syndication, merchandising and dances; and SIEG MUSIC CORP. further admits, recognizes and acknowledges that the GOTHAM BROADCASTING CORPORATION has the exclusive right to the name and/or title "ROCK 'N ROLL", "ROCK 'N ROLL PARTY" and/or similar names and/or titles; registration of which is pending.

SIEG MUSIC CORP. understands that the GOTHAM BROADCASTING CORPORATION for the consideration set forth herein below agrees to release ALAN FREED from his aforesaid obligation to render personal services exclusively to it, for the ten year period hereinbefore specified, to the sole extent that said ALAN FREED may render services and herein and hereby agrees to render services, exclusively for SIEG MUSIC CORP. theater, dance & concert [ML]
for ~~any and all~~ promotions alone for the above specified ten year period; and [AF]
that this waiver and release by GOTHAM BROADCASTING CORPORATION to the exclusive services as TALENT of ALAN FREED for said period of ten years in favor of SIEG MUSIC CORPORATION apply, and shall continue to apply, alone, to the services of ALAN FREED for ~~any and all~~ theater, dance & concert promotions and to no other services set forth in his aforesaid contract of on or about August 10, 1954 with the GOTHAM BROADCASTING CORPORATION.

SIEG MUSIC CORP. further understands that the GOTHAM BROADCASTING CORPORATION for the consideration set forth herein below agrees to permit pursuant to the license herein and hereby expressed, the SIEG MUSIC CORP. to use solely in connection with, and for the sole purpose of, the ^{theater, dance & concert} ~~dance~~ promotions carried on, and/or to be carried on, by the said ALAN FREED the name and/or title "ROCK 'N ROLL," "ROCK 'N ROLL PARTY" and/or similar names or titles.

In consideration of the aforesaid waiver and release by the GOTHAM BROADCASTING CORPORATION in favor of the SIEG MUSIC CORP. to the exclusive personal services of ALAN FREED for ~~dance~~ promotions, and of the further permission and license from the GOTHAM BROADCASTING CORPORATION to the SIEG MUSIC CORP. to use the name and/or title "ROCK 'N ROLL", "ROCK 'N ROLL PARTY" and/or similar names and titles solely in connection with, and for the sole purpose of, the ^{theater, dance & concert} ~~dance~~ promotions carried on, and/or to be carried on, by the said ALAN FREED, SIEG MUSIC CORP. herein and hereby agrees to pay to the GOTHAM BROADCASTING CORPORATION ten (10%) per cent. of its gross profits derived or to be derived from the aforesaid ~~dance~~ promotions; said gross profit to be paid prior to any other distribution of profits and/or salaries paid to its principals by the SIEG MUSIC CORP., except the salaries of TALENT, such exception immediately aforesaid excluding the salary or any other income or profit whatsoever derived or to be derived by ALAN FREED as TALENT or otherwise from the SIEG MUSIC CORP.

Very truly yours,

SIEG MUSIC CORP.

By /s/ Morris Levy, Pres.

ACCEPTED:

GOTHAM BROADCASTING CORPORATION

By: /s/ Robert J. Leder, Vice President

ACCEPTED:

By: /s/ Alan Freed, Talent

XXXXXXXXXXXXXXXXXXXX)
COUNTY OF XXXXXXXXXX SUFFOLK)
STATE OF NEW YORK)

Morris Levy, being first duly sworn, deposes and say as follows:

About the middle of July 1961, Mr. Elroy McCaw of WINS telephoned me and asked to look at some of the records of Seig Music and Jackie Music companies in which my partners and I once had interests with Alan Freed. These companies handled theatre promotions and also had a contract with WINS in regard to such promotions. We made the records available for inspection.

About the same time, Alan Freed was in New York. In a conversation with him, Alan told me that he had signed an affidavit for the FCC concerning Elroy McCaw and WINS. He intimated that he was sorry he had made the affidavit. He suggested that he would like to speak to Elroy McCaw with whom I then arranged for a meeting with Alan Freed.

The meeting was held at my office in the afternoon of July 18, 1961. Mr. McCaw, his attorney, Mr. Tannenbaum, Alan Freed and his wife, who came in later, were present. Mr. Freed made statements to the effect that he had been brainwashed by Mr. Keating and Mel Leeds who persuaded him to sign the affidavit for the FCC and that he did so because then he believed his loyalty was to Mr. Keating and Mr. Leeds, people for whom he was working. He knew when he made the affidavit that it was not true, that it was harmful to Mr. McCaw, and that Mr. Keating, to whose home he had often gone, had personal differences with Mr. McCaw.

- When Mr. McCaw asked Mr. Freed, on July 18, 1961, whether he had ever asked Mr. Freed for anything; the latter said that Mr. McCaw had never asked him for anything and that he had met with Mr. McCaw only a few times. Mr. Freed said that in the affidavit for the FCC he referred to a meeting when his second wife, Jackie and a Mr.

Fernhead were present, where Mr. Fernhead was supposed to have asked whether there was any way by which the radio station could participate

Mr. McCaw asked Mr. Freed whether he (Mr. McCaw) had ever been present at such a meeting. Mr. Freed said that Mr. McCaw had not been present at such a meeting and again stated that during the entire period of his dealings with the radio station he had met with Mr. McCaw only a few times. Mr. Freed indicated that the reason Mr. Keating was mad at Mr. McCaw was because Mr. McCaw sold him radio station KDAY which he (Keating) said was a "toilet" and he was losing twenty five thousand dollars a month in it.

Mr. McCaw's attorney, Mr. Tannenbaum, told Mr. Freed that he should consult with his own attorney about correcting the FCC affidavit where it was untruthful or incomplete.

After Mr. McCaw and Mr. Tannenbaum left, having arranged to meet the next day with Mr. Freed and his attorney, Mr. Freed said that he could not show them the affidavit. He said that they would be mad when they read it because they would find out that he said that McCaw was present at the meeting. He then said that he didn't owe McCaw anything and that McCaw did not stick by him when he (Freed) got in trouble in Boston.

During the next few days I received telephone calls informing me that Alan Freed had said that he was going to "bury" me and Elroy McCaw. I was told that Mr. Freed had called the FCC in Washington and given them a false version of the conversation had in my office on July 18. It seems that after he left my office he talked with some people in the recording industry about the meeting.

I called Mr. Freed and told him about these reports. He suggested that we meet at my office the next day. He came with his present wife and his attorney, Warren Troub. Present also were Mr. Inge and Mr. Tarnopol. At the time Mr. Freed used foul language in referring to Mr. McCaw saying that he would do anything he could to hurt Mr. McCaw and would "bury" him if possible. Mr. Freed said, concerning me, that he would rather hurt

CITY OF NEW YORK)
COUNTY OF NEW YORK)
STATE OF NEW YORK)

Nat Tarnopol, being first duly sworn, deposes and say as follows:

During the last week in July 1961, while at the office of Morris Levy, I met Alan Freed, who came in with his wife and his lawyer. He told Morris Levy that he (Freed) is out to bury Elroy McCaw because McCaw dropped him when Freed was in trouble in Boston. He said he would make sure that Mr. McCaw loses his radio station in New York. Freed said that he would do all he could for the FCC who are his friends and that they were not out to hurt him. He said he hated Mr. McCaw and would do all that he could to hurt him. He also said that he hated WABC because they made him the patsy for Dick Clark. He said that he had only the highest regard for Morris Levy.


Affiant

Subscribed and sworn to before me this 4th day of August, 1961.


Notary Public

FREDERIC A. JOHNSON
Notary Public, State of New York
No. 31-1978915
Qualified in New York County
Commission Expires March 30, 1963

AFFIDAVIT

CITY OF WASHINGTON)
) ss
DISTRICT OF COLUMBIA)

The following is a report of a certain meeting which took place in the afternoon of July 18, 1961, at the offices of a Mr. Morris Levy, 1631 Broadway, New York City. Present at the meeting were Messrs. Morris Levy, J. Elroy McCaw, Alan Freed, Mrs. Alan (Inga) Freed and myself.

The purpose of the meeting was that Mr. Freed wanted to disclose the fact that he had supplied to the Federal Communications Commission an erroneous statement which he felt was very harmful to Mr. McCaw. He stated that this statement was prepared by a Mr. Schaaf, an Investigator for the Commission after an interview with Freed, and signed by Freed. Freed explained the background of his having worked for Mr. Jack Keating at Radio Station KDAY in Los Angeles. He stated that he had been "brainwashed" by Mr. Keating for a year, and that Mr. Keating had it in for Mr. McCaw. Freed kept quoting Keating as having stated that he was "going to bury McCaw" and that every evening he was with Keating, even when they were out socially, he was "brainwashed for six hours" against Elroy McCaw.

EXHIBIT

12

Freed said that he felt he caused an injustice to Mr. McCaw by an erroneous or misleading statement given by him to the FCC. This related to an alleged conversation in early 1958 with Jock Fearnhead, who was then General Manager of Station WINS. Freed said that his aforesaid statement alleged that Mr. Fearnhead stated to Freed something to the effect that "we know you have been taking payola so how about letting us have some of it."

Freed said that while the statement may have been made by Fearnhead, it had been made in a light and joking manner, but that the statement he gave to the FCC failed to disclose the joking aspect of this conversation.

Freed also stated that the conversation with Fearnhead referred to the possibility of getting some of the record companies to advertise directly on WINS, which fact he thinks was not disclosed in his statement to the Commission. Mr. Freed said that his former wife, Jackie Freed, was the only other person present while this conversation took place, and specifically stated that Mr. McCaw was not present. Mr. Freed asked if he would get in trouble if he corrected his FCC statement at this date and I advised him that I thought he would be in more trouble if he let a false affidavit stand; and advised that he consult his own attorney in this matter.


An appointment was set up for 11:00 AM the following day at the office of his attorney, Mr. Warren Troub, in which he promised to produce the copy of the statement filed with the FCC, and to discuss with his attorney whether he should file a corrected statement disclosing the truth.

Freed further stated that in the four years that he was at WINS, he believes that he saw Mr. McCaw not more than ten times, but that he dealt with Messrs. Leder, Fearnhead and Keating; in fact, he and Keating were very close with each other socially until quite recently.

Freed further stated that Mel Leeds who was also employed at Radio Station KDAY (now promoted to General Manager) also hates Mr. McCaw.


BERNARD TANNENBAUM

Subscribed and sworn to
before me this 14th day of
August 1961.


Notary Public
My Commission expires
Feb. 28 1966.

August 31, 1959

Vol. 57 No. 9

HOW BIG THE PAYOLA IN RECORDS?

An embarrassing but vital question is examined in this special report

"Booze, broads and bribes."

This inelegant sampling from the idiom of the music trade was revived a fortnight ago by a stir out of Los Angeles about payola for disc jockeys. Lew Irwin, KPOL Los Angeles news director who also handles a nightly news report on KABC-TV there, turned up a letter in which a onetime Denver deejay outlined an "alliance" to promote records onto a national hit list for \$600 a tune.

The biggest news in that development was that the letter ever saw the light of day. Even the rumors about payola usually are traded under the counter. But they flourish in the dark. Though largely undocumented, the claim that deejays can be bought—and therefore that much of the nation's radio music is dictated by recording companies offering balm for the itching palm—is one of the most persistent of the postwar crop.

The rumors thrive on the inequalities of supply-and-demand, if not on fact. Since World War II the number of recording companies has grown from a half-dozen to 1,500 to 2,000 (chiefly, according to authorities, because improvements in the technology have made it possible to turn out a record for \$350 or so). Many of these companies are one-day wonders, but when one fails, its place is quickly taken by another. New releases pour out constantly. To succeed they must sell. But before they can sell they must be heard—and no record maker has yet come to light who will put any medium ahead of radio for the exposure of his wares.

Bigness of Music • Radio in the meantime has become basically a musical instrument. Many stations estimate that at least 60 to 70% of their air time is devoted to records. So stations and recording companies clearly need each other. But there are so many more records than air time that stations can play only a fraction of the 50 to 250 new releases which come to them each week. The situation is so tight that some recording companies are crying for acceptance of shorter records, and for deejays to stop playing hits so often after they hit their peaks and

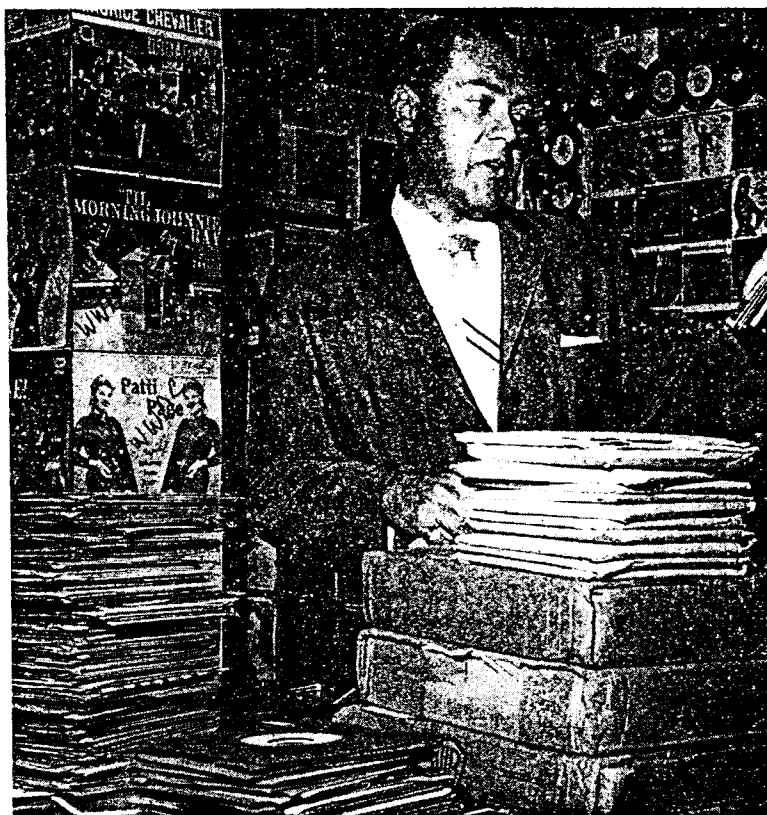
start on the decline.

Investigation supports the logic that record companies pass out considerably more than free records—and that even the most strait-laced jockeys benefit from their largesse. Who's to refuse a fancy dinner, a plush weekend, a companionate night on the town? What is there to do with a friendly gift bottle but look it in the mouth?

There also is support for the contention that these are only fringe benefits—for some jocks. Under the cover of anonymity, expert witnesses will tell you about *quid pro quo* arrangements in

which companies offer—and deejays accept—gifts too costly to be mere remembrances, money payable on either a retainer or a per-record basis, a percentage of sales, a piece of the company, even recordings by the case-lot for private re-sale by the jocks. "Booze, broads and bribes" signifies a way of life, some say.

"Don't quote me" • But usually the informants won't name names. And these things always seem to happen to somebody else. Moreover, other experts will testify that there is no payola of any consequence, certainly none be-



Program supply • On the desk in front of Fred Fiske, deejay on WWDC Washington, D.C., are the records which the station received last week. WWDC, like most other major market stations, gets at least 150 records a week (singles and albums) from record companies which need radio plays to stimulate retail sales. The rising flood of releases from some 2,000 record producers is creating impossible demands for air exposure.

yond the accepted bounds of normal customer relationships, and that, even if there is, it has no bearing on what records get played on the air. Ahmet Ertegun of Atlantic and Atco Records speaks for many on both sides of the turntable when he says: "You can't hide a hit—it's going to get played. People operating out of their hats get hits." While agreeing, others add, as did another recording executive, this codicil: "But damn few people will buy records they haven't heard."

The one thing that both sides agree on, in discussing payola or the nonexistence thereof, is that the opportunity is there. There is a strong body of

stake would level with you? Do you really want to find out what goes with the record business? If you do, it's very simple: Get yourself a couple of tunes, record them and go out to get them played. Then you'll find out for real.

"Take the records around to stations, call on managers, program directors, disc jockeys and try to get plays. Pretty soon you'll know why there's payola, why guys with records offer a piece of them or an interest in the music publishing company or the artist to an influential deejay to get them on the air. Pretty soon you're offering some bills or a percentage to anyone who can help get your tune or artist or record

played every three or four hours? There's room for about 15 or 20 discs outside the Top 40, and how much chance do you think your record has of being one of those 15 or 20 and how much are you willing to pay to help make it one?"

Hard to Document • Payola charges generally follow a pattern—stories of deejays with deals which net them a penny a platter from the sale of records they plug on the air; deejays on retainers paid by record companies to insure plays of all their releases, deejays with "rate cards" showing how many plays you can expect for your money and, in the rate-card tradition offering



Jury system of picking records • At many stations, the autonomy of individual disc jockeys in choosing records to be played on the air has been withdrawn in favor of selection by a panel. At some stations top management participates, at others, management plus performers. KFWB Los Angeles uses a combination system. The Top 40 tunes are chosen on the basis of record sales. The rest of the records which the station plays are picked by a panel of deejays and

the vice president for programming—after the station's president, Robert Purcell, and the music librarian have screened out 75% of the releases which flood the station. In picture at left a jury of deejays listens to a new release. Members are Elliot Field and Ted Quillin (l-r, foreground) and B. Mitchel Reed and Bruce Hayes (l-r, background). In picture at right Chuck Blore, programming vice president, presides over session.



evidence, however, that the opportunity today is more difficult to administer—that the payoff does not carry the influence now that it did 10 years ago. It can't, unless it is being passed out to more hands. For disc jockey is not the king he once was, except perhaps to his public. In the studio, where he once picked the records for his program himself, he now finds this function substantially taken over, in more and more cases, by a board of which he is only one member.

People in the record business are generally hesitant to talk bluntly about payola. Occasionally, however, there comes an exception. One such, speaking from anonymity, offered this appraisal:

"Do you honestly think that I or anyone else with a job or a business at

off the ground and headed somewhere.

"Do you think you or anybody can tell whether one rock-and-roll tune is better than the next one? Do you think the deejays or program directors can, or that they select the ones to play solely on their musical merits? Sure, a bad record is a bad record, and no one who wants to keep an audience for his program or station is going to program too many bad ones. But what about the good ones, the ones that are at least as good as the run of the lot?"

"When the major companies put out five records a week apiece and the independents each contribute one or more, there's 200-300 records a week. Who can play them all and decide which ones are going to get the plays that don't go to the Top 10, which are played every hour, or to the rest of the Top 40,

dollar-volume discount inducements.

The charges are hard to back up and indeed are denied by people as well placed as those who make them. But that doesn't stop them from circulating. A little over a year ago, for instance, Seymour M. Lazar, an entertainment lawyer from Beverly Hills, Calif., who also is west coast attorney for ASCAP, told a Senate commerce subcommittee that:

"Southern California is known as a 'payola district.' In order to get your song played by disc jockeys in Los Angeles you must pay cash."

Mr. Lazar hedged by saying that "not all disc jockeys take cash," but he ventured that "more than half do." He said he got his information from "inquiries through the trade, and I know of disc jockeys making \$300 to \$500 a

week, above their salaries of \$25,000 to \$50,000 a year. . . . The broadcasters know this. It is that flagrant."

Rebuttal • Mr. Lazar did not document his charges. At least one record promoter, Bob Stern of Hollywood, who represents close to a score of labels, says he wired the committee asking for a chance to refute the testimony but never got a reply, let alone an invitation to appear.

It is Mr. Stern's contention that competition if nothing else has kept Los Angeles and many other markets clean: If one deejay is dominant in a city perhaps he can afford to take payola, but in a market like Los Angeles no one jock (or station) is so powerful that he (or it) can take the risk. The deejay who knowingly plugs bum records, Mr. Stern reasons, isn't going to keep an audience long enough to help anybody.

"There may be payola but there's no dictatorial pay-off," he contends, meaning that deejays aren't paid to play specific records. He acknowledges that at Christmas time "we show our appreciation for what they've done in the past year," and maybe if a jock's wife is in the hospital her bill might be paid. "But we never pay them to play any certain record," he declares.

Season's Greetings • This point of view does not conflict with the sizeable body of opinion which holds that record promoters can be as thoughtful as other businessmen at times like Christmas. It is only consistent with the spirit of the occasion, aside from prudent business, to remember one's friend and repay past favors. And it would be gross ingratitude if the remembrances were not accepted in the spirit in which they were given. In all this camaraderie and seasonal good will a considerable lot of merchandise changes hands, and this is not denied any more than in any other business.

But sometimes the spirit of fellowship gets out of control and gifts are passed that seem to tax the limits of ordinary generosity. The Christmas wrappings may even yield up a car or a boat among the other geegaws. And it is said that some deejays have become so hardened to such things that they have been known to suffer temporary lapses in their manners. A classic example is the jock who, as such legends go, received a color television set and promptly called the donor, not to express gratitude but to break the news that "it's too bad that I can't use it where I live without spending \$150 for a special antenna installation."

Report from L.A. • One of the principal recent contributors to the body of existing literature on payola is KPOL-KABC-TV's Mr. Irwin. His broadcast breaking the story of the would-be payola "alliance" a couple of weeks ago

was one in a series he has devoted to the subject over the past few months.

One recent guest was attorney Lazar, who this time was a little more specific about the source of his information than he had been in his congressional testimony.

"I know of [instances among] my own clients where payoff exists," he declared. "I know it exists because I know of individuals that pay individuals all over the country for it."

Payola, he said, can take many forms—\$50 or \$100 bills enclosed with records, credit cards, a suit of clothes. A jock in an "influential position," he hazarded, can add \$50,000 to \$150,000 to his salary via payola. He viewed it as a "national" problem, asserting that there are perhaps 20 to 25 "key situations" where top 40 records are made and where, therefore, the deejays are much more apt to be pressured. "Many of these disc jockeys do take payola," he charged.

Writers and Publishers • Mr. Lazar also contended that songwriters and music publishers are culprits in the payola game. This is part of ASCAP's standing charges against BMI. In the case of "an honest-to-goodness songwriter, a person who writes a good song," Mr. Lazar contended, payola is necessary or "his music will not be heard, and if it is not heard it can never be a hit." (Music publishers themselves testify that radio plays can be even more important to them than to recording companies, because they get more than half of their revenues from performance credits.)

In another broadcast Mr. Irwin maintained that payola is paid "not for the sake of selling records, but for the sake of deceiving the Internal Revenue Bureau." He quoted an unidentified recording company official as contending that gangsters control juke boxes which they cite as source of revenues that actually come from illicit operations. To make their jukebox business look good, he asserted, they produce records and promote them into hits via payola.

Another Irwin guest, Wolfe Gilbert, West Coast director of ASCAP, speculated that "major houses"—he was referring to music publishing firms—are not as guilty of payola as smaller and newer ones. This concept seems to be generally but not universally shared with regard to payola charges against recording companies.

Dick Whittinghill, KMPC Los Angeles deejay, and Al Jarvis of KFWB Los Angeles, one of the first of the nation's deejays, also have appeared on Mr. Irwin's program.

Mr. Whittinghill said that he had been "approached by a couple of song pluggers, and the head of a record company, and they've offered me anything

from putting a pool in my house to re-roofing the house, and [there was] one incident with cash." But he said he knew for a fact that "no one at KMPC is taking it [payola]. We're known as a very clean station. We get enough dough—they pay us a pretty good salary. There's no reason for us to resort to anything as low as that." His judgment of the payola business: "It stinks."

Mr. Jarvis said "some" distributors engage in the practice and "some" don't. "I think the bigger ones do," he added. But he contended that nobody has to pay for plays of a first-rate record—and "I don't think that any first rate disc jockey," he said, "intentionally plays second-rate records." Even if a station permits the deejay to pick his own records "he still must play to please his listeners."

A Case of Good Will • If anyone had any doubts about the importance that record makers attach to radio he should have attended the deejay convention sponsored at Miami Beach last spring by the Storz Stations (BROADCASTING, June 1, 8). The number, variety and meatiness of the speeches were rivaled by the number, variety and meatiness of the extra-curricular diversions set up for the boys by recording companies. Some of the hosts displayed singularly fundamental ideas about recreation, along with seemingly unlimited sources of supply (which some of them are, indeed, said to have).

It is accepted fact that recording companies may be excluded from the next such get-together, but in fairness it ought to be reported that at least some recording executives contend this was by no means the worst display of hospitality they had ever witnessed. "It just got the worst press," they explain in what is probably the biggest understatement associated with that gathering.

Anything but Cash • More direct testimony to the esteem in which influential radio programmers are held by recording people is given by an executive whose company is not a major but is successful and in clean repute regarding payola. "We'll give then anything they want short of money, so long as it doesn't mean demeaning ourselves," he asserts. His idea is not to buy specific plays but to keep his label in favor among as many so-called decision-makers as possible.

At the other extreme is the record plugger who, according to President and General Manager Robert M. Purcell, once walked into the program director's office at KFWB Los Angeles with this proposition: "I want your 'pick tune of the week' and here's a check for \$1,700, which I'm told is your price." When the program director

refused, the promoter tried to be understanding. "Okay," he said. "So you've got your tune picked for this week; I'll take next week. Or the week after." Continued refusal left the promoter nothing to do but depart, shaking his head.

This episode may be related to another, also involving KFVB, which is told by a record promoter. He tells of a rival plugger who, having somehow learned what record was to be the following week's "Pick of the Week" on KFVB, telephoned the record company in New York and offered, for 900 free

tors as possible—an exercise in togetherness that runs his telephone bill to more than \$3,000 a month.

It seems significant that Mr. Carlton, along with many others, mentions the program director rather than the deejay as the man to know. Often the two titles are interchangeable, but investigation makes clear that, at least in major stations, the deejay no longer rules in lonesome splendor. Even if he still picks the records he plays, he's apt to have the face of management peeking over his shoulder while he does it.

"A good music-control system is

inated. The range of selections is further narrowed at the so-called "Top 40" stations, where 40 of the 65 to 125 records played in an average week are automatically chosen according to record sales, postcard or telephone polls or whatever other formula is used to determine popularity ranking.

Nobody has yet devised a formula which will accurately predict which records will attain popularity and which won't. One theory is that the Columbias, Victor's and other old-line majors have been hurt in the pop singles field because they record too cleanly. Their records don't have the raucous sound that teen-agers want and that smaller companies, with fewer facilities, can hardly produce anything but.

"It's not the tune but the way it's distorted that counts," says one whose business is to try to fathom such mysteries.

A new trend may be developing, however. Observers note an increasing use of strings and other evidences of conscious effort to get a more balanced sound in records that are making the hit lists these days. Moreover, album sales are increasing—they represent about 80% of dollar volume already—while singles are slumping off. This brings up another theory: That youngsters who buy singles hear them so much on the radio that they don't feel such a need to buy so many any more. This theory, if true on a wide scale, would play hob with selection methods based solely on sales. Carried far enough, it might even restore the deejay to something more like his old-time authority.

Sales the Key • For the present, however, record sales seem to be the criterion used most often in making selections. "Sales are an absolute index of public taste," says one leading radio programmer. But this view is not universal. "Sales," says another, "are naturally a guidepost, but you can't live or die by sales. You've got to use judgment too. A new Como record you always use, and a Presley if you're that kind of station. And if you're that kind of station, you never use a Lombardo, no matter how much it sells. If 35% of sales are classical albums, this doesn't mean 35% of your programming should be classical music; in all likelihood it just means that a very few people are spending one hell of a lot for classical records."

Some stations don't use sales as a guidepost at all, or only slightly. One such is KDAY Los Angeles, which has a "Voice Your Choice" device in which listeners call in their preferences (at an average rate of more than 2,000 calls a day).

"We used to employ a librarian but then we found we were spending \$4,000



Payola on the air • On several broadcasts in recent months Lew Irwin, news director of KPOL Los Angeles who also does a nightly news report on KABC-TV Los Angeles, has reported alleged examples of largesse passing to deejays from music interests. Two weeks ago Mr. Irwin broadcast a story about a former Denver deejay who was said to have tried to set up an "alliance" of "close-mouthed" disc jockeys to promote records for pay. The proposal was made to a recording company executive who rejected it, according to Mr. Irwin. The deejay, Bud Lee, couldn't be found last week. He left Denver a year ago, BROADCASTING learned, later worked in Boston and then in Phoenix.

copies, to get the number named "pick" by the station. The record company sent the 900 copies, which the hustler sold for private gain, and that was all there was to it until the company, a few weeks later, instructed its regular promoter to get a record selected as the week's pick. "We know it's for sale" was the gist of the message. It took some talking to convince the home office that it wasn't.

Radio First • There is less garish evidence of radio's standing with the record companies. No manufacturer is apt to quarrel with Joe Carlton's observation that "radio stations are our first point of sale." The head of Carlton Records, who was a&r man for Mercury and RCA Victor before he formed his own company in 1957, says his people make it a point to know, personally, as many of the country's program direc-

bound to improve programming," says one specialist who works directly with more than a score of stations. The system may vary, but most successful stations have one. More often than not it is based on a committee of management and/or programming authorities which, if it doesn't actually select the bulk of the records to be played, at least establishes the policies under which they are chosen. Even Martin Block, who is now in his silver anniversary year as a disc jockey and whose paternity of the deejay business is not widely questioned, conforms his selections to guidelines laid down by the management of his station (ABC-owned WABC New York).

Restrictions • Music policies naturally vary according to the image that management wants to project. Certain types of music are automatically elim-

a year to keep track of yesterday's music when really we're only concerned with today's and tomorrow's music," says Manager Irv Phillips. "We used to consult the listings in *Billboard* and *Cash Box* and do our own guessing. But this too was based largely on the past, on what people had bought. So now we go directly to the listener, through 'Voice Your Choice'."

Record Makers as Sponsors? • Mr. Phillips contends this way gets results faster—that hit records sometimes reach the Top 10 on KDAY before they've made the Top 40 on some other stations relying on sales figures.

KDAY, incidentally, is one of those stations that have tried to skirt the payola possibility by selling time outright to record companies and letting them program it with their releases. Mr. Phillips hasn't had much success on that score, but he thinks this is because he hasn't had much time to work on it. He still feels it would work if someone took the time to pitch it to major manufacturers.

Hot Cities • What makes a hit is one question. Where hits are made is another, and on this it is possible to get somewhat more specific—though different—answers. One manufacturer says record companies are primarily interested in about 12 key markets "where about 85% of the business is done." He names the 12 (not necessarily in rank order) as Boston, New York, Philadelphia, Pittsburgh, Chicago, Cleveland, Detroit, Minneapolis, St. Louis, Los Angeles, San Francisco and Seattle. Secondary targets, he says, are in Texas, New York, the Carolinas and Georgia.

Other record makers disagree. Several point out, for example, that "New York is notoriously *not* one of those markets where hits are made." Some insist that "key" markets change. There also are those who hold that in general—but always with exceptions—markets having 50-kw clear channel stations can usually be regarded as "key."

In addition to restrictions imposed by music specialty, reliance on sales and other systems of selection, many stations also exert specific controls over the relationships between their people and record promoters.

One such is KFWB Los Angeles. Last winter President Purcell sent to record promotion people a letter typical of attitudes expressed by many station executives. After thanking the promoters for "all that you have done in helping the station," the letter spelled out certain operating procedures for the mutual advantage of "both of our businesses":

"1. As you are aware, our program department follows the policy of trying

to give every record a fair, impartial hearing. Therefore, while personal contact is most agreeable, it is not necessary and lack of it will not depreciate the opportunity of a good record getting on our list.

"2. In order that we both may function more efficiently, record promotion men must, like other visitors, be excluded from haphazardly wandering into our operational area. They must remain in the lobby until the switchboard operator has contacted the person they are here to see, and then only go into the operational area by invitation of that specific person, complete their business with him and, like any other visitor, leave him to his already rapid-paced broadcast activities.

"3. Mr. Bill Angell [assistant program director] is assigned the duty of receiving all records; and if the promotion man will contact him through the switchboard, he will make arrangements for receiving same.

"4. Chuck Blore [program vp] cannot afford time away from more responsible duties to get into personal evaluation of individual records before they have been screened by Mr. Angel.

"5. After 6 p.m. Monday through Friday, and on Saturday and Sunday, there will be no visitors allowed. . ."

Record Jury • The records that KFWB plays are picked by two systems. The Top 40 are picked according to sales, the rest by a jury of deejays after Mr. Purcell and the music librarian have screened out about 75% of the some 200 sides KFWB gets each week. Many a station uses the same basic system, but the panelists vary. At WMCA New York, for example, station ownership and management, the program department, music librarian and talent all participate in the selection process.

"We spend more time on this than any one other thing," says Vice President-General Manager Stephen L. Labunski who also has introduced at WMCA a telephone-request poll as an additional guide.

Some stations have a smaller "jury" and at many the deejays are given a free rein on some records. KMPC Los Angeles combines these methods. Program Director Bob Forward and the music librarian pick 15 tunes that are played in every four-hour segment for a week, three or four tunes an hour, leaving 10 or 11 releases up to the individual deejay. This, Mr. Forward explains, is designed to give the station continuity (through repetition of the 15 selected tunes) plus personality (as reflected in the choice of other records by the individual deejays). Along with the 15 must-plays the deejays also get a list of singles "you

should play" and albums "you should play"—not orders, but instructions.

There are, at other stations, variations of the "you should play" alternatives. Some stations supply specific lists from which the deejays can make their "free" choices.

Deejays' Responsibility • By no means do all stations transfer the selection process to committees. The Storz Stations, one of the most successful independent groups, feels selection is the province of the deejay, and that the management role is to make sure that overall objectives and policies are served intelligently by the music that is chosen.

"All Storz stations," says Executive VP George W. Armstrong, "attempt to schedule the deejays on no more than one show per day. Thus they are free to spend the balance of their time auditioning records, selecting what will be aired and preparing the material or chatter best fitted to the music. This also affords the deejay an opportunity to 'balance' his show and takes him out of the 'grab and spin' variety of radio performer."

Deejays at the Knorr station group are given similar latitude within the limits of station policy. But at another major independent group, officials say firmly that "our management picks all the records." Peter Potter, whose *Juke Box Jury* used to be a network show and now is taped at KTTV (TV) Los Angeles and syndicated nationally by NTA, takes a different tack on how it should be worked. In his book the deejay should heed management's preferences last if at all—because, he says, the chances are that these represent what the manager's wife or kids want to hear.

Special precautions • The freedom-within-reason approach does not necessarily reflect management blindness to the possibilities of pressures being applied to get records played (although some operators say they have had no experience with such a thing). Some, like KFWB, go so far as to write anti-payola clauses into their deejays' contracts. More often they recognize some benefits along with the dangers, trust their employees to know the difference—and stand ready to fire if the situation gets out of hand.

"With radio so important to the economic success of record companies," says Storz' Mr. Armstrong, "there are naturally going to be some in that industry who will go to great lengths to insure the playing of a record. However, most companies engage only in legitimate public relations with our program directors and personalities. They invite our people to lunch or dinner and in the process sell themselves and their new releases.

"We feel this kind of record com-

pany activity is both acceptable and even desirable. However, if the selling process becomes pressure or bribery, we are most emphatically opposed. Stations who permit their personnel to be bought are courting disaster—to their audience, their integrity and finally to their pocketbooks. Gift of television sets, expense-paid vacations, boats, cars and what-have-you are clearly as much a bribe as outright cash. Storz policy expressly forbids our people from accepting any such gratuities, and we have had virtually no trouble in making it stick."

Small-station problem • Even among stations who take the most elaborate precautions against payola there is a feeling that record promoters perform valuable services, aside from the free records they supply. This, of course, does not apply to all stations. Many of the smaller ones don't get even free records, or, as one operator put it, "have to fight like hell to get on the free list."

It is hard for these neglected stations, who usually can least afford to buy their own music, to understand why companies that send out 3,000 copies of a single release can be so blind—or deaf—to the needs of smaller outlets. Don't these stations influence record buyers too?

Obviously they do. Their problem has been explored by many experts. Howie Leonard of WLOB Portland, Me., who incidentally calls himself a "musicaster" rather than deejay, could be writing the majority opinion for the little stations when he says that, although he's not a victim of the system himself, it probably could be licked in some fashion such as this:

"Distributors, record companies and publishers: Bring your mailing lists up to date. At least twice a year, send out questionnaires to management for a revision of deejay personnel at the station. . . . Besides, who needs five copies of a record? Why are records sent to every deejay on the staff? Why not send them to the program director only, and thereby service more stations."

Other services • Extra records, not only for broadcast use but in greater quantities when needed, represent one of the company "services" that are cited by favored stations and promoters alike. "If we say we like a record and need 10 copies," says a prominent West Coast broadcaster, "they'll get them to us even if it means flying them out from New York." Other testimony indicates that the number could be multiplied and the record companies, if the need and the station were important enough, would still be happy to oblige.

Promoters say that sometimes the

situation is reversed and deejays perform a service for them by *not* playing records. "If they don't like them, they won't play them," says Norman Greer, executive director of advertising and sales promotion for Dot Records. "Friendship helps, but very seldom will a deejay play a record out of friendship if he doesn't think his listeners will like it. And we don't want them to. If the deejays turn down our records we're happy because this lets us know we're on the wrong track and we can change." One recording company executive, it is said, carries this reasoning to the extreme of advising deejays to steer clear of his own records when he thinks they're bad, on the theory that plays alone won't sell a stiff.

Truth is a Virtue • One of the promoter "services" mentioned most frequently by broadcasters is one that many people take for granted in any business. "They don't lie" is the tenor of this tribute. The rationale, hard to dispute, is that record pluggers know they would get caught and forevermore be suspect if they let their enthusiasm bruise the truth in promoting a bad record.

Most program men, like the Westinghouse group's Program Manager Bill Kaland, feel that "record people should be welcome at the station. They have ideas on talent and programming, for instance, and when we need an artist for a special appearance they can arrange it or make the introductions for us. They're service people, essentially, and while it's part of their business to get their records played, it's a part of radio's business to play the records it wants to play."

On the same theme, Executive VP Herbert Greenspon of Columbia Records (who finds "some good" and "some bad" practices in the broadcasting and recording business relationship but prefers not to discuss the bad) points out the helpfulness of promotion men in keeping jocks abreast of doings in other markets, supplying background on artists and records for on-air chatter purposes, and otherwise helping the disc-spinners do a better job. To these may be added such diverse and generally undisputed services as contest ideas, promotional material for station use, background reports and personal-appearance arrangements.

One Last Service • Buddy Basch, a free-lance promotion man, reviewed these and added a few additional items to the list of promoter services in a speech to the deejay convention in Miami:

"... Service is our business. . . . We don't want you fellows to play what you don't like—what doesn't fit your

format or your personality or your time slot. All we ask is that you listen and give the items we're handling a fair shake in today's cluttered market.

"I have personally produced literally dozens of shows and events for disc jockey friends and helped with anniversary parties, securing theatre tickets and accommodations when they came

to New York. I've even spent the afternoon on the telephone locating an artist for some of you fellows—many times an artist I wasn't even handling. I've helped work out and judge contests, worked out on-the-air and other gimmicks for audience pull [and] provided comedy material in a couple of cases. I've written and placed trade paper

items on occasion, as well as working out a 'mail pull' gimmick to show the boss you have listeners."

There is another service, not usually cited, to which Mr. Basch apparently attaches considerable importance. He mentioned it three times in his speech. The service: Finding better jobs for disc jockeys.

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The authoritative service for executives engaged in all branches of the television arts & industries

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NEW TALL-TOWER KING is WGAN-TV Portland, Me., whose 1,819-ft. structure soars 9 ft. higher than that of previous record-holder KSWB-TV Roswell, N.M. (p. 8).

THE HQ PROBLEMS, AS SEEN BY STATIONS MGRS. in response to our questionnaire (p. 8).

LOW-LIGHT COLORCASTING looms as WLWT Cincinnati field-tests developmental GE image-orthicon (p. 9).

Manufacturing & Distribution

23-IN. SET PARADE joined by Zenith & Westinghouse, both using Corning twin-panel glass approach. Westinghouse's set due in 30 days, Zenith's after New Year (p. 17).

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TV PRICE BOOSTS are possible for early next year, either on spot or across-board basis, as result of rising component prices (p. 17).

Networks

WESTERN UNION INTO coast-to-coast microwave, as Air Force orders data-processing system for \$5 million a year (p. 3).

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CARROLL TRIES AGAIN to salvage sabotaged bills banning off-record contacts with FCC, other agencies (p. 9).

PASTOR'S WESTERN QUICKIE HEARING on small-town TV produces reiterated arguments from antagonists (p. 9).

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NETWORK STUDY BUILDUP continues at FCC, with staff aiming for ultimate showdown testimony of network executives (p. 10).

Finance

SET MAKER PROFITS UP: Sales & earnings of TV-radio makers continue to show increases. Latest to report: Motorola, Philco, Admiral, Westinghouse, Magnavox (p. 21).

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WHAT CAN HAPPEN NOW? Ignited by the quiz scandals, demands that "somebody do something" about TV are going to flare again & again from more & more powerful forces during this critical phase of TV's development. Let's step back and try to evaluate the prospects for remedies currently proposed:

(1) Censorship? Of course not. No explanation needed. Entirely counter to the American tradition.

(2) Industry self-discipline? Of course. It's under way, firmly. A "czar"—the "strong man" to lead & protect? Most unlikely. No industry sentiment for it.

(3) Govt.-subsidized network, as an example & competitor for commercial networks? Not a chance. Can you see Congress voting money for this? Outright grants to ETV stations are something else—probable, eventually. But Congress won't authorize federal operation of ETV network or stations.

(4) Direct regulation of networks by FCC, via new law? Likely—but not fundamentally significant. FCC has always been able to reach networks through their licensed oco's. May be "untidy" administratively, but it works.

(5) Iron curtain between sponsors & programs? Let advertisers buy spots, not programs, as in Britain? Fair possibility—led by networks and backed by FCC & Congress with new rules or laws.

(6) Protect broadcasters from fraudulent outside TV producers? Yes. Congress will pass law to punish those who deliberately deceive.

(7) Stricter FCC regulations? Yes. This is the most important factor. It won't come from any new law. Existing laws are broad enough to permit Commission to take licenses away. But FCC won't go that far. It will ask more questions of licensees, call some on carpet, give them uncomfortable time. In short, the old "lifted eyebrow," control by pressure--by "threat," if you will.

Much depends on composition of the Commission. Its current leader, Chmn. Doerfer, and his majority are most reluctant big-stick wielders. Next year's Presidential election is crucial. If Republicans win, abrupt policy change is unlikely. If Democrats are in, great deal depends on new chairman. If Democrat Comr. Robert Bartley succeeds to chairmanship, and his chances are considered good, things will be tougher. If it isn't Bartley, things are bound to be at least somewhat tighter--regardless of who the chairman will be.

One more thing--Rep. Harris. This Democrat from Ark. has been a surprise. Unquestionably, he relishes the stir his subcommittee has created by breaking into the quiz situation and giving it a Washington dateline after it flared & died in N.Y. a year ago. But unquestionably, too, he has shown a restraint that many congressmen just don't have.

✓ **'PAYOLA' PROBES MAY BE NEXT TV HEADACHE:** There's enough hot newspaper copy in mushrooming TV quiz scandal stories (see p. 4) to keep Congressional investigators happily busy--and the industry painfully apprehensive--far beyond this week's scheduled windup of Washington hearings.

And more trouble for harassed TV may come even after quiz sensations peter out. House Commerce Committee Chmn. Harris (D-Ark.) hasn't indicated where his legislative oversight subcommittee will turn next. But it's known that his staffers, under instructions not to talk about it, already are looking into another industry-embarrassing angle--music "payola."

FCC is doing some diligent research on its own, too, to see whether music publishers' practice of under-table payments for on-air performances violates Communications Act's Sec. 317. It's captioned "Announcement that Matter Is Paid For" and it requires broadcasters to disclose use of material "for which service, money, or any other valuable consideration is directly or indirectly paid."

"Payola" practice "has bloomed into big business for independent TV package producers," Variety reported last week. "The payoff is tremendous, running into millions of dollars annually, and makes the money involved in the rigging of TV quiz shows seem like peanuts by comparison."

"Quiz Show Scandal Unrolls Tin Pan Alley Crying Towel," said Billboard in headline over similar story. It told how ASCAP publishing houses have made mutually-profitable deals--now jeopardized by quiz exposes--with TV producers & music directors for music plugging in variation of oldtime disc-jockey pay-off custom carried over from radio.

TV packagers would be first in line of fire if Harris's hunters start drawing investigative beads on this form of hanky-panky on air, which is full of background music, fanfares & songs. But networks wouldn't escape blame for any musical sins of packagers--just as they aren't escaping responsibility for question-&-answer rigging of packaged quiz shows.

Headline buildup for Charles Van Doren as star Nov. 2 quiz witness before House overseers reached new type-size heights meanwhile. What he says--or doesn't say--in his delayed subpoenaed appearances about his \$129,000 success in 1956-57 on NBC-TV's Twenty-One (Vol. 15:43 p4) is sure to get sensation treatment. Van Doren was expected to insist that he be heard in private by subcommittee before taking public stand. Star billing this week also goes to the producers of CBS-TV's \$64,000 Question & \$64,000 Challenge. (Sponsor Revlon told us that nobody from the firm had been subpoenaed or invited.) And NBC-TV & CBS-TV executives have return engagements. CBS-TV pres. Louis G. Cowan, bedded at Columbia Presbyterian Medical center with a thrombosis of the left leg, was interviewed there by a subcommittee investigator. The Harris group, which had not yet heard whether Cowan would appear in Washington, sought a full report on his medical condition. Doubt that he would appear was expressed by CBS sources, who said they expected Cowan to be hospitalized for "at least 2 more weeks."

Overseers were doing their best to heighten atmosphere of mystery & suspense over what's in store for public at hearings. All inquiries at subcommittee offices for names of cast of characters & other planned features of proceedings were turned away by staffers. Sounding like recording, they repeated set line: "Mr. Harris has left instructions that no members of the staff may discuss the plans of the subcommittee." Harris himself was back home in Ark., on barbecue-&-fence-building political rounds.

New entry in quiz act last week was Atty. Gen. William P. Rogers. Carrying out legislative "study" assignment given him by President Eisenhower (Vol. 15:43 p2), he called in CBS Inc. pres. Frank Stanton &

[This is the document referred to in paragraph 2 of Harold Anderson affidavit of 1/7/61 (Exhibit 25) furnished to Commission's staff 1/9/61.]

August 8, 1960

TO WHOM IT MAY CONCERN:

This is to stipulate the intent of paragraph (6) of my memorandum dated November 2, 1959 to Mel Leeds, then program director of Radio WINS.

For several months prior to the above date, we had held many discussions regarding the possibility of Payola being present in radio stations in general and Radio WINS in particular. To the best of our knowledge we know of no existing cases. However, we felt we should take every precaution to insure against the possibility of its occurrence.

It was in light of these past discussions that we again delved into preventive measures in a meeting held Friday evening October 30, 1959. At that meeting it was suggested that means be developed for diverting record company promotional funds into normal advertising channels. Since Mel Leeds, by virtue of his position as Program Director, knew the promotion personnel of the record companies, it was decided that he would be the logical sales contact man for our station. As such, he would be paid the regular sales percentage commission on any promotional budgets which could be converted into regular radio spot advertising.

A copy of this memo was given to Mr. Joseph Stone, Assistant New York City District Attorney together with a full explanation of the background and meaning of its contents. In addition the subject was covered in my testimony before the Grand Jury.

SIGNED: _____

Harold E. Anderson
General Manager

Inter-Office
Correspondence
WINS

To: Elroy McCaw

Date: 11/18/59

From: Hap Anderson

Subject: Daily Report for Tuesday - 11/17/59

Hal Cohen

Interviewed Hal Cohen regarding a position as continuity acceptance. He has some radio experience and is going to submit a resume to me tomorrow.

Sid Halpern

Sid called again regarding leasing of cars and was told that we had already completed our deal. with the Sanders Motors people.

Sabena

Herb Mendelsohn came in regarding a trade deal with Sabena to be used next week by the Bartells. This is something he discussed with JEM and he said he would have the answer on Wednesday.

Madison Square Garden

Received a change of schedule on two basketball games which required a further check with Fred Podesta as to the actual dates and times. Information has been passed on to all concerned.

Metlis & LeBow

Sandy Metlis called from Las Vegas regarding a problem created by a non-payment of Metlis & LeBow Gimbel's Reupholstery account. This has been cleared up by Chuck and Soupios regarding the payment before anything else is run.

Record Company Formula

Spoke with JEM regarding a formula and statement for the purpose of charging record companies a set amount for the playing of their records and the plugging of same.

Pan Am

Talked to Mel Bartell regarding their rate card and the rate cards for their other stations to be used in conjunction with Gotham rate cards by Carl Gallo in setting up a trade with Pan Am.

KLM

Charlie Amato is continuing to work on a KLM trade and hopes to have an answer for us soon.

Inter-Office
Correspondence
WINS

To: Mrs. McGee Date: 2/15/60
From: Hap Anderson
Subject: Daily Report for Tuesday - 2/9/60

PETERS-GRIFFIN-WOODWARD

JEM, Chuck LeMieux and myself met with Mr. Peters and Mr. Teter of PGW and spent a good share of the morning discussing the possibilities of their representation of the WINS property. This organization enjoys a very fine rating in the rep field.

RATE CARD

Went over the rate card with Bob Morrow. Had him break it out at 25% increase across the board.

D.A.

JEM, Lee Gorman and Albert Felix and myself met with Mr. Stone and his two assistants, Davidowitz & Hammer. We discussed as clearly as possible the chronological events concerning the payola situation as pertains to WINS. At this time they were advised of the memorandum of Nov. 2 which I wrote to Mel regarding the cooperation of Mel in obtaining advertising monies from the record companies. Mr. Stone asked Mr. Felix to provide him with such a memo. At that time it was set up for JEM and myself to appear before the Grand Jury on Thursday the 11th.

ACTEEN

Talked to Dick Firestone and set up a luncheon for a week from today with Tony Souprios, Dick Firestone and his sales manager. They are apparently ready to roll on the Acteen promotion since the new tubes and cartoons have been received. They want to bring us up-to-date on their activities next Tuesday with the idea of starting on Thursday the 18th of February.

HA/a

Lacy Contract - dated January 3, 1955

"K. Cancellation.

"This contract may be cancelled:

"(2) (a) By Corporation alone, absolutely at its option, immediately upon acquiring knowledge that Artist has received or has prepared or agreed or has contracted for or has negotiated to receive any pay, emolument, bonus, present or any remuneration or promise of remuneration of any kind, whether actual or implied, in money or any other form, including a chose or choses in action, for playing "plugging" or otherwise promoting or advertising the song or songs or record or records or composition or compositions of any publisher or of any phonograph and/or similar or other company or organization of any kind or character, or of any composer or of any group or any organization of composers;"

Inter-Office
Correspondence
WINS

To: Mr McCaw

Date: 11/19/59

From: Hap Anderson

Subject: Daily Report -- Page - 2 -

DINNER MEETING

Went with JEM to the JDA dinner at the Waldorf Astoria.

HA/a

Talent Meeting

Meeting was held with the talent and programming department with JEM regarding the current Washington investigation. It was clearly stated by JEM that abuses in the past could not be rectified at this point but that any abuses in the future would not be tolerated. It was also determined by JEM that individual disc jockeys when questioned were free to make a statement concerning themselves as individuals but not to speak in behalf of the station. He further stated that any release regarding the station should be funnelled through myself and should have his approval. JEM also clearly made the point that if the individuals were subpoenaed to appear in this investigation that it would behoove them to make certain that they revealed all information requested. Any attempt to evade any questions would lead to nothing but trouble for the individual. He also stated that if any of the people in the room knew of any discrepancies which had occurred in Radio WINS, that he would like to have them individually talk to him concerning these discrepancies. He further stated that the one thing he did not want was to be surprised or shocked by anything that might be revealed in an investigation. In other words, anything that was pertinent to this issue should be divulged now.

TO: STAN RICHARDS, JACK LACY, STAN BURNS, MURRAY
KAUFMAN, LONNY STARR, REED UPTON, BRAD PHILLIPS,
PAUL SHERMAN, STU WALKER AND JUDY CROSS.

FROM: RICK SKLAR

RE: PAYOLA

November 4th, 1960

As an employee of WINS it is your responsibility to report to management, any attempted overtures, bribes or offers to compensate you in any manner whatsoever, for the playing or programming of musical selections on WINS.

Your reports of any such offers are to be as completely detailed as possible, as to time, date, person or persons making the offer, extent of payola and companies and music selections involved.

These reports may be made to myself or to the General Manager.

me

Program Director

cc: Elroy McCaw
Hap Anderson

GOTHAM BROADCASTING CORPORATION

TO: ALL PERSONNEL (GBC) April 11, 1961

FROM: J. ELROY McCAW

RE: POLICY REGARDING OBJECTIVITY IN THE PERFORMANCE
OF DUTIES

It is the Company's policy to require that all employees and individual performers engaged by GBC must refrain from doing any act or following any course of conduct which would permit their objectivity in the performance of their duties to be either challenged or impaired.

To assure full and uniform compliance with this policy, the following standards shall apply:

- (1) The solicitation or acceptance (other than from the Company) by an GBC employee or individual performer regularly engaged by GBC of any payment, gift, or other consideration in any form, directly or indirectly, from any person, firm or institution having any interest in the use of its products or services by GBC, is prohibited. This is not intended, of course to preclude the acceptance of performer's fees or residual payments, to which talent may be entitled under collective bargaining contracts or individual talent agreements.
- (2) The solicitation or acceptance (other than on behalf of GBC) by an GBC employee or individual performer regularly engaged by GBC of any payment, gift, or other consideration in any form, directly or indirectly, from or on behalf of any person, firm or institution whose name, product or service is identified or mentioned, or offered for identification or mention, during any broadcast over GBC facilities, is prohibited.
- (3) The rejection, or influencing the rejection of, or failure to select the services of any performer or prospective performer, or any programming or program material offered for broadcast over GBC facilities, or any product or service offered for sale or rental to or use by GBC, or threatening to do any of the foregoing, unless anything of value is paid, given or credited directly or indirectly to any GBC employee or individual performer regularly engaged by GBC, is prohibited.
- (4) The acquisition or acceptance by any GBC employee or individual performer regularly engaged by GBC, or by any member of his immediate family, of any beneficial or other interest, directly or indirectly in any of the following:
 - (a) music publishing;

- (b) the creation, production, performance, distribution, manufacture or exploitation of music, films, tapes, recordings, electrical transcriptions, or any live or recorded programming;
- (c) the ownership or exploitation of any musical, dramatic, literary or related copyright or performance right;
- (d) radio or television broadcasting (including closed circuit, theatre or pay television);

or in any person, firm or institution

- (e) having any interest in the use of its products or services by GBC,

without first disclosing the same and obtaining prior written consent thereto by the President or General Manager of the GBC, is prohibited. However, this does not prohibit investment in any corporation whose stock is publicly traded or publicly listed on a recognized exchange.

(5) The Company does not favor the performance of outside work by its full-time regular employees. However, such an employee may accept outside employment, or be self-employed, upon consent from his Department Head, which consent will not be unreasonably withheld. Such consent may not be granted, however, except by the President or General Manager, where the work (a) interferes in any way with the performance of his duties within the company, or (b) involves competition with the company, or (c) is for an actual or potential supplier of transcriptions, audio and video tapes, or films. The Company recognizes that some of its collective bargaining agreements specifically provide certain limited exceptions in this regard.

The term "directly or indirectly," as used herein, includes the giving or acceptance of such payment, gift or other consideration to or through a relative, associate, nominee, or any other party acting on his behalf, or to or through any business entity in which the employee, performer or relative, associate or nominee or any other party acting on his behalf has or had a financial interest.

The term "payment, gift or other consideration in any form," as used herein, does not include a customary business or social amenity such as a Christmas gift of nominal value or a business luncheon.

Employees and individual performers engaged by GBC are advised that violations of certain of the foregoing policies and standards on their part

may place them or the Company in violation of existing laws and regulations, and accordingly, failure to comply therewith will subject the employee or performer to dismissal and to such other penalties as might be provided under Federal, State, or local laws.

JEM/a

WINS

7 central park west

new york 23, n. y. . judson 2-7000

Gotham broadcasting corporation

December 4, 1959

Gentlemen:

The management of this station is deeply concerned with the recent publicity regarding the alleged payment of fees or the making of gifts by record companies to disc jockeys. We regard such practices as thoroughly reprehensible and we are seriously concerned with the effect which this situation will have on the public's confidence in our Nation's broadcasting facilities.

WINS will not under any circumstances tolerate the unlawful or immoral acceptance of gratuities by any of its staff. Accordingly we ask that you be good enough to advise us if you, or any of your representatives, have at any time paid any fees, made any gifts or, in any other way, compensated any person employed by this station.

We have sought, through the years, to cooperate with the record industry in making available to the public the fullest possible awareness of your musical releases. We now ask your cooperation in the present situation and request an early reply.

Very truly yours,

/s/ Harold E. Anderson

Harold E. Anderson
General Manager

MALVERNE DISTRIBUTORS, INC.
424 West 49th Street
New York 19, N. Y.
Columbus 5-1872

December 16, 1959

WINS
7 Central Park West
New York 23, New York

Attention: H. E. Anderson
General Manager

Dear Mr. Anderson:

With reference to your letter dated December 4th, please be advised of the following facts. I believe we constitute the oldest independent record distributor in the City of New York and during all the years that we have been in business we have had numerous occasions to meet with the various members of your staff and to receive the benefits of their cooperation.

I can state that, to my knowledge, at no time, with the exception set forth in the following paragraph, have we directly or through our representatives given to any of your employees a gratuity in any form whatsoever which might possibly be classified as "Payola".

The sole exception to the above statement consists of Christmas gifts which were given to all members of your staff with whom we have had any contact whatsoever. This includes all of your disc jockies, your librarians and program directors. Such Christmas gifts have been given to similar personnel of every radio station in and around New York City.

In conclusion I would like to state that at all times when members of my staff had occasion to visit WINS they were treated courteously and equitably.

Very truly yours,
MALVERNE DISTRIBUTORS, INC.

/s/ W. A. Shockey
W. A. SHOCKEY

WAS:df

BIGTOP
RECORDS, INC.

1619 Broadway

New York 19, N. Y.

December 9, 1959

Mr. Harold E. Anderson
Radio Station WINS
7 Central Park West
New York 23, N. Y.

Dear Mr. Anderson:

We have received your letter of December 4, 1959 in which you ask whether or not any of our representatives has paid any fees or made any gifts to persons employed by your station.

First let me state that we are very pleased with respect to the attitude expressed by you in the said letter and are very happy to cooperate with you in your endeavor to do what you can to keep our business a clean one.

For the record, none of our representatives has ever at any time paid any fees, made any gifts, or in any other way compensated any person employed by your station. I may add that we have at all times been satisfied with the cooperation we have received from your station employees.

Sincerely yours,
BIGTOP RECORDS, INC.

/s/ ~~Freddy Bienstock~~

FB:pa

Freddy Bienstock

cadence Records, Inc., 119 West 57th Street, New York 19, N. Y.
Circle 5-1550

December 10, 1959

Mr. Harold E. Anderson
WINS
7 Central Park West
New York, New York

Dear Mr. Anderson:

With reference to your letter of December 4th concerning the alleged payment of fees or the making of gifts by record companies to disc jockeys, please be advised that at no time during the past year that I have been associated with Cadence Records has anyone connected with Radio Station WINS approached me or this office for any gift or payment in connection with the play of our records.

Thank you for your interest.

Sincerely yours,

/s/ Donald Sanders

DS/df

Donald Sanders
Sales Manager

WINS

7 central park west

new york 23, n. y. . judson 2-7000

Gotham broadcasting corporation

December 4, 1959

J & F Distributing Co., Inc.
630 West Baltimore St.
Baltimore, Maryland

Gentlemen:

The management of this station is deeply concerned with the recent publicity regarding the alleged payment of fees or the making of gifts by record companies to disc jockeys. We regard such practices as thoroughly reprehensible and we are seriously concerned with the effect which this situation will have on the public's confidence in our Nation's broadcasting facilities.

WINS will not under any circumstances tolerate the unlawful or immoral acceptance of gratuities by any of its staff. Accordingly we ask that you be good enough to advise us if you, or any of your representatives, have at any time paid any fees, made any gifts or, in any other way, compensated any person employed by this station.

We have sought, through the years, to cooperate with the record industry in making available to the public the fullest possible awareness of your musical releases. We now ask your cooperation in the present situation and request an early reply.

Very truly yours,

/s/ Harold E. Anderson

Harold E. Anderson
General Manager

We have never had any dealings whatsoever either directly or indirectly with you.

J. F. Distributor Co., Inc.

ARCO RECORDS

Div. of American Recording Company
12-16 Jefferson Avenue
Elizabeth, New Jersey
EL. 4-3934

December 8, 1959

Mr. Harold Anderson
Radio Station WINS
7 Central Park West
New York 23, N. Y.

Dear Sir:

With regards to your letter dated December 4th.

We are pleased to inform you that never at anytime have we ever paid any fees or made gifts to members of your radio staff as a means of obtaining radio plays for our releases.

Your staff has always extended us their fullest cooperation with our commercially acceptable records.

In our opinion, WINS ranks first with the record buying audience in the metropolitan area and offers programming that appeals to all age categories.

Sincere thanks to the entire staff of WINS for their support.

Sincerely,

/s/ Edward Dambach

Edward Dambach

ED:cdm

WARNER BROS. RECORDS SALES CORP.

666 fifth avenue new york 19, new york Circle 6-1000

December 11, 1959

Mr. Harold E. Anderson
WINS
7 Central Park West
New York 22, New York

Dear Mr. Anderson:

In answer to your letter of the 4th, which somehow landed in our Chicago office, I can assure you that our relations with the personnel at WINS have been on a very high plane of business conduct.

In the 8 months during which I, personally, have done promotion for Warner Bros. Records in New York, I have never received any hint or suggestion for compensation in any form from WINS personnel for the exposure of our records.

Mel Leeds, Bruce Wendell, Jack Lacy, Al Collins, and all the others have been extremely cooperative in giving our records a fair chance, but always on their own merits and after they have passed the staff auditions.

I am happy to report that our relations have been completely business-like and certainly unmarred by any hint of pressure tactics or financial persuasion on either part. I am sure that any of our records which are played on WINS deserve the exposure and I look forward to continued pleasant relationship with the personnel as in the past.

I hope that this answers your query.

Very truly yours,

/s/ Dom Cerulli

Dom Cerulli
EASTERN DIRECTOR,
Promotion and Publicity

DC:sb

CC: Cook, Chirumbolo, Segal, Burrell

CAPITOL RECORDS DISTRIBUTING CORP.
Hollywood and Vine Hollywood 28, California Hollywood 2-6252

January
21st
1960

Mr. Harold E. Anderson
Gotham Broadcasting Corporation
7 Central Park West
New York 23, N. Y.

Dear Mr. Anderson:

This will reply to your letter of December 4, 1959.

Capitol Records Distributing Corp. shares your concern regarding the alleged activities of some members of the recording industry. We agree that the so-called practice of "payola" is indeed reprehensible and it has never been authorized or permitted by us.

Referring specifically to your inquiry, we have no records or knowledge of any payments or gifts made to your organization, or to any member of your staff, conditioned upon, in anticipation or or in return for any services or favors to us. We likewise have no records or knowledge of any such payments having been made to any other broadcasting organization or members of its staff.

Very truly yours,

CAPITOL RECORDS DISTRIBUTING CORP.

/s/ William Mikels

William Mikels
Director, National Sales Department

/mp

PRESTIGE RECORDS, INC.

203 South Washington Avenue
Bergenfield, New Jersey: Dumont 4-6900

December 9, 1959

Mr. Harold E. Anderson
Station WINS
7 Central Park West
New York 23,
N. Y.

Dear Mr. Anderson:

In reply to your letter of December 4 we are happy to inform you that at no time has anyone at Prestige Records made any form of payment or made any presentation of gifts to disc jockeys on any radio station.

As you probably are aware we are a jazz recording company and since the onslaught of rock and roll we have found it very difficult to make any impression in the New York area with regard to having our records played on the air. However, we have tried to introduce our material as best we can and have refused to be caught up in the insidious 'pay for play' business.

I have visited your station once and must say I was greeted cordially by Mr. Jack Lacy and Miss Cross. Mr. Al Collins receives occasional promotional copies from us but I can assure you we have not made any sort of payment to any employee at WINS.

Sincerely,

Ron Eyre
Promotion.

DYNASTY RECORDS INC.

1637 Vista Del Mar Hollywood 28, California Hollywood 6-1666

December 11th, 1959

Mr. Harold E. Anderson,
General Manager,
Radio Station WINS,
7 Central Park West,
New York 23, N. Y.

Dear Mr. Anderson,

Received your letter of Dec. 4th regarding the recent publicity pertaining to so called payola by record companies to disc jockeys.

We are very happy to state that we have never indulged in this practise, feeling that our records must stand on their own merit.

Our records are distributed through Action Records distributors in New York City, and to my knowledge WINS has been most cooperative without our having to indulge in payola.

We appreciate your concern in this matter, although rest assured that as far as we are concerned, nothing like this exists or has existed between your station and DYNASTY RECORDS.

Sincerely yours,
DYNASTY RECORDS INC.

/s/ Lee T. Palmer

Lee T. Palmer.
V.P. & Gen. Mgr.

LTP/RD

MOnument 6-9220

FIRE RECORDS

271 West 125th Street
New York, N. Y.

December 11, 1959

Harold E. Anderson
Wins-Gotham Broadcasting Corporation
7 Central Park West
New York 23, New York

Gentlemen:

In reference to your letter dated December 4, 1959. We wish to state that when ever we have had the type of records ordinarily programed on WINS. We have gotten good cooperation from the Disc Jockeys, and at no time have we made any compensation to anyone associated with your station.

MCR/rw

Very truly yours,

/s/ Morgan C. Robinson

Morgan C. Robinson, President
FURY and FIRE RECORDS, INC.

TRINITY RECORD DISTRIBUTING CORP.

777 Connecticut Boulevard
East Hartford 8, Connecticut

Butler 9-4349

December 10, 1959

Mr. Harold E. Anderson
WINS
7 Central Park West
New York 23, New York

Dear Sir:

This is to advise that during the time we have been distributing records, and working with the staff of your station we have never, at any time, paid any money or given any other type of gratuity in order to have a record played. In fact, the opportunity to do such has never been presented to us by any of your staff, even if we were in the habit of doing such a thing, which we certainly are not.

Hoping that this thoroughly answers your inquiry, and looking forward to a continued congenial association with you and your staff, we remain

Sincerely,

TRINITY RECORD DISTRIBUTING
CORP.

/s/ Barbara A. Viklinetz

BV:b

CANADIAN AMERICAN RECORDS, LTD.
150 West 55th Street
New York 19, N. Y.
Circle 5-1560

Dec. 9, 1959

Harold E. Anderson
Station WINS
7 Central Park West
New York 23, N. Y.

Dear Mr. Anderson:

In reply to your letter of Dec. 4th, please be advised that at no time have I, or anyone here, at CANADIAN AMERICAN paid any fees, made any gifts, or in any other way compensated any person employed by your station.

As a matter of fact, I would like to take this opportunity to state that our records have always been judged on their merit, and I feel that we have been treated very fairly by all personnel at WINS.

Very truly yours,

CANADIAN AMERICAN
RECORDS, LTD.

/s/ Neil Galligan

NG:
JDB

STRAND RECORDS
A Division of Consolidated Frybrook Industries, Ltd.
157 West 57th Street, New York 19, N.Y.
Columbus 5-0405

December 9, 1959

Harold E. Anderson
WINS
7 Central Park West
- New York 23, New York

Dear Sir:

Regarding your letter of December 4, 1959, in which you ask our cooperation, to which we have your answer, NO, not at any time. No one from your station has ever approached our company for any gratuities of any kind.

At present we have a record in the national top 50 which is making "it" on its own merits.

We feel that if a record has the potential to sell to the buying public, it shall.

Your station has cooperated with our company very fairly in all our releases.

Very truly yours,

/s/ Harry Maselow
General Manager

HM:pv

CALICO RECORDS INCORPORATED
1011 Plaza Building
Pittsburgh 19, Pennsylvania
GRant 1-6277

December 9, 1959

Mr. Harold E. Anderson
General Manager
WINS
New York 23, New York

Dear Mr. Anderson:

I have your letter of December 4, 1959 concerning the payment of fees or making of gifts to disc jockeys in your employ. We have never, at any time, made such gifts or offered to make such gifts or have we ever been solicited by any member of your staff. Calicos relationship with your staff has always been a pleasant one. So far as we know, no man at your station has ever received any gifts or payment.

Sincerely yours,

/s/ ALVIN D. CAPOZZI

ADC:cw

FRATERNITY RECORDS

413 Race Street
Cincinnati 2, Ohio

GA 1 2600

December 9, 1959

Mr. Harold E. Anderson
General Manager
WINS Radio
7 Central Park West
New York 23, New York

Dear Mr. Anderson:

In answer to your letter we are very glad to advise you that Fraternity Records has never been solicited for any form of gratuities by any member of the WINS staff.

We've had the pleasure of meeting Mel Leeds, Jack Lacy and Brad Phillips and consider them outstanding radio personalities. We believe that they will play any Fraternity record that merits playing.

With best personal wishes,

Sincerely,

FRATERNITY RECORDS

/s/ Harry Carlson, President

HC:gh

DORE RECORDS, LTD., INC.
1481 North Vine Street
Hollywood 28, California
Hollywood 2-6608

December 11, 1959

Harold E. Anderson
General Manager
Radio Station WINS
7 Central Park West
New York 23, N. Y.

Dear Sir:

Received your letter dated December 4, 1959 regarding the gift and payola situation which you are so concerned about. May I say that at no time has DORE RECORD, LTD., INC. ~~ever given~~ any type of gifts or remunerations to any disc jockey or program director at ~~WINS~~.

I believe the integrity of your station is well exemplified by the fact that in view of the above it is a tremendous credit to you people, as not more than three or four months ago we had a record "BABY TALK" by Jan & Dean which was #1 on your station.

I hope this is the type of information you were looking for.

Sincerely,

~~DORE RECORDS, LTD., INC.~~

/s/ Lew Bedell

LB:mh

*
*
*
NATIONAL RECORDING CORPORATION

December 18, 1959

Mr. Harold E. Anderson
General Manager
Radio Station WINS
7 Central Park West
New York 23, New York

Dear Mr. Anderson:

Thank you for your letter of December 4. As regards the payment of fees or the making of gifts by record companies to disk jockeys, this is to advise that we certainly have not at any time had any payments of any sort to disc jockeys anywhere.

As to gifts, the only gift we have ever sent to anyone on your staff was to your former music programmer, Ronnie Granger, and that was a wedding gift upon receipt of an invitation.

We appreciate the fine cooperation that WINS has given us over the past year and a half we've been in business. We can't complain at all. You folks have been very nice to N.R.C. and Scottie Records, and are helping us to become a factor in today's highly competitive record market.

We hope that our product may in some way enhance your programming to the benefit of your station and its sponsors.

Sincerely,

NATIONAL RECORDING CORPORATION

/s/ Bill Lowery, President

BL/mht

* * * * *

City of New York)
County of New York) SS:
State of New York)

Leon P. Gorman, being first duly sworn, deposes and say as follows:

1. I was employed by WINS Radio and the Gotham Broadcasting Company on May 19, 1959 in the position of Assistant to the President. Within the first month of my employment, Mr. McCaw, the owner, and I had a meeting regarding what additional steps might be taken in order to be certain that payola did not exist at WINS.
2. Sometime in September of 1959, I was specifically assigned to make definite and personal investigations regarding payola amongst any members of the WINS staff. These investigations were not, per se, for the purpose of looking into any one of our people but rather as an overall study that might include everyone of our employees - from the traffic department to the music library, etc.
3. In the course of my investigations, I talked with executives of such New York Record Companies as ATCO, Jet, Laurie, London Records, Joy, Atlantic, Decca and others. I also talked to many song publishers and other related people in the industry itself.
4. I did see one set of company books showing alleged payola in the form of checks to a disc jockey not connected with WINS and to a former employee of WINS. Still at no time was I able to document any specific incidences of payola to any member of the WINS staff. On the other hand, there were certainly comments that payoffs to various members of various radio stations in New York was frequent. Yet in each instance after nearly six weeks of intensive study, I was never able to talk to a specific person who would testify that he or his company had paid money to WINS - or a WINS employee. Nor was I ever shown an affidavit or a check or a receipt to any individual at WINS for the purposes of playing a record or promoting a record or doing any of the attendant things that have now become associated with plugola and payola.

5. I was told by Mel Leeds in the latter part of November that he had been a consultant for four record companies. And yet the record companies to which he professed to be a consultant in no way showed up in any relation to the analysis that we made on what various "pick hits of the week" we used or "pick albums of the week" or even to our regular working music list. As thorough an analysis as I made on all of the music charts and logs used by WINS in a year and a half period, it appeared that none of the companies with which Mel Leeds was associated had in any way been favored.

6. Full information regarding the situation was presented to the New York District Attorney.

7. During this period, I had frequent meetings with Harold Anderson, General Manager of WINS. We sent a letter of inquiry to approximately 600 record companies throughout the United States asking them to inform us of any case or of any individual who had ever received any monies or gratuities for the playing of records or plugola or for any other associated factors of payola.

8. As a broadcaster of some 15 years standing - 14 of which have been at the management level - it was my opinion in the summer of 1959 as well as it is today that WINS, as a matter of policy before my employment, and, subsequently, made a concerted and continuing effort to preclude payola at any level by any member of its staff.

/s/ Leon F. Gorman

[Stamp: ANNA F. FASANO
Notary Public, State of New York
No. 03-6241943
Qualified in Bronx County
Commission Expires March 30,
1962]

Subscribed and sworn to before me this seventh day of January, 1961.

My Commission expires: _____ Notary Public in and for:

/s/ Anna F. Fasano

City of New York)
County of New York) SS:
State of New York)

Harold E. Anderson, being first duly sworn, deposes and say as follows:

1. Shortly following my employment at Radio WINS, May 9, 1959, the question of the possibility of payola occurring in the station was discussed. The point of our discussions was basically the same, i.e., to determine whether we were using every available safeguard to prevent such an occurrence. Prior to the Legislative Oversight Committee investigations in November 1959, I discussed the possibility of payola with the program director, Mel Leeds, and with various of our announcers and music librarians. At no time did any member of the staff indicate in any manner that they know or felt anyone employed by WINS was involved in payola.

2. On November 2, 1959, following a meeting between Mr. J. Elroy McCaw, Mel Leeds and myself, I dictated a memo to Mel Leeds regarding the many phases of our discussion. This memo had a paragraph which referred to WINS securing Record Company advertising. A detailed explanation of this paragraph prepared in August, 1960, is attached.

3. The week following November 20, 1959, I contacted management people at London, Carlton, Atlantic and RCA Records in an attempt to determine whether they had ever paid consideration or gratuities to any members of the WINS staff in return for playing of records or picking of records as hits. The reason for my specifically contacting these four organizations was that these were the ones named by Mel Leeds as those for whom he served as a consultant. The answer from each was the same — that they had never at any time paid any employee of WINS to have a record played or selected as the hit of the week.

4. On December 4, 1959 I sent a letter, copy attached, to some 600 record distributors and manufacturers asking if they had ever compensated any member of WINS' staff. Some sixty-six companies answered our letter in the negative. None stated that they had made any payola payments.

5. WINS has had a continuous policy against payola involving its personnel. Prior to the payola investigations, those who were expected to have any direct contact with programs, were made aware through contractual provisions of the policy. The policy was generally understood by all WINS personnel. Subsequent to the payola investigations every employee of WINS had been specifically instructed as to management's policy against payola.

/s/ Harold E. Anderson

Subscribed and sworn to before me this seventh day of January, 1961.

/s/ Anna F. Fasano
Notary Public in and for:

[Stamp: Anna F. Fasano
Notary Public, State of New York
No. 03-6241943
Qualified in Bronx County
Commission Expires March 30, 1962]

My commission expires: _____

Inter-Office
Correspondence
WINS

To: Elroy McCaw

Date: 11/27/59

From: Hap Anderson

Subject: Daily Report - Monday -- 11/23

Investigation

Spent the entire day until 10:00 PM at night on the investigation on the payola situation at WINS. This included many calls and consultations with JEM as well as with Lee Gorman, Chuck LeMieux and Mel Leeds. I feel there is no reason to go into detail since all concerned are very familiar with what occurred on that date.

Ade Hult

Ada Hult called every hour on the hour to find out what Jack Barnes had been able to do regarding the apartment release. So far we have accomplished nothing.

Mutual Broadcasting

JEM requested that I check on the meeting that McCarthy was to have on Tuesday November 24th regarding the Masterpiece space.

HA/a

Page 2, New York Post
December 9, 1959

WINS Asks Disc Firms To Tell of Any Payola

By WILLIAM H.A. CARR

Radio station WINS today sent a letter to every record company in the country asking it whether it had ever "paid any fees, made any gifts or in any other way compensated" the station's employees.

At the same time, the seven-station Rounsaville radio chain in the South and Midwest warned all the record companies that any company found engaging in payola with the chain's employees would find its records banned from all seven stations.

The letters were the latest development in the growing payola scandal troubling the broadcasting and recorded music industries.

Today the House Subcommittee on Legislative Oversight meets in Washington to decide when to hold hearings on its investigation into payola—the secret payment of bribes to disc jockeys to promote records.

The Federal Communications Commission is conducting hearings on the problem in Washington this week and next. The Federal Trade Commission already has issued payola complaints against nine companies. And more complaints are being prepared.

WINS' letter was signed by Harold E. Anderson, general

manager. Like the Rounsaville letter, it went to more than 200 record companies throughout the U. S.

The letter said:

"The management of this station is deeply concerned with the recent publicity regarding the alleged payment of fees or the making of gifts by record companies to disc jockeys. We regard such practices as thoroughly reprehensible and we are seriously concerned with the effect which this situation will have on the public's confidence in our nation's broadcasting facilities.

"WINS will not under any circumstances tolerate the unlawful or immoral acceptance of gratuities by any of its staff. Accordingly, we ask that you be good enough to advise us if you, or any of your representatives, have at any time paid any fees, made any gifts, or in any other way compensated any other person employed by this station.

"We have sought through the years to cooperate with the record industry in making available

to the public the fullest possible awareness of your musical releases. We now ask your cooperation in the present situation, and request an early reply."

Several record companies told The Post they didn't expect the station to get any information as the result of the letter. They regarded the letter instead as part of the broadcasting industry's effort to placate the FCC, which last week demanded that every radio and TV station in the country submit a sworn report on payola practices by station personnel.

The Rounsaville letter was much more drastic, and a number of companies which regularly engage in payola said off the record that they intended to comply with it to keep from going on the chain's blacklist.

The chain, headed by Robert A. Rounsaville, has its headquarters at WQXI in Atlanta. The other Rounsaville stations are WMBM, Miami; WTMP, Tampa; WLOU, Louisville; WYLD, New Orleans; WCIN, Cincinnati; WVOL, Nashville.

COPY

Inter-Office
Correspondence
WINS

To: J. Elroy McCaw

Date: Nov. 20, 1959

From: Mel Leeds - Program Director

Subject:

Dear Elroy:

With reference to the investigation of the "Payola" situation, I would like to state the position of the management of WINS.

The policy of WINS has always been a firm one against our personnel accepting so called payola for the playing of specific recordings, or the mentioning of certain products and plugging over the air.

If we should find evidence of these improper practises, the personnel involved are aware of the penalty of immediate dismissal.

The music policy of our station acts as a screen against outside influences, and the offering of payola. Wins being a music and news station, has adhered to a music-survey formula. The music played is the result of a tabulation of record sales in the retail stores in the Greater New York Area. We also supplement our survey with the best new recordings released each week- carefully listened to and selected by members of the Program Department, namely the Program Director and his assistants.

THE FOLLOWING IS A STATEMENT OF POLICY OF THE GOTHAM BROADCASTING CORPORATION, GOVERNING THE ACTIVITIES OF ALL PROGRAM PERSONALITIES, ANNOUNCERS AND TALENT WHO APPEAR ON, AND PARTICIPATE IN THE SELECTION OF RECORDED MATERIAL FOR ANY AND ALL MUSIC PROGRAMS BROADCAST OVER, RADIO STATION WINS, NEW YORK, NEW YORK.

The musical selections broadcast over WINS, New York, form a basic and integral part of the program structure of the station. All selections are chosen solely with regard to their artistic merit and program value. No other consideration is a factor with respect to the selection of music. The Company retains absolute control of the selection of all music broadcast by WINS.

In carrying out the following activities, WINS Program Personalities, Announcers and Talent shall be governed solely by the artistic merit and program value of the specific recording which is being evaluated. No other consideration what so ever shall be a factor:

1. Voting on the inclusion or exclusion of new record releases in the WINS WEEKLY WORKING MUSIC LIST OF CURRENT POPULAR RECORDINGS.
2. Selecting of standard material, album selections or past hits from the WINS MUSIC LIBRARY COLLECTION for inclusion in a program.
3. Selection of recordings, currently in the WORKING MUSIC LIST for inclusion in a program, or revision of same during the course of a broadcast.

Broadcast of any recorded material not on the Working Music List or in the library standards collection or interviews over the air of any person or persons during a music show must be preceded by a written authorization by the Program Director.

Announcements or references of any sort what so ever to any commercial or other enterprise, that feature commercial recording artists, including but not limited to stage shows and record "hops" shall be broadcast

only when such announcement has been entered on the official log of the station prior to the broadcast by authorized traffic personnel. Such authorized announcements shall not exceed the time duration stated on the official log.

All records and recorded albums delivered at Radio Station WINS studios, offices and music library are the property of the Gotham Broadcasting Corporation, and cannot be removed from the premises. The only exception shall be worn or discarded items released to a specific individual by special request, by the Program Director.

I have received a copy of this statement of policy and will thoroughly familiarize myself with its requirements.

/s/ JACK LACY 2/28/61

/s/ STAM RICHARDS

/s/ MURRAY KAUFMAN 2/28/61

/s/ LONNY STARR 2/27/61

/s/ STAN BURNS 2/28/61

/s/ PAUL SHERMAN 3/1/61

/s/ BRAD PHILLIPS 2/28/61

/s/ RICHARD WAFFLE 2/28/61

(DATE) 2/28/61

City of New York)
County of New York) SS:
State of New York)

Richard J. Sklar, being first duly sworn, deposes and say as follows:

1. Attached hereto is a copy of the WINS Music Policy.
2. Extensive monitoring of the actual programs broadcast by WINS is carried on continuously. The monitoring program includes, among other steps:
 - (a) Tapes of all broadcasts are made daily. The tapes are retained at least one month.
 - (b) The tapes are spot checked against the programs and musical selections scheduled for broadcast to determine whether the programs, selections and commercials scheduled for broadcast are in fact broadcast.
 - (c) Live monitoring is done from time to time by management. Checks are made for good taste, program balance, and other factors affecting the station's program service.

3. He is program director of Station WINS, and has been such since the end of January, 1960, and that between 1957 and January of 1960 he was a program producer and handled promotion for Station WINS, New York, New York.

/s/ Richard J. Sklar

Subscribed and sworn to before me this seventh day of January, 1961.

/s/ Anna F. Fasano
Notary Public in and for:

My commission expires: _____

ANNA F. FASANO
Notary Public, State of New York
No. 03-6241943
Qualified in Bronx County
Commission Expires March 30, 1962

WINS MUSIC POLICY

The musical selections broadcast over WINS, New York, form a basic and integral part of the program structure of the station. All selections are chosen solely with regard to their artistic merit and entertainment value. No other consideration is a factor in the selection of music. The Company retains absolute control of the selection of all music broadcast by WINS.

The records played on WINS music programs shall be a well balanced selection of basically popular music drawn strictly from approved music sources and programmed according to the musical balance-wheel concept.

Approved Music Sources

1. The WINS MUSIC LIBRARY, STANDARDS, ALBUMS & PAST HITS SECTIONS: A categorized list of all past hits, standards, older popular releases and two copies of each album received at WINS. All items in these sections of the library are to be cross-indexed by artist and title in a file. File cards indicate category, type and pace of selections.
2. The WINS WORKING MUSIC LIST: A list of 70 to 100 or more currently popular musical selections which is compiled at the weekly Music Meeting. The first twenty selections have a numerical standing indicative of their local popularity. They are known as the WINS TEN & TEN LIST. The working music list also contains a new album by THE ARTIST OF THE WEEK and a WINS PIC HIT OF THE WEEK.
3. The New Releases: Where a Disk Jockey believes it is of advantage to the music programming of the station to broadcast a newly released record prior to its audition at a music meeting, the Disk Jockey is to submit the release for audition to the Program Manager, or in his absence, the General Manager. If approved, the new release

is then in the same category as an extra number on the music list (any number over twenty) until the forthcoming music meeting where it is officially accepted or rejected. Once rejected by the meeting, however, it is no longer to be played. Four new releases daily, are chosen each Monday thru Friday, for use on the Record Review Board portion of the 7:00 to 11:00 p.m. program. These records are to be played only on the night they are used in the contest. The winning record may also be played the following night. On Saturday night, the winning record of each night is played in the run-off for a "Champ" record of the night show.

Musical Balance-Wheel

Musical shows are put together by librarians working with disk jockeys to produce a well balanced, well paced show. In any given hour the music broadcast by WINS shall be drawn from the approved music sources and arranged according to the musical balance-wheel concept by category (TEN & TEN SELECTION, WINS STANDARD, ALBUM, WORKING MUSIC LIST SELECTION, PAST HIT, OVERSEAS HIT, ETC.), by type (INSTRUMENTAL, GROUP, MALE VOCAL, FEMALE VOCAL, ETC.) and by pace (UP BEAT, ROCKER, SLOW ROCKER, BALLAD, BLUES, ETC.). In compiling a show, care must be taken to see to it that no two records of the same category, type or pace follow one another and a balance is achieved in the presentation of material. Time periods may not be utilized for particular exposure of more than one selection by a particular artist, a particular album or any particular category, type or pace of music except during the review board contest or the weekly premiere of the new music list.

Interviewing of record stars on shows may not take place without express permission from the Program Manager. Prediction of the possible course that a new record will take, for example, "This new record is sure to become a hit. Don't overlook it." or "Here's a new release that you'll be spending your money on at the record stores or playing on the juke boxes," is contrary to Company policy.

auditioning of all new albums. At this time, it is also decided whether or not to add each of the albums that have come in during the week to the permanent WINS collections.

TYPED MUSIC SHOWS

Immediately after a show is made up, a copy of the music show list shall go to the Program Department. Both the library and the Program Department shall keep a running count of the number of plays given to each record. At the end of each week, any record showing an abnormal deviation from the average exposure given to all current popular records, (a record with an overplay of 10% above the number of plays received by all records in its group) will be automatically dropped from the list for the following week. (Records 1 - 20 which are numerically ranked as the top hits are normally expected to show more play than records 20 - 80, however within its group all records 1 - 20 should average close to the same number of plays and all records 20 - 80 should average close to the same number of plays.)

POSSESSION OF RECORDS

All records and albums sent to Radio WINS by distributors and manufacturers become the property of the station for usage over the air. No records or albums may be taken from the record library except by librarians and air personnel for use on the air. The record library is off limits to all visitors and unauthorized personnel.