July, 1977

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Songwriter Magazine

Songwriter Interview:
Mel Tillis

How Songs are Picked
(Top Producers tell how they choose)

How to Obtain **Legal Advice** Without Cost!

Plus:

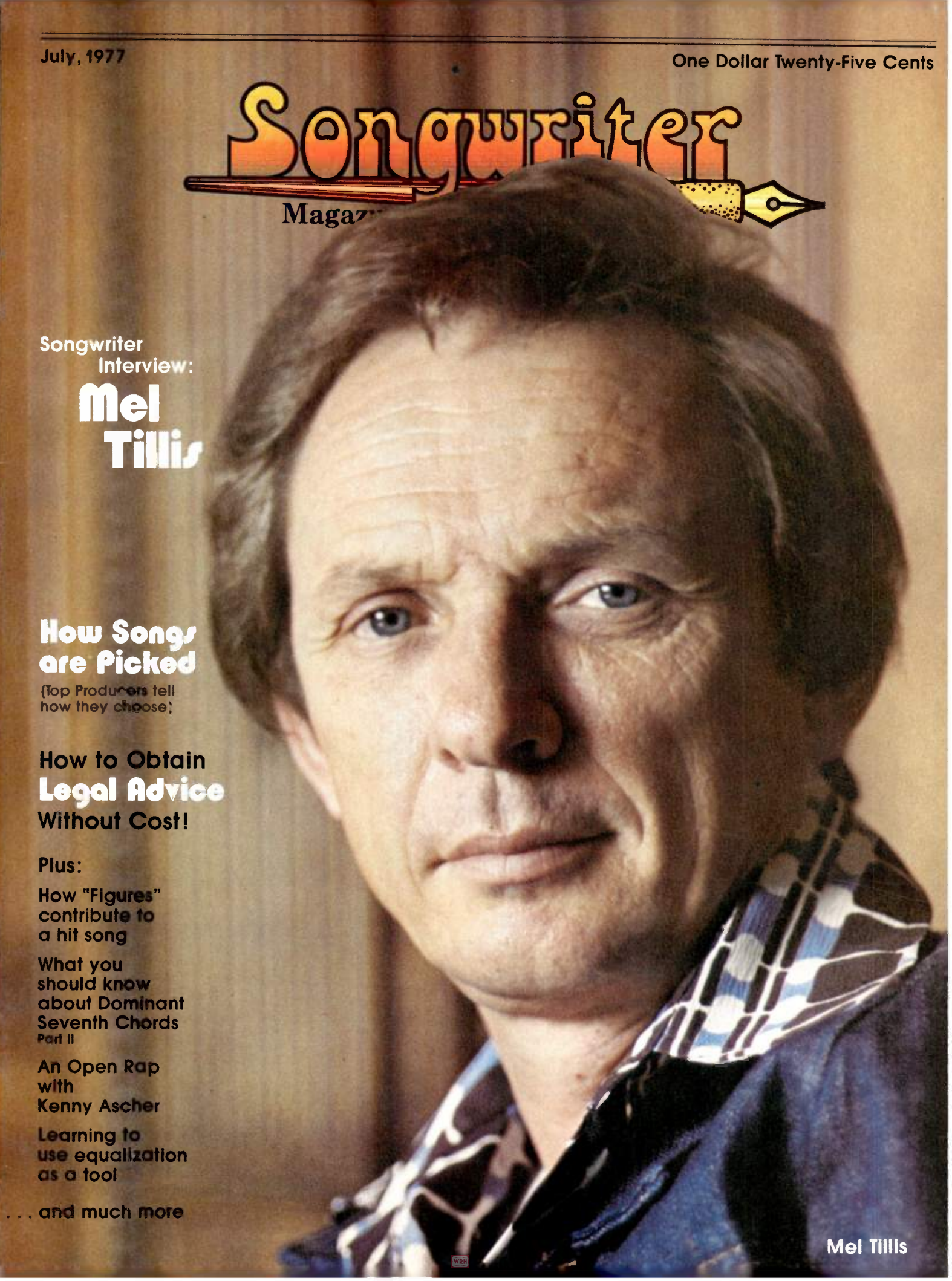
How "Figures" contribute to a hit song

What you should know about Dominant Seventh Chords
Part II

An Open Rap with Kenny Ascher

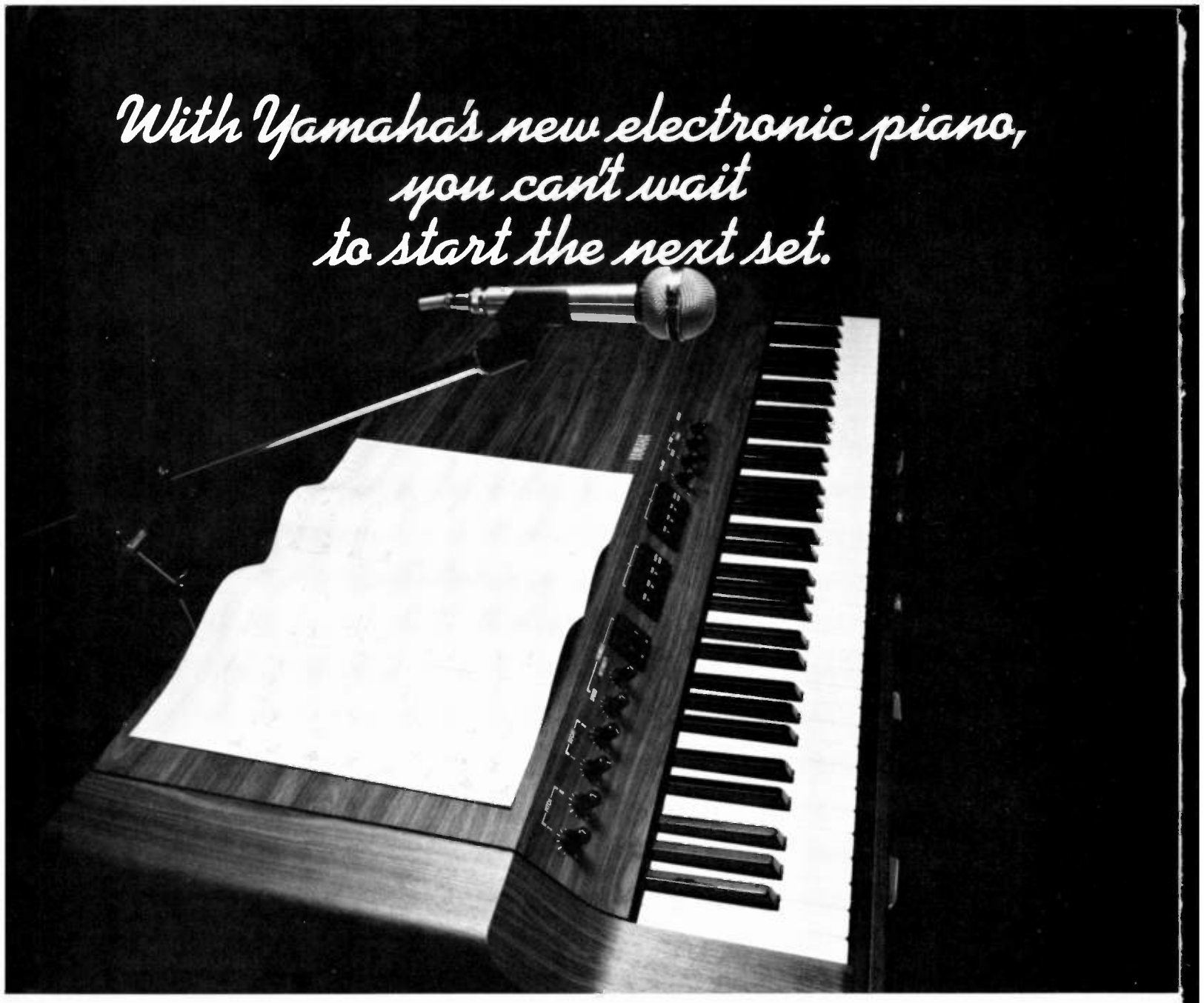
Learning to use equalization as a tool

. . . and much more



Mel Tillis

With Yamaha's new electronic piano, you can't wait to start the next set.



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Len Latimer
Publisher/Editor

Paul Baratta
Managing Editor

Songwriter's Paul Baratta Wins Music Journalism Award!

Paul Baratta, Managing Editor of Songwriter, has been awarded ASCAP's Deems Taylor Award for outstanding music journalism in America. The American Society of Composers, Authors and Publishers cited Baratta's writing for articles which appeared in Songwriter Magazine during the calendar year 1976.

The annual award and prize money of $500, is according to ASCAP President, Stanley Adams, "to encourage, recognize and reward excellence in a field that is vital to the health and growth of America's musical heritage."

Previous to Songwriter Magazine, Paul Baratta was Assistant to the Vice President of A&R for Columbia Records, a post he held following a three year stint as General Manager of Bill Graham's Fillmore in San Francisco. In addition to his experience in the concert and recording fields, Paul has been an actor, theatre director, lighting designer and, of course, a writer.

Other winners of the ASCAP Deems Taylor Awards were: Gary Giddins/Village Voice, Maureen Orth/Newsweek, Karen Monson/Chicago Daily News, Irving Lowens/Washington Star, Richard Dyer/Boston Globe, John Ardoin/Dallas News, and Samual Lipman/Commentary. These awards were for the best newspaper or magazine articles in America on the subject of music. The winners in the book category were Dan Morgenstern for his book "Jazz People", Albert Murray for "Stomping the Blues", Larry Sandberg and Dick Weissman for "The Folk Music Sourcebook" and Geoffrey Stoks for "Starmaking Machinery".

We feel honored that Songwriter joins such distinguished company in this recognition and offer our congratulations to all the winners. And we feel particularly proud of Paul for his outstanding contributions and for making Songwriter Magazine an award-winning publication in its first full year of operation.

—Len Latimer

Publisher/Editor Len Latimer

Managing Editor Paul Baratta

Art Director Bill Reid

Subscription Manager Laura Muenchow

Editorial Assistant Diane McLaughlin

Contributing Editors
Al Kasha, Joel Hirschhorn, Charlie Monk, Ladd McIntosh, Allan McDougall, Richard A. Schulenberg, Bill Littleton, Liza Kevin Hennessey, Leo de Gar Kulka

Research Pat & Pete Luboff

Illustrations Alex Granado

Photography Richard DiLello

Advertising Representatives

Bill Cooley
160 Bleecker St., Ste. 2CE
New York, N.Y. 10012
(212) 260-7520

Lowell Fox
16033 Ventura Blvd.
Encino, Ca. 91436
(213) 990-2950

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Who's Who by Pat & Pete Luboff

LOS ANGELES

Jim O'Loughlin, Director of Creative Affairs
Heath Levy Music Co., Ltd.
100 Universal City Plaza, Bldg 418D
Universal City, CA 91608
(213) 769-1226
Home Office: England, worldwide affiliates
Administered in U.S. by MCA Music

Jim started out as a songwriter in New York. When he began to have his songs published, he became curious about the process and that led him to become a publisher's assistant for E. B. Marks. He attracted attention by placing standard songs with Pop artists, thereby creating record sales in the millions. In 1975, he was approached by Intersong Music to open their first U.S. office in Los Angeles. Two years later, he took on the responsibiltiy of establishing a U.S. office for Heath Levy Music.

Geoffrey Heath and Eddie Levy had held top executive positions with various companies when they met at ATV Music in London. A little over a year ago, they decided to form an independent company — "a broadbased company in the old fashioned sense." They had their first hit within two weeks and have hit the English charts 16 times in their first year, earning the distinction of being the sixth most successful publisher in England. Recently, they acquired the publishing in England for the Eagles, Boz Scaggs and the Steve Miller Band.

There are three Heath Levy staff writers in America: Tom Shapiro had seven of his songs recorded in the first six months of operations by artists like Vicki Sue Robinson and Donny & Marie Osmond; Labi Siffre has a recording deal with Capitol Records; and Paul Korda has the next Roger Daltry single, *Written On The Wind*. Heath Levey has the publishing in the U.S. for three acts: James Gaylyn on RCA; Jumbo on Prelude; and the Atlantic group that got Heath Levy's first U.S. chart record, *Daddy Cool*, Boney M. They also publish sereval

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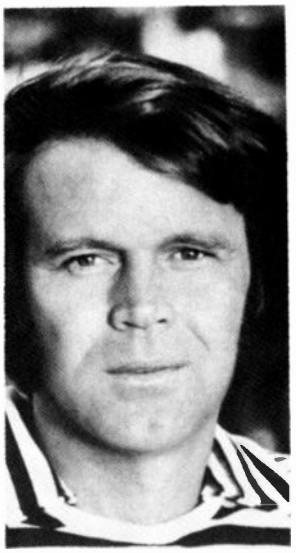

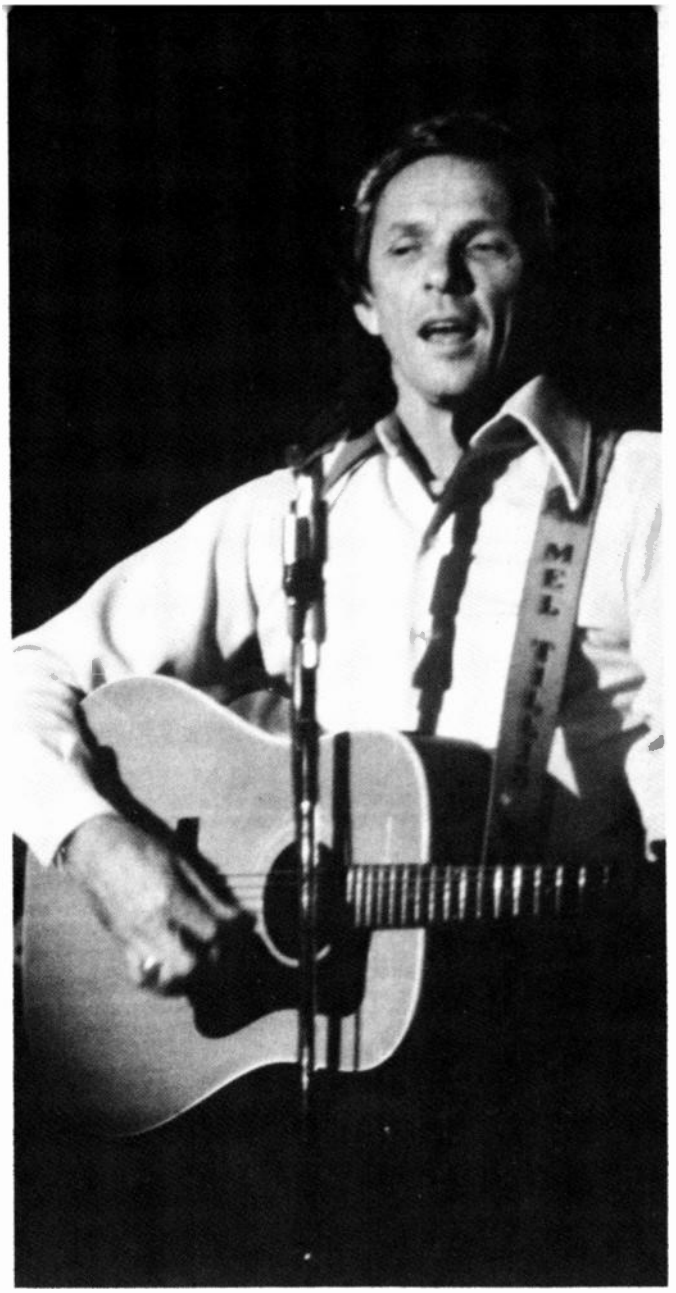

Every Month

THIS IS WHERE TOMORROW'S GREAT MUSIC IS COMING FROM.

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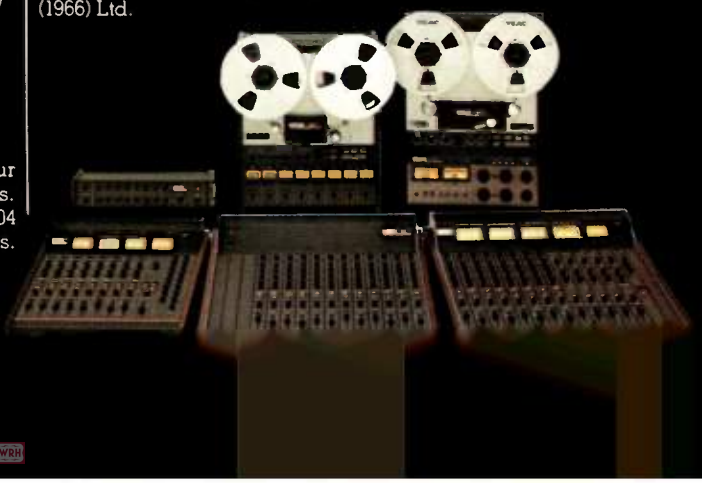


Webb Music

Jimmy Webb's long-awaited album has been released on Atlantic Records. As Jimmy stated in our March '76 issue, the album was to be produced, conducted and arranged by George Martin, sometimes referred to as the "Fifth Beatle." Martin has done a brilliant job of producing and arranging and this has got to be considered Webb's best album. His singing is sure-voiced and, of course, the songs bear the high-quality Webb trademark. Jimmy seems to consistently find the perfect musical expression to accurately capture the emotional content of his lyrics. Some of the standouts in the album are *The Highwayman*, *Moment In A Shadow*, and *Mixed-Up Guy*. To dwell on Webb a minute more, Art Garfunkel's next release will be an album of all-Webb tunes. Both these albums are exceptional examples of songwriting at its best.

Jimmy Webb

Songwriter News

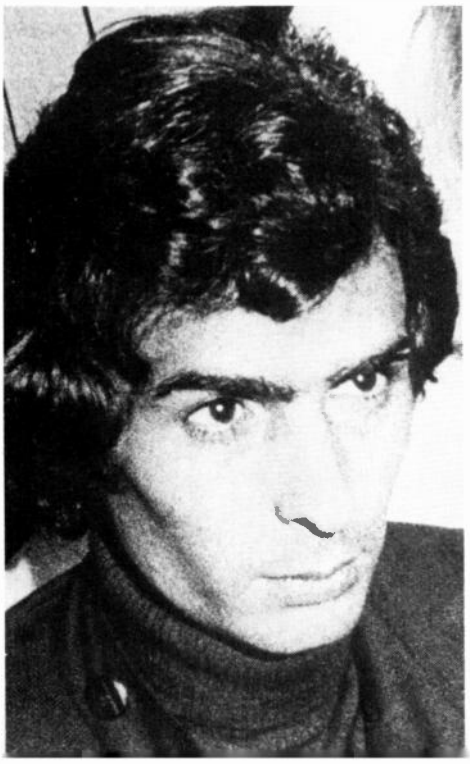
ABC Music - L.A.

Rick Shoemaker, formerly West Coast Professional Manager of the ABC Music Companies, has been appointed to the position of General Professional Manager. Prior to joining ABC, Rick was a local promotion man for Elektra Records and also was head of the publishing arm of the Schiffman & Larson Management Companies. Rick has named Mary Shea to Professional Manager and hired Brian Greer, formerly of Warner Brothers Music, as Assistant Professional Manager. Diane Petty continues as General Manager of the Nashville office, assisted by Blake Mevis.

Columbus Songwriters

For those of you in the Columbus, Ohio area, we are informed that Rich Kimmle has started the Columbus Songwriters Association, a non-profit organization for the betterment of songwriters. For info, contact Columbus Songwriters Assoc., Inc., 3312 Petzinger Road, Columbus, Ohio 43227. The phone there is 239-0280.

Bill Conti



Conti's Climbing

Bill Conti, who scored the film "Rocky", has himself a big hit with the soundtrack album from the movie and the single, *Gonna Fly Now*. United Artists has signed Conti as an individual artist and he is writing songs for his first album collaborating with lyricist Cynthia Weil. Conti, who received degrees in music from LSU and Juilliard, scored such memorable films as "Blume In Love," "Next Stop Greenwich Village," "Harry & Tonto" and "The Garden Of The Finzi-Continis" which was awarded an Oscar as best foreign language film in 1971. Born in Providence, Conti has also teamed with lyricists Norman Gimbel and Marilyn and Alan Bergman, (with whom he co-wrote *The Magic Circle* sung by Ann-Margaret on this year's Oscar telecast.)

ASCAP Appointee

John Mahan has been appointed West Coast Regional Executive Director for the American Society of Composers, Authors and Publishers, (ASCAP). John has been active as a radio personality during his professional career and also as a record company executive. His music publishing career includes launching the West Coast office of Sunbury/Dunbar Music, West Coast General Professional Manager for the Lawrence Welk firms, Vice President-General Manager of Playboy Records where he established their music publishing division, and General Professional Manager of April-Blackwood's West Coast office. In his music publishing background, John has had the opportunity to work closely with writers, artists, managers and producers, which he will continue to do in his new position at ASCAP.

Shown here as Gospel music artist/writer, Terry Harper, signs a SESAC contract as a writer-affiliate, are (standing, l-r) Dave Marsh, producer of the Terry Harper Trio's first album on the Heartwarming/Impact label; Jim Black, SESAC's director of Gospel music; and Terry Harper, seated.

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Model 2

Learning to Use Equalization as a Tool

Part 1

by Leo de Gar Kulka

When a songwriter enters a recording studio to make a demo, or cut a master, the more he understands about the recording process, the more he can effectively communicate with the recording engineer to realize the best sounding end result. This two part article is designed for that purpose.

The final outcome of a recording depends, (to a great degree), on the understanding and proficiency, (as well as his esthetic feeling for the music), of the audio engineer, or "mixer." It is his responsibility to capture the sound in the control room that the artist creates in the studio.

I consider it a necessity for the engineer to leave his place behind the mixing console and go into the studio. There, he should listen to the sound quality created by the various instruments and voices, remember their quality, their balance and tonal characteristics, and then, through proper microphone placement and equalization if required, reproduce this sound mixture and characteristic in the control room. One must remember, that a drum set, which is improperly tuned, which does not sound crisp and sharp in the studio as it is being played by the drummer, can never sound 'right' in the control room regardless of the number of microphones used, the amount of equalization added, or the amount of limiting or compression used. A "tubby' sounding bass guitar, will seldom sound 'right' in the control room, unless the sound is 'right' at the instrument. Consequently it is the job of the *producer*, to have the instrumentalist adjust his instruments until he produces the 'right' sound. If the producer does not know this, it is up to the engineer to make him aware of this in as polite a manner as possible.

Outside of the above, the Recording Engineer is vitally concerned with five things:

1. MUSICAL RANGE: The equipment with which the recording engineer works is capable of reproducing almost the entire world of sound — a range of nearly 10 octaves embracing vibrations from 20 to over 16,000 cycles or beats per second (Hz). However, there are certain restrictions which are imposed upon the recording engineer in accomplishing this totality which are both physical as well as practical in nature. Many of these restrictions may be overcome by two methods: Proper selection and placement of microphones, and by equalization.

2. RHYTHM: The basic framework of a musical composition is rhythm. While the control of the rhythm might seem to lie solely within the domain of the performer, the recording engineer is charged with the interpretation of the rhythm by controlling the mid-range balance to the rest of the sound. (The amount and degree of bass and bass rhythm towards the rest of the sound also varies with the ethnic characteristic of the music. Thus Black Gospel and R&B requires a deep and heavy bass rhythm emphasis to sound acceptable and 'good', whereas this type of balance would be most objectionable to 'white' Gospel Music, etc.) This again is accomplished through the choice and placement of the microphones, regulation of their intensity, and influencing their spectral sensitivity by equalization.

3. VARIETY: The brain, through the ear, delights in variety. Taking as a prerequisite that the orchestration has been properly arranged by the musical arranger(s), it follows that the widest range accomplished by the best spectral balance delivers most auditory pleasure!

4. DYNAMICS: The range from the loudest passage of music (or other sound) to the softest passage, is called the "dynamic range." This transition in music from a soft passage to a louder one is calculated by most composers to achieve a physiological effect. While the ear perceives a dynamic range of one in a trillion (120 db), the recording engineer must limit this to one in a million, (or 60 db), for that is the maximum capability of present day equipment. However, such reproducing media as the 45 RPM pop record, cartridges and cassettes have a signal to noise ratio at best of approximately 50 db. It therefore behooves the recording engineer to keep the lowest passages well above this "floor of noise" by compressing the dynamic range to approximately 30-40 db, which means that in the softest passages the VU Meter should barely move. The experienced conductor or instrumentalist will realize this and conduct or play accordingly. Nevertheless, to accomplish this compression unnoticeably requires all the skill of the recording engineer at the volume controls with the assistance of limitor-compressors and equalization. The spectral sensitivity of the ear changes when the volume level is varied from that of the original performance.

5. SPECTRAL CONTROL: This is a descriptive form for the process of "equalization." It implies the option to raise or lower the intensity of critical sections of the musical range. Further, it connotes a subjective appreciation of the physiological effects achieved through these means to compensate for whatever limits the recording studio and the recording and reproducing equipment might have. Here the question often arises whether the recording is to be mixed and equalized for a good hi-fi reproducer, or a cheap record player, the cassette or cartridge player, or for AM broadcasting with it's limited audio range, etc. Here, more than in any other function of the recording engineer, lies the highest, most sustained expression of the recordists's art.

Multi-channel recording techniques now place this emphasis on the "mix-down" stage, which now becomes even more critical. In most instances, the instruments and vocals have been recorded with emphasis on their volume and individual characteristics only, instead of their place in the spaciousness of the final relationship of one part towards the whole entity.

One should also remember at this point, that the final product will be the disc, and that the sound of the tape with its greater and broader range, will have to be transferred to a disc. One must therefore take into consideration the physical shape of the groove, the ability of the cutter to chisel such a complex groove, and finally the limitation of the tracking of the playback needle as it is required to follow the contortions of the grooves. For the sake of example, the sound of a closely-miked tambourine might sound crisp on the tape. The cutting stylus will engrave the sound in the groove. But the reproducing needle will be unable to track this sound and reproduces a dull "brrp" sound, or skip the groove.

If the recording engineer is not aware of the limitations of the disc-cutting process and groove configuration, he is

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"Figures" - A Hit Foundation

by Al Kasha in association with Joel Hirschhorn

What is a song? Melody, of course, and a lyric that matches and enhances that melody. But commercially speaking, a frequently crucial element in hit records is a "figure" – a recurring vocal or instrumental phrase that ties the material together and in many cases provides the foundation for the song.

It would be a mistake for composers to dismiss figures as the sole responsibility of the arranger or producer. Whatever the writer can contribute to his musical brainchild will add life and lustre to the final product, and give producer and arranger more creative ammunition to embellish on.

Stevie Wonder, currently a chart king and Grammy collector, has utilized figures to maximum advantage. Take *SUPERSTITION* which opens with a pulsating strain that repeats after every line. It furnishes a dance beat and adds cumulative emotion. A glaring gap would be left on this particular record if that figure were removed.

Lennon and McCartney based many of their early classics on figures. *I FEEL FINE* features a driving guitar riff that supports the tune and is integral to its conception. *DO YOU WANT TO KNOW A SECRET* leans on a vocal figure ("Listen . . . ooo ooo ooo . . . do you want to know a secret . . . ooo . . .ooo . . . ooo . . .")

Figures don't only function for purposes of dance pulse or excitement. They add an extra dimension to ballads as well. It's a safe bet that listeners everywhere remember the opening strain of *NEVER MY LOVE*, subsequently repeated throughout the song. This five-note melody set a tone that brought haunting magic to a beautiful ballad.

Naming records where added melodic and rhythmic lines increased commerciality and listening pleasure is an enjoyable game as well as a valuable ear training exercise. When thinking of *YOU KEEP ME HANGING ON* doesn't the linking SOS figure come to mind, which sounds like a lover in distress? And *BABY, I NEED YOUR LOVIN'* wouldn't have been the same without its repeated refrain. Proof of that is the fact that the riff was used in the original production by The Four Tops, and enlisted for fresh service when Johnny Rivers did a new version.

New or old, the device is, at the least, added color, and at most an indispensable factor. *SOUTHERN NIGHTS* by Glen Campbell is light, lively and pleasing – but the guitar figure certainly contributed to its Number One chart position. *I'M SO IN IN TO YOU* and *LONELY BOY*, both recently in the Top Ten, employ instrumental riffs to advantage.

A Conway Twitty country success, *YOU'VE NEVER BEEN THIS FAR BEFORE* staked its firm claim on popularity with a "doo doo doo" refrain. And the perenially popular KENTUCKY *WOMAN* by Neil Diamond is rising on the charts for the third time, aided by an aggressive lick between lines that adds power.

Here are a list of records with built-in background figures. See if you don't remember them, along with, and in some cases even more than the song itself: *DAY TRIPPER* (Lennon and McCartney); *GENTLE ON MY MIND* (Hartford); *DIAMOND GIRL* (Seals and Crofts); *BAD BLOOD* (Sedaka/Cody); *LIVE AND LET DIE* (Lennon/McCartney); *EVERYBODY'S TALKIN'* (Fred Neil) and *BOOGIE FEVER* (Perrin/Lewis).

Figures come in all shapes and sizes. They may be one note, stabbed home by the brass, as in *SATURDAY NIGHT IN THE PARK* or consciously cute echoes like the group answers in *WHAT'S NEW PUSSYCAT*. They may be disco-funky, as in the 1965 version of *EXPRESSWAY TO YOUR HEART*. Going back a long way, they may be sing-a-long as in an early Dean Martin winner *MEMORIES ARE MADE OF THIS* (Sweet, sweet, the memories you gave to me). They may employ Chuck Berry's Memphis riff, or the Bo Diddley rhythm which accounts for a huge percentage of rock and roll.

Figures are sounds, like BA BA BA in *BARBARA ANN* by the Beach Boys, and *DOO WA DIDDY DIDDY* in Mannfred Mann's early hit of the same name. Where would pop music be with out sha la la, shooby doody or yea yea yea?

The examples are too numerous to list, but no great rock and roll creator has omitted figures from his or her repertoire. The wailing sax in an early Lieber and Stoller composition, *YAKETY YAK* was effective as rhythm and as satire. Phil Spector's *TILL HE KISSED ME* as well as his much-later *MY SWEET LORD* had the helpful glue of memorable connective notes in common. Look at almost every hit by The Four Seasons, from *WALK LIKE A MAN* to *DECEMBER, 1963*. The prolific Paul Simon turned out *59TH STREET BRIDGE SONG (Feelin' Groovy)*, *MOTHER AND CHILD REUNION* and a host of others with contagiously catchy figures, and realistic producers like Bob Crewe, Joel Diamond, Mike Curb, Gamble and Huff, Richard Perry, Gary Klein, Snuff Garrett, Don Davis, Freddie Perrin, Tom Catalano, Billy Sherrill, Freddie Perrin and Vinnie Poncia are always alert to any possibility of using imaginative fills in their work.

Listening to records should not be a passive process. It's fine for a transistor-carrying teenager or a Sunday driver to soak up the overall impression conveyed by a record and be satisfied . . .but a songwriter can benefit by acquiring selective hearing. A good record is a treasury of creative detail, as is a good book, play or motion picture. More things are relevant to total satisfaction than are at first apparent. Not the least of these are the rhythmic and melodic licks, and if you can acquire a heightened consciousness of their presence and their contribution, you will start to conceive them automatically as part of your songs. It can't be stressed what a major influence this will have on your writing career. ○

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AGAC

"Askapro"

An Open Rap with Kenny Ascher

AGAC STARTS "ASKAPRO" SESSIONS

When you need to know, ask a pro—that's the theory behind AGAC's new service for lyricists and composers. Since mid-February the ASKAPRO songwriter question-and-answer sessions have been held every Thursday at AGAC's New York Office. All cleffers are welcome and only a phone call is necessary to reserve a place.

Lou Stallman—one of New York's busiest writer/producer/artist takes time out every week to moderate the sessions. Recently, Ken Ascher dropped by to rap with writers. Following are excerpts from that two-hour discussion:

LOU: When you have a work sesion with Paul Williams, how do you get started?

KENNY: In a certain way it's a Hollywood story. It's like a Donald O'Connor TV show where they used to sit down at the piano and compose. As funny as it sounds, it's that line about, what did you say, you know, and somebody says the line again. I think that will make a great title for a song. Paul and I write somewhat like that. In trying to explain to each other what we're looking for emotionally or intellectually, it is not unlike us to use a scene from a movie, since we are both very interested in film. We use anything that we can to communicate to each other.

One of our favorite films is "To Kill a Mockingbird." Even though the lyrics are not going to say the same thing that Harper Lee's novel said and the music is not going to be like what Elmer Bernstein wrote for that picture, we find certain kinds of emotion for songs in movie situations.

LOU: Kenny, could you mention some things that you've done together?

KENNY: Sure. *You and Me Against the World* is one of them. Various songs of ours are *Loneliness, Inspiration, Little Bit of Love* and *You Know Me* and let's see, about five songs for the recent "A Star is Born." And then with Carol Sager, I was lucky enough to have a R&B hit on the song *With You* with a group called The Moments. Interestingly enough the song, which is a very broad kind of a ballad, was written for another artist; and the difference between the kind of record I imagined would be done on the song and what came out was so different it was really surprising.

I guess the reason that I bring this up is that you just never know what producer or what record label or what publisher is going to find something in a song and put it together with a certain artist. The thing that you really owe to yourself is to make your song as good as possible—as literate as possible, if that's what you are trying to be.

If there's a certain use of slang or a certain type of English that you think your song needs, then by all means, use it. The type of songs I write with Paul and Carol are more geared to ballads or Broadway-show type of tunes where one really has to be quite literate, I think.

You just have to decide when you are writing what you want that song to say. Don't be afraid if you're a lyricist to go ahead and say it the way your inner being tells you to write it. And if you think of chord changes that are a little strange, go ahead and write them because they may be the ear-catching thing for the song.

It also depends whether you are sitting down to write a hit tune or not. There are composers and lyricists who sit down to write hits in today's market and there are writers who sit down just to write songs. That's what you have to decide. Sometimes, of course, you get lucky. You write what you want and it's a hit too.

KENNY: I'm sure every composer and lyricist is sometimes surprised at what will turn somebody else on. What turns you on sometimes won't turn other people on. I remember playing something that I sort of liked for Gene Lees who is a very fine lyricist. After seeing how much he liked the song, I became more inspired about it. Gene served as an audience.

Of course, there are songs that I love. In the first album I did with Paul, *You and Me Against the World* was very successful off that album when Helen Reddy recorded it. But another ballad on that record hasn't been as successful and it feels like a child of mine that I want to push in front of everybody and say, oh, listen to this one, too, do this one.

WRITER: I have a question based upon what you said in regard to a particular song you played for Gene Lees. You got turned on to it even more because he liked it so much. Does that other external inspiration become very important?

KENNY: Oh, it does. Some of us need it, some of us don't. I like audiences, even if it's one person. I love feedback. I usually write with other people, but there are songs that maybe I should write alone or could write alone; however I choose to write with other people because I like the feedback. In a certain sense you're creating a dramatic situation together. Even if you write a twelve-tone kind of a Schoenbergian song, you are setting up with the use of a lyric and the music a dramatic situation whether it's a story song or it's a you-and-me kind of song.

WRITER: I like the fact that you said that one can sit down to write a hit song or one can sit down to write a song.

KENNY: That's right. You have to write a great deal. I don't write as much as I should because besides writing songs, I am involved in studio work a lot. Sometimes when I get home at the end of a busy day in the studio, my tendency is to not even listen to any music. I'll turn on the television or read a book. I can work 18 hours a day if I have to, and some days it's necessary, but a lot of times I need to get away from it too. Sometimes, especially after a night session that was really good, I'll get very inspired and come home and write. Or I may really feel like staying in the studio and writing because that's where I become inspired. If the guy lets me stay an extra 15 minutes, I'll write down some quick chord changes and sort of a plan of attack for myself. The more you can write, the better. You get more technique. I don't mean the kind of technique that you need to play the piano. By technique I mean the putting together of your resources to get down on paper, or at least in your mind, exactly what you want to say in the easiest and the most understandable way. You know, there is no substitute—no matter how much you study scores for actual writing hearing what you write. After you write your lyrics and your music, of course, what seems very clear to you may not be to some other people. Working on "A Star Is Born" was an interesting thing because Barbra Streisand insists on absolute clarity.

KENNY: Of course, that's subjective because there are certain things that we write that we feel are very clear. Then we find that somebody else doesn't understand it as well. Of course, when you are working with and for someone, as Paul and I were on the picture, you have to decide where to argue, (and I

continued on page 38

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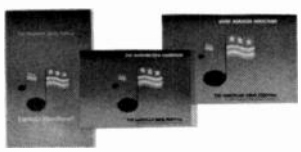

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Charlie Monk's Music Row

The "King of the Cowboys" and the "Queen of the Cowgirls", Roy Rogers and Dale Evans came to Nashville to record an album for Word called *The Good Life* under the direction of Buddy Huey. Tunes included are the title song by DALE EVANS, *"Jesus, Walk Past Me"* by KURT KAISER and *"He Walks With The Wild and The Lonely"* by BOB NOLAN.

Young DEAN RUTHERFORD played the role of Leamon on the CBS TVer *Nashville 99*. DEAN and JOHN SCHWEERS wrote *"She Calls It Love"* for Johnny Rodriguez.

Nashville songwriters lost one of their biggest "tub thumpers", EDDIE MILLER, due to a heart attack. I called him "Eddie One Song" because of his hit *"Release Me"* — however — MILLER had several hundred recorded songs.

Jazz great Stan Kenton played a concert here at Vanderbilt University and restated he thought "country Music was crap".

Connie Smith has just completed her first session for Monument Records with producer Ray Baker. Connie, along with Sonny James, Jeannie C. Riley and Skeeter Davis are devout Christians and will not record "running around" and "honky-tonk" songs.

Singer/songwriter LINDA HARGROVE taped a half hour show for Voice of America. The show will be broadcast in Moscow and dubbed in more than 20 other languages.

All of Conway Twitty's children have taken stage names — Jessica James, Joni Lee and Charlie Tango. Twitty's real monicker is Harold Jenkins!

Frank Sinatra, Jr., with the help of Billy Strange has put together his first "country" album. He recorded songs written by DANNY and RUBY HICE, KIM MORRISON, JIM OWENS and JANET McMAHAN. MS. McMAHAN who plays road show keyboards for Roy Orbison says it's hard to realize what a super star Orbison is in Europe. During a recent English tour McMAHAN was being interviewed by the BBC and bumped into Mary Reeves Davies, singer Jim Reeves widow. After more than a decade since his death, Reeves' records still top the European charts.

B. J. Thomas' acknowledged "born again" experience has started a career in the Christian music field. His first album for Myrhh Records, *Home Where I Belong*, is gaining acceptance by church folks and secular fans. The album was produced by a young man named

JONI LEE (TWITTY-JENKINS)

CONWAY TWITTY (JENKINS)

CHARLIE TANGO (TWITTY-JENKINS)

JESSICA JAMES (TWITTY-JENKINS)

(l-r) Manager Dan Perry, Brother Jerry Thomas, producer Buddy Huey. B. J. Thomas (sitting).

appropriately, Chris Christian. The title song was written by PAT TERRY. CHRISTIAN, along with J. J.'S wife, GLORIA, ARCHIE JORDAN, BROWN BANNISTER, AARON BROWN, GARLAND CRAFT and SHANON SMITH contributed songs. CHRISTIAN, whose real name is Chris Smith, wrote a provocative song *"Why Does The Devil (Have To Have All The Good Music?)"* for his solo album.

Billy Carter is not the only "smiler" to get him a Nashville agent. Bob Harrington, the Chaplain of Bourbon Street, has selected Celebrity Management, Incorporated to shake his tambourine. C.M.I.'s Bob Bray says they will promote Harrington as "The World's Most Exciting Inspirational Entertainer". Harrington reportedly will record an album for RCA.

Hargus "Pig" Robbins was named "Superpicker of the Year" for the second time by the local NARAS Chapter. Chapter prexy is *Record World's* John Sturdivant.

A.F.T.R.A. — Nashville, honored charter member Louis Nunley for his years of "selfless service". Nunley was an original member of the Anita Kerr Singers. Local leader Carol Montgomery presented first President's Award.

Mel Street has signed with Polydor to be produced by Jim Vienneau and Jim Prater.

Didja Know that the Blackwood Brothers Quartet started with Roy, Doyle James and Roy's son R.W.?

Dr. Hook recorded *"Sleeping Late"* written by SHINK and DIANNE MORRISON and JONATHAN LEE'S *"I Couldn't Believe"*. LEE wrote, produced and sang on a series of commercials for Libby Foods, and got John Conlee to record his *"Let Your Love Fall Back On Me"*.

According to a recent *Billboard* survey, the average playlist on country music radio stations is about 60 records. Those stations surveyed added about 9 songs per week. Top 40 stations add 2 to 5 new tunes weekly.

Stars and friends of the Grand Ole Opry are mourning the loss of stage manager Vito Pellettieri at 87. He held the Opry post for 43 years.

Allen Reynolds has added George Hamilton IV to his production pleasure. The new album *Fine Lace and Homespun Cloth* is "The Number's" finest in a long time. Me and my son Collin kinda like the ALEX HARVEY song *"Cornbread, Beans, and Sweet Potato Pie"*.

A couple of Muscle Shoals albums I like are Marie Osmond's *That's The Way I Feel* directed by "General" Rick Hall. (Listen for BARBARA WYRICK'S *"Didn't I Love You Boy")* — and Joe Simon's *Easy To Love,* put together by "John R." Richbourg. Simon included MICKY NEWBURY'S *"Sweet Memories"*.

If you're a Christian music fan, you've got to get a copy of *Assurance* on Tempo, featuring RICK POWELL conducting his arrangements of great classics like *"Blessed Assurance"*, *"I'll Fly Away"*, *"Heavenly Sunshine"*, *"What A Friend"*, *"The Old Rugged Cross"* and more.

Sonny James In Prison In Person was recorded behind the walls of the Tennessee State Prison and James is the only performer on the album that is *not* an inmate.

Larry Butler has resigned his post as head of United Artists Nashville and gone independent. In addition to Kenny Rogers, he just produced an album on Steve Lawrence and Eydie Gormé for United Artists.

When visiting Music City, the places that feature hardcore country music are George Jones' Possum Holler, The Western Room, Webb Pierce's Rhinestone Cowboy and if ya wanta try it, the Deeman's Den.

CONNIE SMITH, MONUMENT'S NEW ARTIST.

HAPPY TRAILS TO YOU.

SONNY JAMES CONNING FOLKS.

Start

Bill Littleton and Merle Travis

Nashville Songwriters Association

I can not tell you as a songwriter how it feels to have a million seller, or even a chart record, or even a major label single . . . in fact, a lot of you will be surprised just to know that I am a songwriter – it seems to be one of Nashville's best-kept secrets. Yet, I've heard my mother-in-law sing snatches of my songs unconcsiously

from The Inside By Bill Littleton

as she works in her garden in Mississippi, and I've seen friends slap their knees at certain of my lines performed in public or private, so something must be working.

Due to my barely dampened feet in the actual business of songwriting, let me concentrate mostly on the esthetics. For starters, I am a compulsive writer. I don't always LIKE to write; I don't always ENJOY it, 'cause sometimes it absolutely refuses to come easy, but I've learned that applying pen to paper is the only therapy for a lot of mental tumors that grow in my mind and have to be removed for the preservation of my sanity, songs . . . or whatever I write.

On cut one, side one of his first album (before *"Gentle On My Mind"*) John Hartford said, "If I had not made this record, I would have still made these songs; I would have sung 'em to my friends and my family and myself, I reckon."

Indeed. I don't intend any put down of the commercial aspects of songwriting, but I don't think we should ever lose sight of our friends and our families and ourselves as audiences. If we are anywhere close to the average, most of what we write, proportionately, will be less than hotcakes on the general market, but as we strive to communicate more forcefully to the audience at hand, some funny things can happen on the way to another jam session — some of those songs might start making new friends for us.

An article like this is always a good place to share a trick of the trade, or two, and never let it be said I was greedy about either one of my tricks. I've always inferred the first one; write to the audience at hand. That's not as limiting as it may seem (unless you're awfully restrictive in your selection of friends), because human nature is more homogenous than we usually consider it — if a song honestly gets through to eight out of ten of the folks around you, chances are pretty good it could hit eight million out of ten million. That's no guarantee, but it's damn good odds.

Trick number two: Start from the inside. Too many people in commercial music go to the bottom line and work from the outside in to produce what they hope will duplicate that bottom line (what else can we blame all this sameness on?) In other words, they determine the market and create (or contrive) a product for it instead of coming up with a good honest product and THEN building a market for it.

But, ideally, a song, like any other work of art, is an expression of the soul — if it communicates strongly enough, it will create its own bottom line, its own market, the magnitude of which may or may not have a lot to do with financial renumeration. For example, *My Own Peculiar Way* has not been Willie Nelson's richest song in the coin of the realm, but it has made no less an impact on a lot of people, this writer especially included.

The rest of what's involved in being a songwriter is beyond tricks into the land of craft and hard work, of patience and perseverance, of dedication and determination. And, any journey has its pitfalls. A lot has been said about song sharks and unscrupulous producers, but some hazards are more subtle. When I say be careful about showing your songs to other songwriters. I'm not suggesting that anybody might steal your song — I'm simply saying that any creative person can come up with another way to say what you've said, and some folks can better your ego rather brutally in the name of constructive criticism. If you're confident enough in yourself to follow suggestions without sacrificing your personal integrity, get all the help you can round up, but I've seen some promising writers get the steam knocked out of them by premature evaluations. I'm not saying don't show your songs around (how else would anyone know about them?) but be careful.

And, don't set any goals that could let you knock the steam out of yourself. I've heard the stories of folks who get BMI awards after promising themselves "Next year I'm gonna get a BMI award," but show business is too ladened with vagaries and the human ego too fragile for such promises to be prudent.

Also, ward off bitterness at any cost. Before you scream too loudly about "conspiracies" and "politics" and "cliques", carefully examine your own situation. Have your songs been on an honest par with what has been being cut and have you been persistent and cooperative and friendly in your pitching? Personality compatible is crucial in this business, and you simple have to stay with it 'til you find the blend for YOU. Other people's success stories might give you a rough sketch of what you're trying to build, but only you can produce the working blueprint as you are the only you there is. It's inevitable to be influenced but if we permit ourselves to be molded by forces outside ourselves we sacrifice our identity, without which we don't exist.

Which brings us to a word on style. If you insist on bucking the generally accepted ranks of "commerciality," be prepared for the consequences. Sometimes "non-commercial" songs become very commercial but if you write for a narrow slice of public awarness, it's unfair to get uptight if your acceptance is narrow. I personally try to treat each song as a situation all unto itself and let it find its own level, some of which are more relative to more people than others. It gets a little frustrating sometimes for people to expect that all of your songs will be like one or two they've heard, but persistence continues to be the best antidote for that. And, don't laugh at the folks who tell you to 'write it like you feel it:" They're right.

You can buy me a cup of coffee (or we'll share one) sometime and I'll spout off more on the topic, but that's about all the space we have for now — amidst all the advice and rules and suggestions, however, don't forget to WRITE.

About Bill Littleton . . . Since Bill Littleton hit the Nashville scene nearly a dozen years ago, his career has encompassed virtually every area of entertainment success — except having a hit record. Bill has worked as an entertainment journalist . . . doing a great job in all areas of this type writing, he also has credits as an actor, a musician, a performer, a publicist, and pizza cook . . . "all the while persevering for acceptance as a songwriter." He currently represents PERFORMANCE magazine in Nashville . . . and we think that Bill's songwriting is accepted, and he is for some very personal rewarding action because of his good writing, his perserverence and determination, and his total recognition of himself and what he is saying in his songs. A truly noble person, Bill Littleton. He is married and his wife, Connie, works for the Jerry Lee Lewis Organization. — Maggie Cavender

The Autobiography of a Copyright

Edited by Richard A. Schulenberg

Part VII

EDITOR'S NOTE: This is the seventh part of the autobiography of the copyright, *Needing You*, written in 1919 by Benny "Bow Wow" Bilinsky. In Parts I - V, *Needing You* was introduced to the workings of the 1909 Copyright Act by *Barrister Blues*, known simply as Bart. In Part VI, Bart began an examination of the new Copyright Act which becomes effective January 1, 1978.

Through hard work, a case of Scotch, and three boxes of cheap cigars, Bart had mastered the new Copyright Act. With this new found fund of knowledge, Bart set about explaining every aspect of the new Act to anyone who would listen, whether they were interested or not. It goes without saying that as Bart continued, fewer and fewer were interested.

One afternoon Bart attempted to lecture three rock and roll copyrights about the finer aspects of the transmission of foreign signals carried by cable systems from Canada and Mexico. He had no sooner started to quote Section 111 (c) (4) to them, when all three jumped on him and began to pummel and kick him. In truth, I could not blame them. Fortunately, Bart was able to drive them off with no great damage to anything other than his dignity, which had been in a terminal decline for years.

When I reached his side he was muttering Latin oaths to himself under his breath and dusting off his judicial robes. He pointed at the retreating rock and rollers, "Young pups. I told you they had no staying power. How 'about a little *reparatione facienda*?"

I looked at him suspiciously, "What's that?"

"For making repairs. A drink to settle my nerves." He stopped suddenly and got a stricken look.

"Bart! What is it?"

"Something liquid is running down my leg."

"Blood?"

"It better be, I had a pint of Scotch in my back pocket." He checked. "Damn! What a waste of good booze."

Right then and there I decided it was time to get Bart away for a rest. I suggested that he and I go fishing for a few days, get away from the pressures of the new Act. He readily agreed.

So it was that several days later we were drifting lazily about Lake Michilimacknac in a boat named "The Right Hon. B. Ringer." Bart had refused to set foot on the boat I had originally chosen, the "Pequod." He said it was too ominous and refused to explain.

As I poled our scow about the lake, Bart sat back and stared dreamily at the overhead clouds. "Ah, this is the life, lad," he stated. "Away from all those copyrights demanding information on the new Act." He took a sip from his iced Dr. Pepper and Scotch. "I don't think they ever did understand the differences between the old compulsory license and the new compulsory license."

"Which you are now going to tell me."

"My pleasure. My pleasure. You, of course, remember how the old compulsory license works . . ."

"Well, I . .."

"Once there is an authorized recording of a copyrighted musical work, anyone can obtain a compulsory license to record the work by paying a mechanical license fee of two (2¢) cents. . . "

"How'd you do that?"

He waved my question aside and continued, ". . . per record manufactured. There it is, fairly short and simple. Ah, but the new Act, no longer short and, probably, not so simple." He rubbed his hands together with glee. "Just listen to Subsection 115 (a) (1) of the new Act." He reached into a bait bucket and pulled out a copy of the new Act. "Just let me find my place, ah, here it is. Now, and I quote:

'When phono records of a nondramatic musical work have been distributed to the public in the United States under the authority of the copyright owner, any person may, by complying with the provisions of this section, obtain a compulsory license to make and distribute phonorecords of the work. A person may obtain a compulsory license only if his or her . . .' "

He raised his eyes heavenward and commented, "Please note the accommodation to woman's lib, Let's see where was I? Oh yes:

'. . . his or her primary purpose in making phonorecords is to distribute them to the public for private use. A person may not obtain a compulsory license for use of the work in making phonorecords duplicating a sound recording fixed by another, unless: (i) such sound recording was fixed lawfully; and (ii) the making of the phonorecords was authorized by the owner of the copyright in the sound recording or, if the sound recording was fixed before February 15, 1972, by any person who fixed the sound recording pursuant to an express license from the owner of the copyright in the musical work or pursuant to a valid compulsory license for use of such work in a sound recording.' "

Bart paused to wipe a tear from his eye with the sleeve of his judicial robe. "Isn't that beautiful! And that's just the first subsection of the first subsection. Lawyers will never be out of work as

long as there's stuff like that around."

"Yeah, but what does it mean?"

"Let us examine the first sentence and compare it to the old Act."

"I'm sorry I asked. Can't we just fish?"

"Tut tut. The old Act, Section I (e),

said that the compulsory license provision applied:

'Whenever the owner of a musical copyright has used or permitted to knowingly acquiesced in the use of the copyrighted work upon the parts of instruments serving to reproduce mechanically the musical work, any other person may make similar use of the copyrighted work . . . ' "

Bart paused for a moment and looked puzzled, "Maybe the old Act wasn't so short and simple. Anyway, the old Act apparently made the compulsory license effective when the first license was granted, whether or not a record was ever released. Please note that the new Act requires that the record must have been distributed, not just licensed."

"Does that make a difference?"

"Maybe. Maybe not. Think of it this way, under the old Act if a publisher agreed to hold a song for a specific artist without licensing it to anyone else, another artist could, technically, if he found out a license had been granted to the first artist, obtain a compulsory license, record the song, and release his version before the other artist could release the 'authorized' version."

"That ever happen?"

Bart shrugged, "Not that I know of," he waggled his finger at me, "but it could. Under the new Act the record must have been distributed to the public in the United States before anyone else can get a compulsory license."

I pulled the scow's pole out of some mud and gave us a shove, sending us into deeper water. "Big deal. What's a 'non-dramatic musical work'?"

"Good question. There is no definition of dramatic or non-dramatic in either the old Act or the new Act. Back in 1911, Justice Holmes came up with a definition which seems to be as good as any. Did I ever tell you what a snappy dresser Holmes was?"

"Bart, it's bad enough I have to listen to this, will you at least stick to the subject?"

"Old snappy dresser said that it had to relate to a story and that a substantial part of that story should be visually or audibly represented to the audience rather than just be narrated or described

"Okay, so what does it mean?"

"All I can tell you is what I think. Say you write a musical, a Broadway show. That probably fits the definition of a dramatic musical work. You authorize the Broadway cast album and it is recorded. Someone comes along and tries to record an unauthorized cast album. If you refuse to license the recording, he . . . or she," he rolled his eyes heavenward, "cannot then get a compulsory license and release the recording." Bart stopped to take another sip of his iced Dr. Pepper and Scotch.

"Now, let's consider the second sentence of subsection 15 (a) (1), the 'primary purpose' must be to distribute the record 'to the public for private use'. Just think about that."

"Think about what?"

"Think about records made for background music, you know, that stuff they play in elevators." Bart shuddered visibly. "Or what about something recorded just for a jukebox? If it isn't for 'private' use you won't be able to

get a compulsory license under the new act." He chuckled, "Think of the problems that may cause."

"What about the last part in that sub-subsection, about being 'fixed lawfully'? Does that have anything to do with spaying records?"

Bart looked pained. "That just means someone cannot rely upon a pirated record as the basis for saying there has been an authorized distribution of a copyrighted song. You know, there's another subsection to that first subsection which limits the right to obtain a compulsory license. You are interested in this, aren't you?"

"Oh sure." He ignored my sarcasm.

"Subsection 115 (a) (2) says:

'A compulsory license includes the privilege of making a musical arrangement of the work to the extent necessary to conform it to the style or manner of interpretation of the performance involved, but the arrangement shall not change the basic melody or fundamental character of the work, and shall not be subject to protection as a derivative work under this title, except with the express

consent of the copyright owner.'

That means someone cannot diddle around with an arrangement of a song . . ."

"Diddle?"

". . . without the permission of the copyright owner. Of course, you can make certain basic arrangements, but nothing which will 'change the basic melody or fundamental character' of the song." Bart actually cackled with mirth, "Think of the problems *that's* going to cause. *Consortio malorum me quoque maulm facit*. Which of course means, 'the company of wicked men makes me also wicked.' "

I poled silently for a moment. "What about the mechanical license fees under the new Act?"

Bart waved his hand, "Some other time. How about directing the pointy end of this thing toward that lagoon over there."

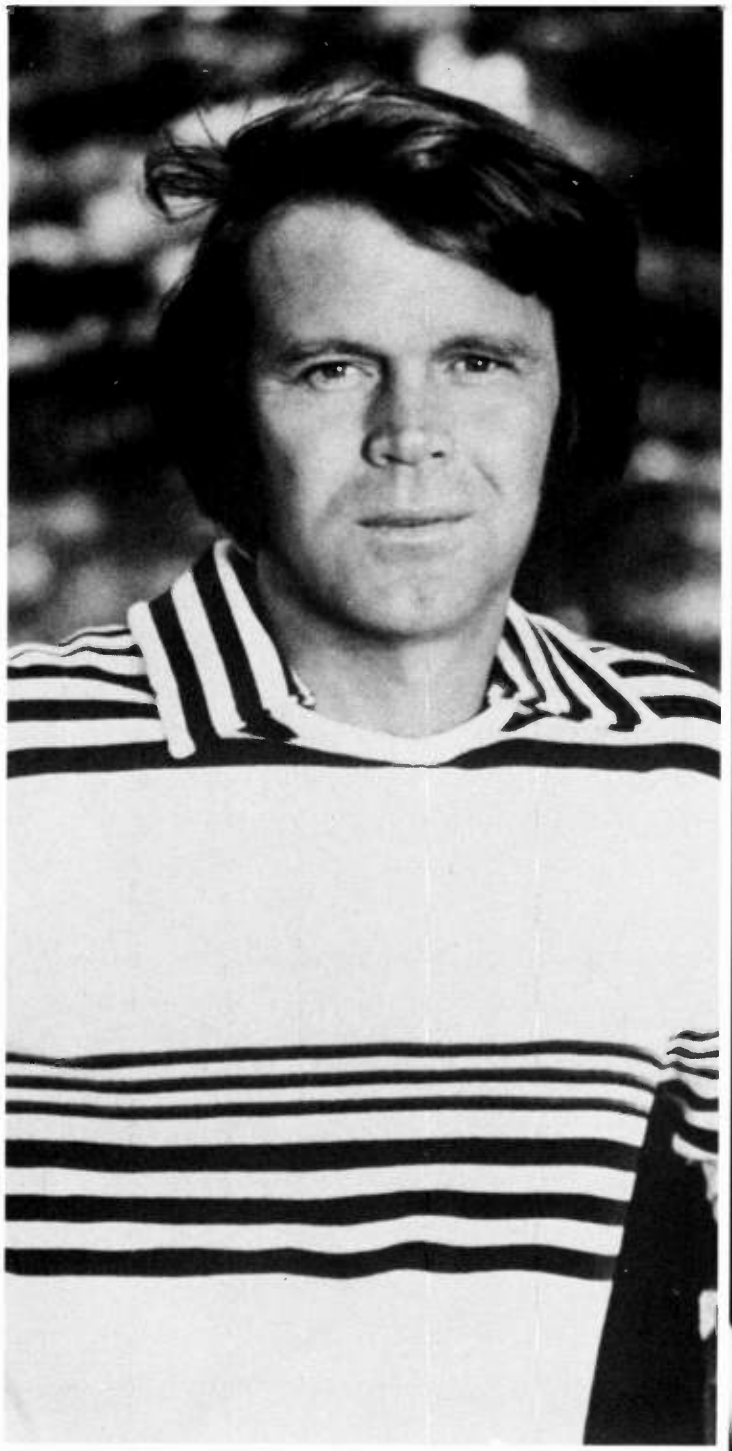
"That's called the bow. And, besides, scows don't have pointy ends, they have flat ends."

"A mere technicality. *Princess of Pango Pango*, a beautiful copyright if I ever saw one, takes her afternoon dip in yon lagoon about this time every afternoon, and I don't intend to miss the show."

NEXT . . .

Money and other delights in the new Act.

EDITOR'S NOTE: This article has been prepared by a member of the State Bar of California as a public service for information on a topic of general interest to songwriters. The reader is cautioned to seek the advice of reader's own attorney concerning the applicability of the principles discussed in the article to the reader's own activities. ☛



Glen Campbell: "More depth than most people realize."

Helen Reddy: "The female voice of America."

How Songs are Picked

Top Producers Tell How They Choose Songs For Helen Reddy, Glen Campbell, Loretta Lynn, and Barbra Streisand

by Allan McDougall

Thelma Houston — great lyric, great hook, great melody.

Loretta Lynn: Catch as catch can.

You hear a hit single over and over again on your AM radio and you think, "What an obvious song for Glen", or you say, "Thelma's the perfect singer for that number, no wonder it's a hit." But where exactly do these songs from from, and how do the record producers select and decide which songs to cut with their artists? In this Songwriter probe, we asked four producers with recent smash hits about their selection method, tracing the hundreds of hours that go into finding those three minutes of gold.

Gary Klein produced Glen Campbell's recent #1 hit, *Southern Nights* and produced the new Barbra Streisand album.

"I use all the sources available to find a song which is maybe a little different, but it must be a well-written song. I go through publishers that I know and writers that I know, writers that I don't know. No matter who the artist is I just go and find the songs wherever I can, anyplace, and I take everything home and listen to it. I'm a song man and I always look for the bottom line. And in the case of Glen Campbell, he can really sing a lot more varied and with more depth than most people realize. Great singer! *Southern Nights* was a song that Glen had suggested I take a look at and I got hold of Allen Toussaint's original version. It sounded great. The words were a bit muffled, so I got a lead sheet on it so we would know what the song was about, and that was it. The feeling's so happy — I got an incredible feeling from the song. A song that has meaning and is very well-written.

"And that's what I do for Barbra, too. Come up with songs that, even if they're different from what the artist was doing, you can see the quality no matter what

continued on next page

vein they are in. We're doing a Roger Miller song with Barbra which, the way Roger does it, is up-tempo and pretty close to straight country. We kinda played around, slowed it down and instead of straight country changes, made it all dissonant chords. And then Barbra could read the lyrics differently than if we had done it up-tempo. It's made the song just an extraordinary cut, you won't believe it.

"The idea is to find a song that's going to take the artist away from where they are and move them forward a little bit. I try to find songs that might not sound like they are for the artist and with the right song and the right artist, it works. It's a matter of using some imagination."

Kim Fowley is one of Hollywood's more flamboyant characters, having been involved in hit records for a couple of decades, from the Hollywood Argyle's *Alley Oop,* though songs on Kiss albums, up to the new teenage female punk-rock sensations, The Runaways. With Earle Mankey, Fowley co-produced the album, "Ear Candy" and the hit single, *You're My World,* which have taken Helen Reddy back to the upper regions of the charts.

"I will listen to any song, sent by anybody, or coming from my various sources. I find them by accident in the course of running around, or from meeting people. At the end of every week, I go into a studio and have the engineer play me all the songs I've accumulated. If the song's not usable, I throw it in the trash; if it's good maybe I'll call the writer and say 'We're cutting tomorrow'; or I might keep it for two or three years until the right situation arises I have a 'hunch' pile, where there are songs that I think would be hits by certain artists that I haven't met or don't know yet — I have them here and just pull them out.

"That's where Stevie Wonder's *If It's Magic* on Helen's album came from — my 'hunch' pile. When I was starting out to do this album, Rupert Perry, Vice President of A&R at Capitol (Helen's label) called me up to his office and said he might have some ideas, and amongst the sixty-eight things he had was the original English pressing of Cilla Black's Greatest Hits, and *You're My World* was one of them. There was a lot of garbage, but *You're My World* stuck out. Two other songs on the album — Becky Hobbs' *Long Distance Love* and Stephen Bishop's *One More Night* I heard when I had my own 'Hoot Night' at the Starwood Club (a popular Los Angeles showcase), — 'An Evening With Kim Fowley And Friends' — which embraced poetry, ballet and songwriting.

"A lot of producers don't have the songwriter actually perform the song in public, they only work with the demo. It just so happens that in this particular context I heard these songs publicly and diversely. People like Mark Anthony of the Hollywood Stars and Eddie Choran who manages the Starwood would lean over to me and say, 'That song's a hit'. I think that Helen Reddy is the female voice of America and I look for songs that have the universal message, pathos, emotion . . . and sunshine power."

Owen Bradley has produced more Country & Western hits than you could shake a stick at, including all of Loretta Lynn's classics, most recent of which was this spring's #1 C&W song, *She's Got You.*

"A lot of people submit songs for Loretta. I listen to songs and she listens to songs and she's got somebody in her office that listens. But we have no real system. It's just catch as catch can. We like for everybody to submit, and we find things and just go in and record.

"I know that one of the better songs I found for Loretta was specially written for her by Shel Silverstein, *One's On The Way.* After fifteen or sixteen years of producing her you just know what's right —and that song was tailor-made for her. A lot of people try to write for Loretta; sometimes they miss, sometimes they get it.

"Seems like we're almost always recording but that way we're always enough ahead that we can come up with an album anytime and come up with singles out of that.

"*She's Got You* was like that; it was in the can for a while. Loretta's a great source for songs, apart from the ones she writes herself. *She's Got You* was her idea. We did it with Patsy Cline a long time ago, but it was a song that Loretta wanted to do. We've had an awful lot of good luck and we're really lucky to be around this long. Coming up with different kinds of songs — that's the name of the game."

Hal Davis is one of Motown's top staff producers. His gold records include hits with the Jackson 5, Diana Ross and the recent Thelma Houston chart-topper, *Don't Leave Me This Way.*

"I first heard *Don't Leave Me This Way* on an album I bought by Harold Melvin and The Blue Notes when Teddy Pendergrass was still the lead singer. I've always been a big fan of Gamble and Huff's writing and Teddy's a big friend of mine. It's one of my favorite tunes and Suzanne De Passe, our Vice President of A&R here at Motown, loved it like I did, so when we were looking for songs for Thelma I remembered I'd always loved it for a girl's song, so right after we cut the track for Diana's *Love Hangover,* we cut this. Now at the time we cut, there was a lot of confusion with the Blue Notes. Teddy had left the group, so I took a gamble. I mean, they might have released it and it would certainly have been a hit single, but I figured that with them breaking up and all they wouldn't release it. It created an opportunity for me, a nice one, and I gambled right.

"I try to keep up with the heavy writers, the ones that's doing things. And I use most of the plug papers, like *Song-Plugger,* to find songs and they send me things from all over. Particularly when you have some sort of a name in the business, people send you tunes. And then we have our staff writers here at Jobete. We go through a lot of material. It gets tougher all the time, even coming off a big hit like Thelma's, it's harder to find something to outdo what you did before.

In two weeks, I go through maybe 200 tunes — I'm screening all the time, looking for something with a great lyric, a great melody, a great hook. And naturally, the track. I have writers with me right now who've got ten or fifteen things, and I have writers coming in from out of town who say they have 100 tunes for me. That'll take a couple of days.

"But I also have my secretary and my assistant, who are well-qualified to know what I'm looking for. We'll kind of split them up and play thirty-odd songs to each other and out of a hundred we'll take two. Then we'll get with the writers and say, 'Can you come up with a better hook here, or a longer fade, or maybe some ad-libs there'.

"I don't know if everybody works like that. I know when I used to be out pushing my songs, I would just be told, 'We don't like it' or 'We'll take it'. But that's what we've been trained to do at Motown; to get personal with the writers and sit down and tell them what we're looking for in a song, what's needed for the hook or for the bridge. A lot of times I will add a lyric myself. You've got to enjoy it though, or it would become a bore of a job."

Four record producers in very different markets, but they all have one thing in common: they are all constantly listening to every song possible, from whatever sources they can find. We hope that, when you sit down to write the next hit for their artists, this feature has given you an insight as to how these producers work and think.♩

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recent cuts by Cliff Richards and Olivia Newton-John.

Jim says, "If you're a straight songwriter, not an artist, when I'm listening to your song I have to have at least ten people who might record the song come to my mind while I'm listening to it the first time, or there's no point in my taking it. That way, by the time the contracts are signed and the demo is made, I'll think of fifty or seventy-five more artists who might do the song. The more versatile a song is, the better are the chances of getting it recorded.

"I look for uniqueness in lyrics, but not so much that most people couldn't relate to them. A catch phrase in the title is good. As for the structure, I like a well written formula song. I also want simple but unique story songs. The better the song, the less of a demo you need. We're in the business of words and music.

"Writer artists can go beyond the structure form as long as they still maintain a structured feeling. In writer artists, I look for freshness, a creative approach.

"I believe, as do Heath and Levy, in the song and the songwriter. We are a back to the roots publisher, hitting the streets with songs and taking our turn on the other side of the desk pitching to producers. It's the best way to keep exposed to what's happening in the industry. The writers make the industry work, and they're often treated the worst.

"You may submit a mixiumum of three songs on reel to reel tape with lyric sheets and a self-addressed, stamped envelope. Be sure to include your name, address and phone number, so I can contact you. I want Pop, R&B and MOR material."

Ted Williams, National Director of A&R
Shelter Recording Co., Inc.
5112 Hollywood Blvd.
Hollywood, CA 90028
(213) 660-1605
Shelter Records are distributed by ABC.
Also: Skyhill Publishing Co., Inl. – BMI
Tarka Music – ASCAP

Ted has been a record fanatic since the age of ten when he got his first record player and began collecting thousands of records and memorizing all the information on the labels: artist, producer, studio, engineer, writer, etc. In 1972, his brother Don, who is Vice President of Skyhill Publishing, asked Ted to join the staff as a song runner. Ted's knowledge of the music scene, especially of which artists were recording outside material, was helpful in his new assignment; to get covers on the songs in the catalog. His success led to a promotion to Professional Manager and he began to produce 8 track demos of the writers signed to the publishing companies. The demos were so good they were getting record deals for the writers and that led to Ted's being transferred to the A&R Department and to the formation of Earwing Productions, a partnership between Ted and Rick Stanley, under the guidance of Denny Cordell.

Shelter Records was formed in 1969 by Leon Russell and Denny Cordell. They released all of Leon's albums from the first to the "Will O' The Wisp", after which Leon split from the company and Denny became sole owner. Some of Leon's great songs from that period are: *Song For you, Delta Lady, Lady Blue* and *This Masquerade*, which won a Grammy this year for the cover record by George Benson. Writer/artists on Shelter include: Tom Petty and the Heartbreakers; Dwight Twilley; Matthew Moore, writer of *Space Captain*, recorded by Mad Dogs and Englishmen and Barbra Streisand; Willis Allan Ramsey, who wrote the Captain and Tennille hit, *Muskrat Love;* country artist Larry Hosford; and a female duo being produced by David Kershenbaum, Lyons and Clark. Their publishing companies also publish songs by Phoebe Snow, J.J. Cale, and Georgie Fame.

Ted says, "All the artists on our label write their own material, so we're looking for writers who can create songs for major artists who record outside material, or for outstanding writer/artists or groups that we might produce. When submitting songs, indicate which artists you think might record them if you are not presenting yourself as a self-contained act. Any biographical or other information will be appreciated, and if you're a group, I'd like to see a picture. My personal preference is for creative, innovative Rock and Roll. I'm also into Blues Rock and Funk Rock. Submissions should be on reel to reel tape with leaders between the songs and all parts of your package (tape reel, box, lyric sheets and cover letter) should be marked with your name, address and phone number, in case the pieces get separated. Send a maximum of three or four songs and include a self addressed, stamped envelope for return of the tape.

"Songwriters should try to encompass the Verse, Chorus, Bridge structure in the song. The title should either be in the chorus, or be a very integral part of the body of the song. If it's in the verse, it should be repeated often and be the main point of the song. The title should be obvious from one listening. Try to write universal lyrics that any performer can attach themselves to without being hypocritical. Try for new, innovative melodies instead of rehashing what's already out. Do a lot of listening to records."

TUCSON, AZ.

Fred Knipe, President
Suncountry Song Co. – ASCAP
Southwest Words and Music – BMI
14 East 2nd Street
Tucson, AZ 85705
(602) 792-3177
Also: Bandolier Records
Suncountry Productions, Inc.
Lee Furr's Recording Studio, Inc.

Fred has been a songwriter for about 15 years beginning in high school where he played with a band, continuing through college at the University of Arizona, during which time he worked at playing and singing gigs, to the present – he's a writer/artist and records on the Bandolier label. In 1974, Lee Furr, who had been chief engineer for Buck Owens in Bakersfield, decided he wanted to start his own recording studio with the intention of branching out eventually into record and music publishing businesses. Lee hired Fred, and for one year Fred was busy full time managing the studio. Then he began to get the record label and publishing companies actively signing artists and songs. Fred also heads Suncountry Productions, which produces master singles and albums for artists.

Suncountry produced Dusty Chaps doing *Honky Tonk Music* on their Bandolier label and released it locally. The song was covered by Commander Cody and Jerry Jeff Walker. It attracted the attention of Capitol Records, the group was signed and their first Capitol album will have *Honky Tonk Music* as it's title song. The RCA Records group, Arizona, records at Lee Furr's studio, and the Bob Meighan Band is produced by Suncountry and also records there. Suncountry has ten artists signed, some of whom are: Lloyd Barron, Country Rock; Cris Buck, Rock and Roll; and Shirley Spencer, Anne Murray-type mid to uptempo Pop. Force is an eight piece Black band that does R&B and Disco. Their single, *Get Up and Get Out* was one of Billboard's "Top Picks."

Fred says, "I prefer submissions on reel to reel tape with leaders between the songs, and a three song maximum. Lyric sheets must be included and send a self-

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Mel Tillis

A Precise, Proficient,

A person interested in the field of songwriting should be primed for adversity and rejection. It comes with the territory. Only those who are patient and who persevere will realize their full potential.

The posture with which one faces adversity can be the determining factor in achieving one's maximum professional plateau. Adversity can be ignored, as if by not acknowledging its existence, it will go away. Or it can immobilize a person by its ever-present pressure so that creativity is stymied. Or it can be met head-on, dealt with and defeated.

This is a profile of a songwriter who persuaded his fears away and faced the music head-on. He purposefully approached whatever adversity existed in his life to carve himself a permanent position in the world of today's music, and a place for himself in the Song-

"Anybody who writes a song has real pride of authorship and thinks it's a hit."

"In order to write a song you have to be rude to people . . . isolate yourself and really think."

by Paul Baratta

writers Hall Of Fame in Nashville.

Mel Tillis was born in Pahokee, Florida shortly after the stock market collapsed. He contracted malaria at age three and, as a result, began stuttering. In the process of growing up, he took a lot of razzing about his speech. Mel was told that it was an emotional problem and would go away. "But it didn't go away," Tillis explains, "and I felt sensitive and embarrassed about it. I found it difficult meeting people and went through a period when I was afraid to get up in front of an audience. I even had a fear of answering the telephone. The fear that you're going to make a fool of yourself."

Mel worked hard all his life to overcome his fear and he found that the best therapy was to go out and meet people and get up on the stage.

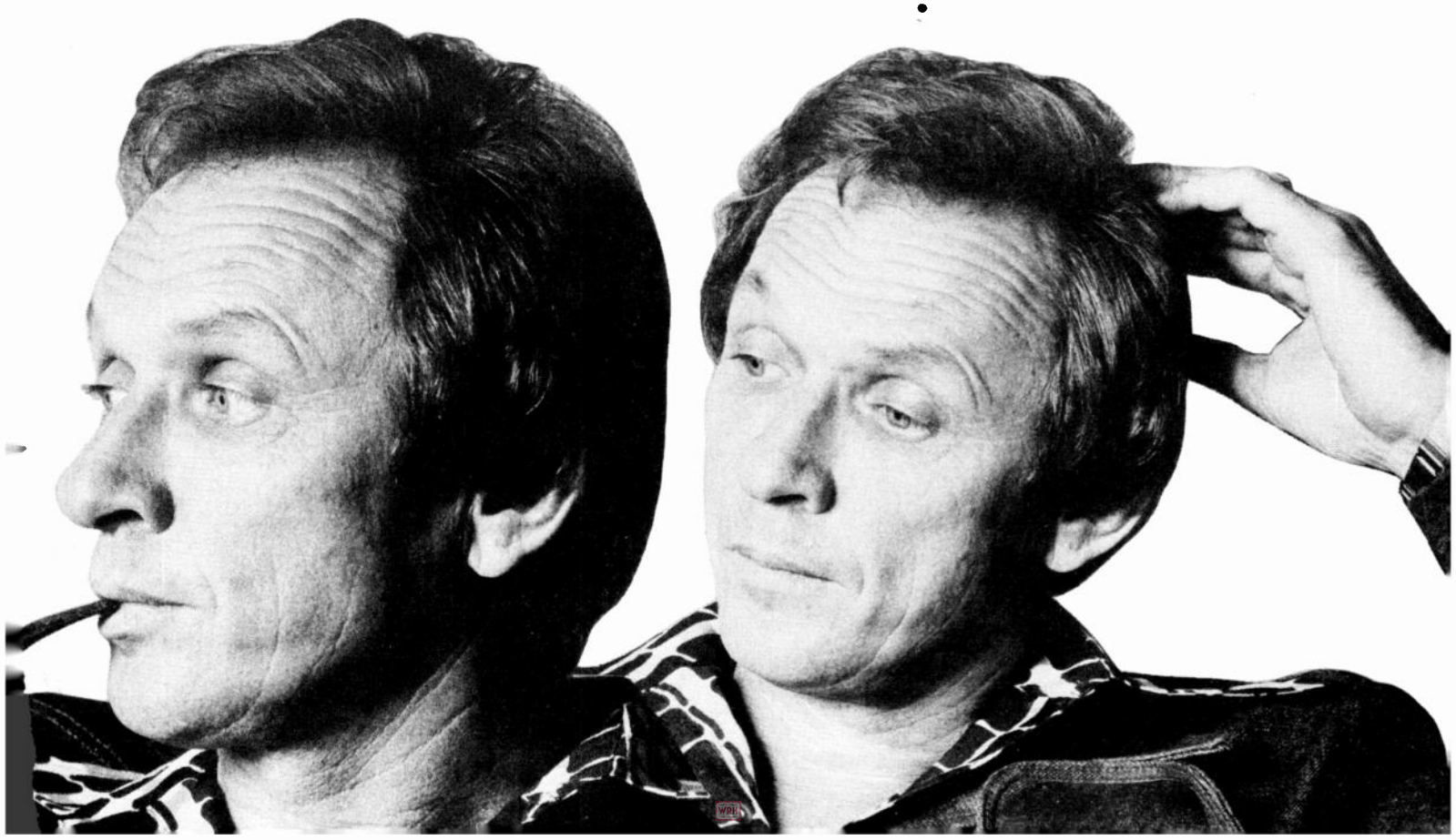
He told us that music was a natural evolvement in his youth. "Ever since I

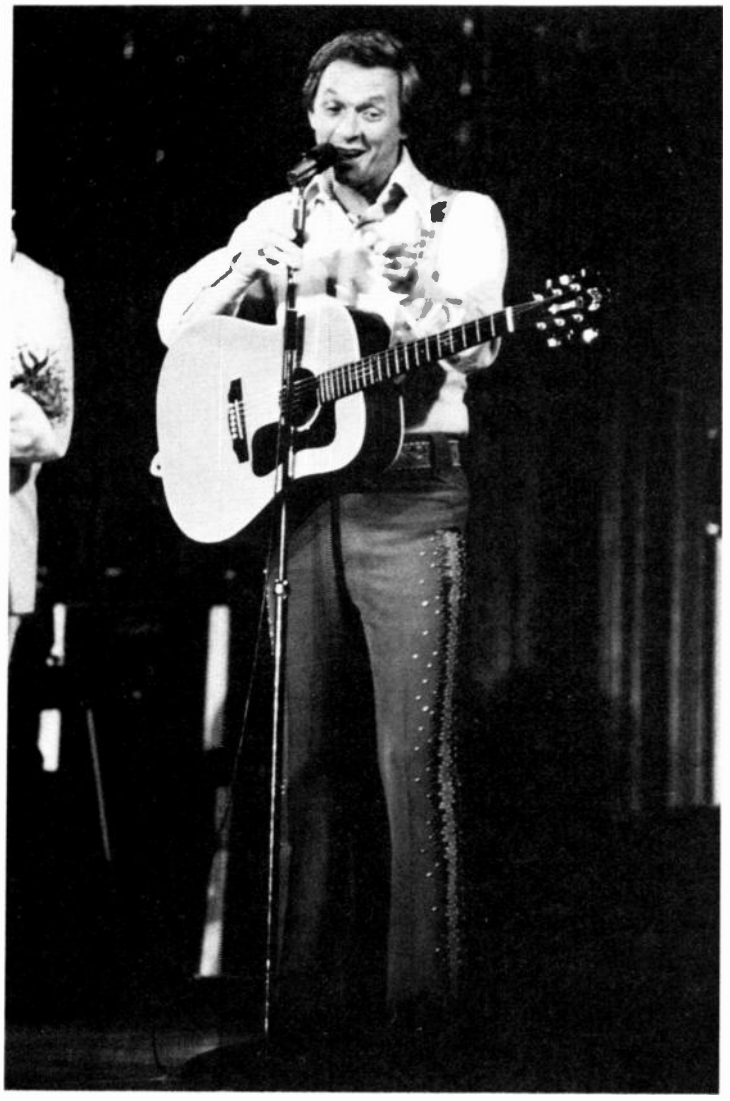
Perceptive Penman . . .

Photographs by Richard DiLello

"A writer has to develop some discipline."

"I have periods of depression during which most of my songs come to me."





Mel Tillis The Performer

was a little boy, my momma used to ask me what I wanted to do when I grew up and I'd say, 'I want to be songleader in the church.'

"When I was in high school, I got into all the talent contests and would get up there and sing with no problem. I have no speech problem when I sing because it seems that singing is a kind of mechanical helper. The different instruments playing along and the movement of the rhythm just seems to help my voice flow along with it . . . like following the bouncing ball.

"I was always interested in some form of entertainment. Even when I was ten or eleven years old, I would sing at Boy Scout meetings or at Lions Club affairs."

In high school, Mel played drums for the school band and began playing guitar when he was sixteen. His brother had bought a guitar and after listening to him play it for two months, Mel decided he wanted to play it. So when his brother wasn't around, Mel would give himself lessons and he taught himself to play. His brother, who was unaware of Mel's clandestine plucking, and unable to master the instrument himself, offered to sell it to Mel. The deal was consumated from the proceeds collected from Mels' mowing lawns and when he took possession of the guitar and played it immediately, his brother couldn't figure out how he did it.

Mel played guitar in the Air Force band and gained experience singing at NCO and Officer's Clubs, as well as playing some dates off the base with the band.

"I was discharged from the Air Force in 1955 and jobs were scarce," Mel relates. "I was 24 years old at the time and I had a speaking problem . . . I could hardly talk at all. I had a tough time finding work. I attended several university speech clinics until I decided the stammer was something I could live with and went forward from there.

"I finally succeeded in getting a job as a fireman on the Atlantic Coast Line Railroad, but I was put on as an extra. That meant that everytime I would go down for a job, I'd get a call, only to be bumped by someone who had more seniority.

"I had to have a job so I thought to myself . . . 'Well, I can sing without stuttering' . . . and, armed with that thought, I lit out for Nashville.

"The reception I got in Nashville wasn't what you would call encouraging. They said to me, 'We don't need singers . . . especially if you can sing but not talk. What we need are copyrights . . . songs!'

"Well, I was no writer so I went back to Florida and did little odd jobs. I picked strawberries, I was a farm laborer, all of which I didn't mind because I was drawing my Air Force unemployment also. So I tried writing.

"One night, Ray Price was appearing over in town and I went over to see his show. I got backstage and met him and he was kind enough to allow me to audition. I had a song I had written out in the strawberry patch one day which was appropriate to were I wrote it in that it said, *Oh Lord I'm Tired*. I really felt like I was a failure out there in the strawberry patch. Anyway, I offered Ray a piece of the song if he would take it to Nashville and record it."

The way Mel worked his way backstage was through a personal manager he had at the time who, Mel later decided, was a professional association that wasn't really needed. The personal manager was a man Mel had met earlier who owned a body shop in Tampa called Honest John's Body Shop. The man had helped a couple of acts get on different record labels and it was he that arranged the meeting between the eager Tillis and Ray Price.

Mel continues . . . "Ray Price took the song back to Nashville and he was singing it backstage at the Opry and Webb Pierce heard it and said, 'Hey, I like that kind of song.' Ray had a song on the charts for over a year at the time and couldn't put out my song just then so he gave it to Webb, who needed a hit. He had had all those hits in a row back then . . . I think it was 38 hits in a row . . . but he had sort of cooled off.

"So Webb Pierce cut *I'm Tired* and it went to number two in the Country charts. I heard it one night on the radio and I liked to died. I didn't know Webb had cut it and I said to myself, 'That don't sound like Ray Price.'

In the meantime, Mel was in Florida waiting for some royalties to come in so he could return to Nashville, but the folks at home didn't understand how long royalties lag behind before they start coming in. "Hey boy, what you doin' here?" they'd ask. "You supposed to be up there in Nashville, rich!"

Unbelievably, *I'm Tired* was the first song Mel Tillis had ever written and represented his entire catalogue at that moment. But, the success of the record inspired him and he started writing other songs.

"I wrote a song called *Honky Tonk* and I cut that as my first record. The year was now 1956 and I decided to move my wife and child, (he had one at the time . . . now has four daughters and Mel, Jr.), to Nashville.

"Nashville was wide open in those days. There wasn't too much competition, but the town was a little shook up by the

rockabilly thing pioneered by Presley. Most Nashville acts were hunting for both bookings and records.

"When I hit Nashville in '56, a whole bunch of new writers started drifting into town. We all hung around together and had a sort of unspoken fraternity. Writers like John D. Loudermilk, Marijohn Wilkins, Harlan Howard, Hank Thompson, Willie Nelson and Roger Miller. We'd all get together at the Orchid Lounge and have a jam session . . . sing each other our songs. It was really close knit.

"In the beginning my songs were mostely experience songs. They didn't start meaning anything until later on.

"Making ends meet financially was a problem in those early years. I got Cedarwood publishing to put me on a $75 a week draw but, with a wife and baby to feed, I needed to supplement that, so I played guitar for a girl singer in the clubs. Roger Miller was her fiddle player. After about a year, I got BMI to put me on a little draw and then I could concentrate solely on songwriting."

And write songs he did . . . over 1,000 songs by his count, 500 of which have been recorded. "I've got 'em stacked in drawers and hid away all over," he states.

Mel's songwriting was instrumental in pioneering the concept of story songs and, together with his cohorts from the Orchid Lounge, helped Nashville to recovery road after the losses to Elvis' *Blue Suede Shoes.* His *Ruby Don't Take Your Love To Town),* perfectly captured the painful years of the Vietnam War. The record was recorded by Kenny Rogers and the First Edition, and ended up as required listening in pop sociology.

In explaining *Ruby,* Mel tells us that, "The song happened so fast to me. I wrote it between my home and my office which are about eight miles apart. I wanted my wife Doris to hear it so I sat her down and played it for her. After listening to it she said, 'That's awful! That's the most morbid song I've ever heard.'

"Actually, Doris' opinion was just about the general consensus. No one expressed any interest in a song about a disabled vet whose wife was forced to work on the streets. My intention was to show a side of war that I felt hadn't been written about previously. Kenny Rogers put *Ruby* in an album about two years after that when opposition to the Vietnam War was peaking and when they released it as a single, it wound up selling a million copies. The lyrics to the song were taken from a situation I had witnessed in Florida."

The same man who could write so powerful an anti-war statement such as *Ruby,* is also the man who could write a gentle chastisement to an ex-girlfriend, titled *Mental Revenge* which says, *All in all, if the curtain should fall, I hope that it falls on you.*

Mel relates, "You probably won't believe this, but I wrote five songs all in one week, *Ruby* included, and they were all downers. Another one of the five was *Mental Revenge.* I also wrote a song about the weak and the strong and how the strong always won and called it *Survival Of The Fittest.* Another was *Unmitigated Gall,* which became a hit for Faron Young and the fifth was *World, What Have I Done?* They were five downers and they were five hits.

"For me, I have periods of depression when most of my songs come. I guess the week I wrote those five songs, I got in a very depressed mood.

"I haven't been writing as much lately as I'm used to. I've got hundreds of ideas that I've jotted down . . . songs that I've started, but haven't finished. In order to write, you have to be very, very rude to people . . . get them out of the way. And you have to insulate yourself from everybody and really think. When it comes time for me to do some writing, I get extremely nervous. I think it comes from the challenge to always try and write something better than the last one, which is awful hard to do."

We asked Mel what he considered some of the prerequisites for a person contemplating a career as a writer?

"Well, there are no rules other than the person has got to develop some discipline. Most of the writers I know are the most undisciplined people in the world. They stay out carousing for weeks and all of a sudden they show up with a hell of a song. Burl Ives told me, 'Mel, you want to be a good writer? You spend an hour a day writing and at the end of the year, you'll have 365 hours of experience.' Something has to come out of all those hours of experience."

Given his experience, we prodded Mel to describe to us how a song might come to him were he just sitting around by himself. What he would do with it, how he would improve it, how he'd fill it out?

He responded, "There's really no pattern I follow. To oversimplify, I start with an idea and add words as I go along, but I realize your readers want more of an answer than that so let me give you a little example of some of the things that I might give thought to when writing a song.

"I've got an idea I've been thinking about for a song called *Drinking My Dreams Away.* First of all, you have to establish a time and you add on to it . . . *Tonight, I'm holding on to the bottle* . . . then you have to have a reason . . . *thinking about the thing that might have been . . . things of yesterday* . . . and so on . . . *and I'm drinking my dreams away.* That's how I develop an idea, but you have to make it all tie in. I remember when I first started writing songs, the end would be different than the beginning. I'd get my tenses mixed up and continuity just went out the window. But I'd say, 'What the hell . . . that's a good song.' Anybody who writes a song has real pride of authorship and thinks it's a hit."

To help some of the new writers, Mel started his own publishing firm, Sawgrass Music Company, named for the grass that grows near his Everglades home town in Florida.

"I started my own publishing company when I noticed that the company I was with would tell new writers, 'I'm sorry, we're not accepting new songs . . . we have our own staff writers.' So I thought somebody ought to open a publishing company."

We featured Johnny Virgin, who runs Sawgrass Music for Mel, in our premiere issue of *Songwriter* in our Who's Who column, and Johnny got a stack of tapes submitted to him.

"Boy, did he get swamped," Mel remarked. "We had to hire people to come in and listen to them. The magazine is really effective. The fact we got a lot of tapes is alright though . . . that's really where it's at. Johnny found one of the songs I released last year as a single through the mail. It was written by a young man in Chicago and it's a fantastic song, so the mails can pay off. If only a handful of songs are found that way, it's all worth it."

Mel's success as a songwriter and entertainer has put him in the position of needing an organization with 18 people on the payroll to keep it running smoothly. "I do 200 one-nighters a year to help support that," Mel states. "My advice to a young writer is don't get involved with other things when you become successful. Buy your boat and go down to Mexico, or the Panama Canal and relax . . . enjoy it. I'm into farming, I'm building condos in Florida, I've been in the movies . . . "

"But isn't that what you dreamed of at one time," we asked, "having all those things? Do you think there'll be a time when you'll get rid of all that and just want a simple life?"

"Yes," he answered, "but I'm hoping that it won't be too far off. When I hit 50, I want to get on my farm."

"That's what you wrote your first hit to escape," we commented. "It's come full circle."

"But I didn't own the farm then," Mel

explained. "I wanted to become a gentleman farmer. You see, I feel songs are gifts. I mean I think I was meant to write a certain amount of songs and I feel that when you start slowing up, that you've said all that you can say. I've done my share of writing and I've been quite successful at it. I'm not ready for the rocking chair by a long shot, but I would like to enjoy some of the things I've worked for. I've heard songwriters say that you have to be poor and to suffer to become successful in this business. I'm not sure that's entirely true although I do think it helps some if you've known poverty in your life. Having experienced the hard times helps you write a song with a little more understanding, and interpret a song with a little more feeling.

"As I said, I'm still enjoying the heck out of this business and am a long way from the rocking chair, but I'd like to ease off a bit and do some harvesting."

Mel Tillis has written 500 songs which have been recorded and which have won him more than two dozen awards. His recordings on MCA sell consistently well, as do songs he writes for other artists . . . *Detroit City* (which won Mel a Grammy Award) was a big one for Bobby Bare, *Mental Revenge* for Waylon Jennings and *Ruby (Don't Take Your Love To Town)* for Kenny Rodgers, are just a few.

He has been inducted into the Songwriters Hall Of Fame in Nashville, appears regularly on all of television's talk shows and last October, was named Entertainer Of The Year by the 5000-member Country Music Association elite beating out Waylon Jennings, Dolly Parton, Ronnie Milsap and Willie Nelson for the honor.

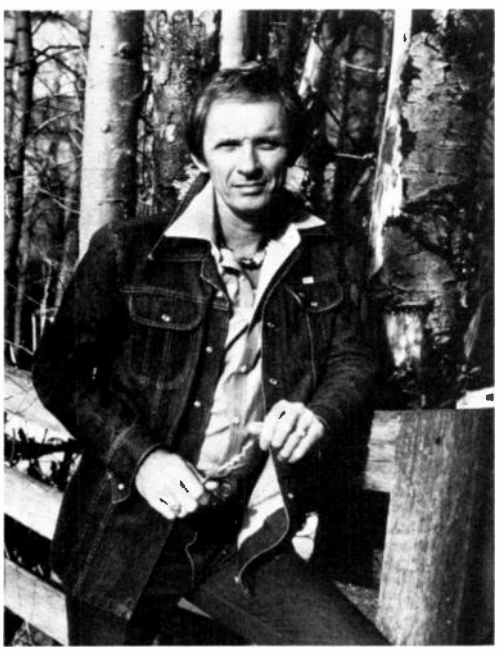
His fond followers include much of Nashville's music scene as well as the general public. "Mel is absolute country, Nashville establishment," comments Jim Fogelsong, CMA board chairman. "He doesn't have crossing over into the Pop market on his mind."

Mel Tillis' career is an object lesson in determination. Given his particular dose of adversity, it would have been easy to choose a passive role in life . . . a non-speaking role, if you will.

But, Mel took his imprecise speech as a challenge to overcome and faced it head to head. "The more I go onstage and feel my independence and that power over the audiences I play to, the less I stutter," Mel states. "One of my main objectives in life has been to whip this thing."

Mel still stutters some, but whip it he has. He has overcome his piece of adversity in life to become a consummate performer and a precise, proficient, perceptive penman. ⁝

Mel Tillis
The Gentleman Farmer



How To Obtain Legal Advice ...Without Cost

By Paul Baratta

Recently a subscriber of Songwriter called me to ask for some advice. He had sent a tape of his to a publisher in St. Louis and it met with enthusiastic response. He was sent a letter by the publisher relating the enthusiasm with which his demo was received along with a "Standard Songwriter's Contract." In his delight at having found someone out there who appreciated his material, the songwriter signed the contract and returned it to the publisher in St. Louis.

Shortly thereafter, a letter was received informing our writer-subscriber that the publisher could proceed no further with the contract unless he received $75 to cover the cost of musicians to cut new demos of the songs. Afraid that perhaps "something was rotten in the state of Denmark," the writer called me here at the magazine.

It was my feeling that the writer had fallen prey to a song shark. Some sharks come on strong and go for a big bite all at once. (i.e. They ask for $700 or more to cut demos which only cost them a fraction of what they ask.) Other sharks are more subtle . . . they nickel and dime you to death. They'll start by asking for $75 for the cost of musicians and will then ask for the cost of tape copies, followed by the cost of leadsheets, followed by the cost of pressing records, ad nauseum. When the final tally is taken, hundreds of dollars have gone down the tubes.

In trying to counsel the writer, I was somewhat at a loss. I felt he had signed the contract without consulting an attorney so as not to incur legal expense. And, too, perhaps if the lawyer advised against signing, it would break the writer's illusion of fame and fortune and he'd rather close his eyes to the pitfalls rather than open them to the possible reality.

As I mentioned, I was at a loss. I'm not an attorney and if I was, I would be prohibited by law to give advice through the mail or over the phone to a person who was not my client. However, being only a layman with an extensive background in the music business, I tried my best to help. I told the writer that a publisher is bound by what is a "legitimate songwriter's contract," to do all he can do to exploit a songwriter's works. This includes fronting all costs, which are not the writer's responsibility. When I asked if that was stated in the

contract, the writer responded that he wasn't sure. He told me that it was a 50/50 deal, but he wasn't sure if that meant that the two cent royalty was split 50/50, or if the publishing was split 50/50. For those that are not familiar with the royalty structure for a songwriter, current publishing royalties are two cents . . . a penny for publishing and a penny for the writer. If you have 50% of the publishing, you receive half a penny for publishing and the writer's penny is all yours. Thus, you receive a penny and a half and your publishing partner receives half a penny. But, if it's just a 50/50 deal, (as I suspect the writer in question had), the publishers' penny belongs to him and the writer owns no part of his publishing income . . . only his writer income.

It was my advice to this writer that he try to break his contract because it was an unfair one and shouldn't have been signed in the first place. He should have incurred the expense of a knowledgeable attorney who could have prevented his getting involved with a publisher out for no good.

Another case in point is a songwriter's seminar and workshop we attended at the University of Arizona at Tucson. The culmination of the whole affair was that we listened to one song from each of most of the writers who attended the all day workshop. The last song we heard was from a gentleman who had a shiny new 45 RPM record which he pulled from an appropriately sized manila envelope. We listened to his country ballad and then offered our critique. The panel only offered one critique which came from Hal Yoergler, a very bright publisher from Los Angeles who sat with us on the panel. His first question to the writer was, "Did you write both words and the music to this song?" The answer was that he had written the lyrics only. Hal's next question was, "Where did you have the music done?" The answer was Nashville. The final question was, "How much did you pay for it?" The answer came back, "I paid $75!"

At that point, Hal gave the man a brief lecture which I will paraphrase.

"Sir, you have been taken! I don't mean to embarrass you, but song sharks make me mad.

"I had a funny feeling something was

wrong the moment I saw that 45 come out of the envelope with what I thought looked like a familiar label. When I heard the melody, my fears were confirmed. I've heard that same melody many times before. There are songs sharks, many of them in Nashville, who have the same melodies they use over and over again in *putting music to your words.* If you had come to me with this song and I was impressed enough to want to sign it, (assuming I didn't recognize the melody) I would ask you if you wrote both words and music. When you would tell me who it was that wrote the music, the deal would be blown right there. I couldn't sign a song when the same melody was floating all over the country with different lyrics."

Song sharks are a form of lower life. Their greed preys on the intensity and enthusiasm of hopeful songwriters looking for that first big break. At times they are recognizably terminal while, at other times, they are deceivingly benign. The fact is that regardless of their presentation, they are always cancerous. Don't bite the apple!

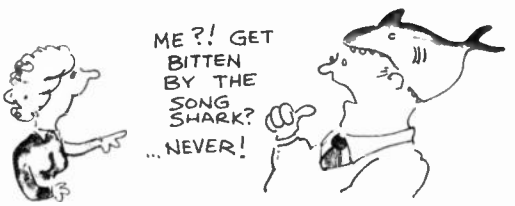
Most publishers are on the up and up despite the fact that there's always a rotten apple somewhere in the bunch. But, business is business and if a businessman can enter into a contract with you that is to his advantage, he's going to do it every time. Regardless of the reputation of the publisher you may be dealing with, by all means have an attorney advise you before signing anything.

The cost of an attorney can sometimes be discouraging. They throw $100 an hour fee at you and you wonder if at that price their words are going to amount to the Sermon on the Mount. Creative people, who traditionally have scratched for a living while trying to make their mark in the arts, have always been subject to the ripoff for lack of funds to engage legal counsel. For those creative souls who are in the midst of their vow of poverty to pursue their creative destiny, lack of legal counsel need no longer be an accepted way of life.

There exists a program which is called Volunteer Lawyers For The Arts (VLA). They are there to answer questions and problems, without charge for any artist or art group that cannot afford a lawyer. These artisans or groups are referred to lawyers for legal assistance by Volunteer Lawyers For The Arts, an organization founded in 1969 to deal with arts-related legal problems and to help people in the arts who lack the financial ability to retain their own lawyers.

VLA has over 250 lawyers on its volunteer rolls. They handle art-related problems for hundreds of clients annually referred to them by VLA: incorporating not-for-profit groups; securing tax exemptions; negotiating and drafting contracts; and advising clients on such matters as copyright, tax, labor, immigration and other problems in arts-related law.

The procedure to apply for legal counsel through VLA is simple. The



prospective client submits a written statement requesting assistance. The statement must include a brief history of the client, the client's income and a description of the legal problem. VLA makes a preliminary determination of eligibility and then locates a lawyer interested in handling this matter. If the client meets VLA's eligibility standards after a final screening by the lawyer, the lawyer and client enjoy the ordinary lawyer-client relationship. There is no fee for either VLA's or the lawyer's services.

VLA is a non-profit, tax-exempt organization funded by the National endowment for the Arts, New York State Council on the Arts, individual contributions and private foundations. VLA's main office is located at 36 West 44th Street, Suite 1110, New York, N.Y. 10036. Their telephone is (212) 575-1150 and anyone interested should call or write the office to discuss the VLA program or its eligibility standards. Their offices throughout the country are listed on these pages so you can contact the office nearest you.

Signing away your creativity is a major step in your career. When it comes time to sign, be sure you have the legal advice

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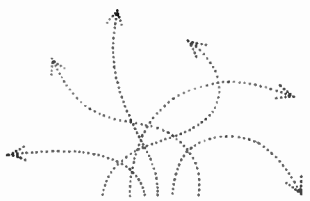


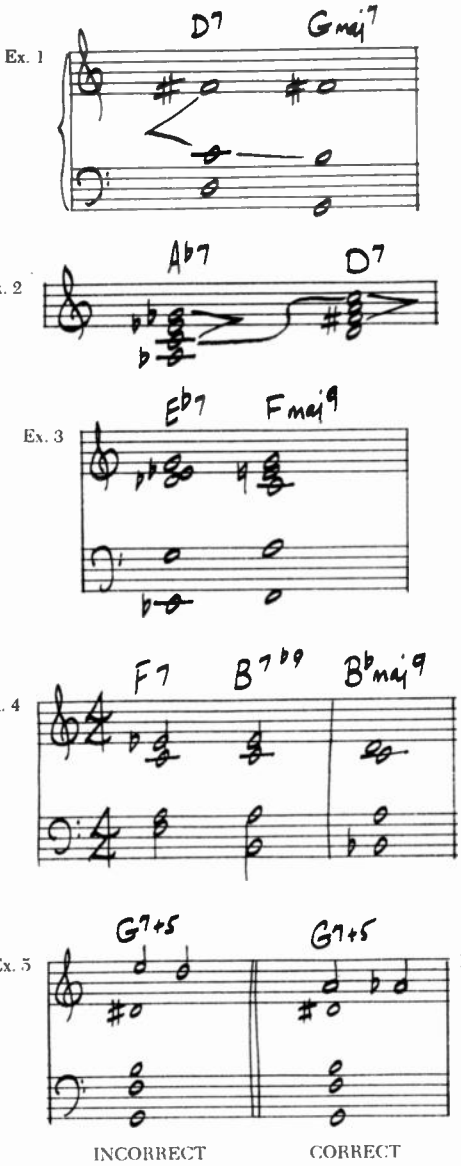
The Wonderful, Flexible Dominant Seventh Chord

Part II

by Ladd McIntosh

In our previous article we discussed the *tritone* and its close association with the dominant seventh chord. In this article we will discuss the all-important dominant seventh chord and its possibilities.

The dominant seventh chord is, of course, built diatonically on the fifth degree of either a major or harmonic



minor scale. Furthermore, this chord has a very strong tendency to move harmonically; It's not a chord to be content with inactivity. The reason for this is the presence of a tritone between the third and seventh degrees. To refresh your memory, here is a list of important things to remember about the tritone:

1) It is made up of three whole steps
2) Inverted, it is still a tritone
3) It may be written as either a diminished 5th or augmented 4th
4) It divides the octave in half
5) It is found in all dominant seventh chords
6) It is found in all minor seventh flat five chords
7) There are two different tritones found in all diminished seventh chords
8) It is *the* characteristic interval of a dominant seventh
9) It has a strong tendency to resolve
10) Normal resolution is by half-steps in opposite directions*

As stated previously, the major chord types and minor seventh chord types, while certainly able to move to other chords, are content to often remain stationary. These chords do not contain tritones. On the other hand, the dominant seventh—which contains a tritone—demands movement. But movement to where?

Its strongest tendency is to move to another chord whose root is a perfect fifth lower. This is because the chord is normally found built on the fifth degree of a major or harmonic minor scale; and also because bass notes moving down in perfect fifths (or up in perfect fourths) create a strong feeling of forward motion. Be aware that the V^7 does not always have to resolve down a fifth to its I chord. It may resolve down a fifth to *any* chord built on that new root. Therefore, a C^7 may resolve to any of the following: F, F^6, $Fmaj^7$, $F^{6/9}$, $Fmaj^9$ (major chord types; Fmi, Fmi^6, Fmi^7, $Fmi^{6/9}$, Fmi^9, Fmi^{11}, (minor chord types). It may also resolve down a fifth to: Fmi^{maj7}, $Fmi^{7(b5)}$, F^{o7}, F+, or F^{mi7}/F. It may also resolve to: F^7, F^9 or F^{13} (all dominant seventh types)!

Because dominant sevenths whose roots are a tritone apart share the same tritone (please see last month's article), such as A-flat seventh and D seventh (Ex. 2); each of these chords may easily resolve to the other's I chord. This means either A^{b7} or D^7 may resolve to D-flat or G. More simply put, *any dominant seventh chord may resolve downward by half-step to any chord built on the new root.* (Half steps moving downward in the bass are almost as strong as descending fifths.)

Armed with this information, we now realize that in addition to the resolutions outlined above, C^7 may also resolve to any of the following: B, B^6, $Bmaj^7$, $B^{6/9}$, $Bmaj^9$ (major chord types); Bmi, Bmi^6, Bmi^7, $Bmi^{6/9}$, Bmi^9, Bmi^{11} (minor chord types); B^7, B^9 and B^{13} (dominant chord types); and Bmi^{maj7}, $Bmi^{7(b5)}$, B^{o7}, B+ and $F\#^{mi7}/B$. And still we're not through!

Dominant seventh chords (commonly called V7's) may also move downward by whole steps. Now we find that our C^7 may move comfortably to most chords built on B-flat; especially major, minor and dominant seventh types. To our growing list of possible chords to follow C^7, we may add: B^b, B^{b6}, B^bmaj^7, $B^{b6/9}$, B^bmaj^9 (major chord types); B^bmi, B^bmi^6, B^bmi^7, $B^bmi^{6/9}$, B^bmi^9, B^bmi^{11} (minor chord types); and B^{b7}, B^{b9}, and B^{b13} (dominant seventh types). Two more excellent choices would be Fmi^7/B^b and $B^bmi^{7(b5)}$.

As if all this weren't enough, V7's may also resolve, or more, *upward* by a whole step. This is not a common progression and is quite delightful if used only once in a great while. The charm of this progression would be completely lost if used more than once every ten songs, or so. (Ex. 3)

Other possibilities include moving from a V^7 upward or downward by either a major or minor third. This should almost always be followed by another chord a fifth lower such as in the progression:

G^7 - B^{b9} - E^{b9} - A^{b7} - $D^b(maj^7)$

It should now be apparent that a dominant seven chord is quite capable of moving almost anywhere. It may even move to a chord a tritone away, providing that second chord resolves downward by half-step. (Ex. 4) Please exercise some caution however. Be cognizant of the fact that descending fifths or half-steps are the most desirable, with descending whole steps being less frequent. Thirds in either direction should be still less frequent, with upward motion by whole steps being at the bottom of the list. In short, save it for a rainy day.

At this point, it would be a good idea to familiarize yourself with all of the possibilities discussed above and to transpose them into the other eleven keys. You should also play them several times on your piano, guitar, organ, accordian, harmonica, ocarina, nose flute, banjo, harmonium, zither or oscillating quadjmarines . . . (choose the instrument with which you're most familiar). This will enable you to feel more comfortable with some of the newer ones(for you) and to begin to use them in your songs.

One more point should be brought forth at this time: Because of the tritone interval, it is possible to add many more extensions (ninths, flatted ninths, sharped ninths, sharped elevenths, etc.) to the dominant seventh chord than is possible with the other types. Space does not permit a clear and concise discussion of this at this time; but we will explore it in a later article.

Of further interest; we may also lower or raise the *fifth* of a dominant seventh chord as long as it does not affect the melody. For example, a G^7 +5 would sound foolish if the melody at that point contained either a *d* or *e*, or both. On the other hand, a G^{7+5} would sound quite nice if the melody at that point contained an *a* (9th) or *a-flat* (flatted-ninth.) (see Ex. 5 and Ex. 6)

As a rule, fifths are seldom altered, except in jazz tunes. That's not to say they can't be. However, a flatted or sharped fifth in the middle of a folk tune might sound very much out of character and actually hurt the song's chances of being accepted by the public. The same would be true with many "pop" tunes; and certainly true in Country and Western. Audiences like that which is familiar and V^{7b5} and V^{7+5} are not common to these more basic styles.

As you can see, the dominant seventh chord is more than just a sound you get when you play it on the piano or strike it on the guitar. It is a chord with a mission (if you will) and a vitality all its own. It is also flexible. It not only cries out to move onward to the next harmony, but it can move with equal facility to almost any other chord built on almost any other note. It is also functional in that it establishes a tonality (if only briefly) each time you use it; for if nothing else, a dominant seventh may always be thought of as being the V7 chord of the key a perfect fifth lower; even if it does not resolve to that key.

The following is a list of things to remember about the V^7 (dominant seventh) chord:

1) Does not have to resolve to its own I chord (major or minor)
2) Always functions as a V^7 chord
3) Contains a tritone between the 3rd and 7th degrees
4) By far the most active of the three most common chord types
5) The tritone makes it possible to add many different extensions
6) Shares the same tritone with another V^7 a tritone away
7) May resolve to *any* chord built on note a perfect fifth lower
8) May resolve downward by half step: G^{b7} to $Fmaj^7$
9) May resolve downward by whole step: B^{b7} to A^bmaj^7
10) May resolve upward by whole step: C^7 to Dmi^7; G^7 to $Amaj^7$
11) May resolve up or down by thirds (major or minor) but should then move down a perfect fifth: G^7 - E^7 - A^7 - D^7 - G

Please note that in today's music both notes do not always resolve. In the progression D^7 to$Gmaj^7$ the *c* of the first chord resolves to the *b* of the second, while the f# remains constant to both. (Ex. 1)

Collaboration: A State of Two

Back in the day of Tin Pan Alley when lyricists and composers sat hunched over hot uprights in little cubicles in the Brill Building on Broadway, there were times when the art of collaboration was anything but an art. By-lines were given for numerous outrageous reasons, the least of which might be for an actual creative contribution. Among the three or four names credited with writing a song might be the singer who sang it, the publisher and the songplugger.

Billy Rose, who is known to have had as many as 50 collaborators in his songwriting career and who made contributions to songs ranging from "Barney Google" to "Me And My Shadow," shared a by-line on a song called "Cheerful Little Earful" with Ira Gershwin and Harry Warren because, according to Gershwin, "he came in one day and made a suggestion about changing a line."

In those days songs were written for the public, a public not particularly interested in anything too deep or probing, too far out or too far down. These surface feelings were milked endlessly. It was once said that if the word "baby" ever dropped from our language the whole eight blocks of Tin Pan Alley would crumble.

The clothes of this era might be coming back, but luckily these shallow emotions are not, and songwriters no longer give by-lines to the person who owns the record store just to insure a song being pushed.

Today's music expresses private feelings and vulnerable thoughts, and though these emotions are recognized and related to by the majority of the people you meet, you can't necessarily find a collaborator by placing an ad in Psychology Today.

There are eight million guitars in circulation, and though every other person you meet is writing music, the problem of finding a collaborator, someone who relates to your music, still exists.

Over and over again collaboration is compared to marriage; both being states in which two people find themselves at their most vulnerable. So would you marry someone simply because they told you they were single? Hopefully not. Neither should you write with someone simply because they can do the part you can't do. A bad marriage or a bad collaboration can be an energy sapping, totally uncreative experience, and both can require lawyers to dissolve.

Much thought and investigation go into the choice of a writing partner, and even if you are careful and selective and ask yourself searching, honest questions about your prospective collaborator, it's still possible it won't work out. Every relationship has its limitations, and in your lifetime you're apt to have several collaborators — hopefully not as many as Billy Rose — and even if you do find someone you really can work well with, there will also be projects you will want to work on alone. The togetherness and the aloneness are both important ingredients of a well-rounded musical career.

Here are some questions you should

Minds by Liza Kevin Hennessey

ask yourself before making a collaboration commitment:

Can I spend several hours a day with this person without being turned off?

Do I feel comfortable sharing my innermost thoughts as expressed in my lyrics or music with this person?

Do we speak the same language musically, emotionally and intellectually?

When my muse is silent and creativity stops flowing, will this person stick around and do the work of two if necessary?

Do his or her strengths and weaknesses complement mine?

Above all, ask yourself if you respect your own instincts enough to know that you have made a good choice of a collaborator and that you will be able to give him or her the space their creativity demands, and if this respect will be reciprocated. And do you have enough confidence in your own ability to accept criticism without becoming defensive? Mutual criticism is a part of collaboration, and if you are uncertain of yourself, adverse criticism can become an intolerable challenge.

In the preface to his excellent book on lyric writing, Oscar Hammerstein referred to collaborators as partners who "weld their two crafts and two kinds of talents into a single expression." Imagine trying to do this with someone to whom you are constantly trying to explain yourself, or with someone who keeps walking out the door every time an obstacle arises alternately with you and agin' you, or who says they're available and then habitually calls at the last minute with a guest in from out of town or Excedrin headache No. 12.

You choose a collaborator partly because of your instincts, the vibrations you pick up from them, and partly from the objective look you take at their writing and life patterns. You don't have to strive for perfection or wait for that stranger across a crowded room, rather you want what Academy Award winning lyricists Marilyn and Alan Bergman describe as someone who can "creep inside the music and have it speak to him so that he or she can give it words. Or unlock the words that are in every tune."

While we're speaking of locking and unlocking, one of the more practical questions to ask a prospective collaborator is whether he or she is locked into an exclusive contract or has a prior commitment to a publisher. Should this be the case, you'd best forget the partnership as it's very possible that what you write jointly will also have to be assigned to that publisher.

And then there's the business end of music, the part which we would all like to ignore but cannot. Before you make any commitment, make sure either you or your partner is apt in this area. Discuss percentages and royalties, the who does what, who gets what and how much of it they get. Decide who has the right to assign the song; who has the right to change either words or music and just how much they can change. Even among the best of friends, bad feelings can arise when you make silent deals the terms of which are never verbalized but only taken for granted.

To facilitate the findings of a collaborator, SRS is compiling for its members a questionaire on collaboration. Our intent is to put together a members' Collaborators Directory so that lyricists and composers can come into our office, look through the applications and arrange to meet with those people who appear to be compatible and interesting.

We can provide the answered questionaires, but since marriage brokers went the way of Tin Pan Alley, the ultimate choice will be yours.

SRS members looking for an artist to perform their material can also make use of this directory. Not all songwriters can or want to perform their material, so it is equally important to have access to performers who can interpret your music in the spirit in which it is written. Naturally this works in the reverse for our performing members who are seeking original material.

Out of town members can request xerox copies of the questionaires of geographically avaliable people for a nominal fee which will cover the cost of copying the forms.

We are including questions which we hope will not only reveal the member's musical and lyrical abilities but also their work habits, degree of commitment, philosophy and eventual musical goals; all the elements which help determine your choice of a collaborator.

If you do your homework, ask the important questions and wind up with answers which lead you to believe you've found someone you can work with, then go out and buy a package of rice and start throwing it — only make sure it doesn't get stuck in the piano keys.

WHO'S WHO from page 23

addressed, stamped envelope if you want your tape back. Songwriters should know that tapes can be sent at a special 4th class postal rate, as "recordings." This can save you a lot of money and is fast enough for the purposes of this column. Check out the details with your post office.

"Listen to the radio. I'm surprised at how many writers come in and don't know what's being played, or do know and have an antipathy for popular music. They feel their own taste and "commercial" taste are incompatible. I don't go along with that. It may be difficult to write a song that suits both tastes, but it's possible. The two can be married.

"Writers should associate with and work with other writers and musicians. It's difficult to develop if you're isolated. Find out what you can about the reputation of the people you're dealing with, ask around. Only work with reputable publishers and producers.

"Know the formulas and rules of good songwriting. Some writers resist the idea that there are rules, and I agree that it's kind of preposterous, because they're always being broken. But, you can't deny the value of a good opening and a good closing – and your songs can't be too long or they may not be played. You can break the rules, but you have to have a good reason for doing it."

CANADA

S. Campbell Ritchie, Managing Director
Performing Rights Organization
of Canada, Ltd.–PRO
41 Valleybrook Dr.
Don Mills, Ontario M3B 2S6
(416) 445-8700
Other Offices: Vancouver and Montreal

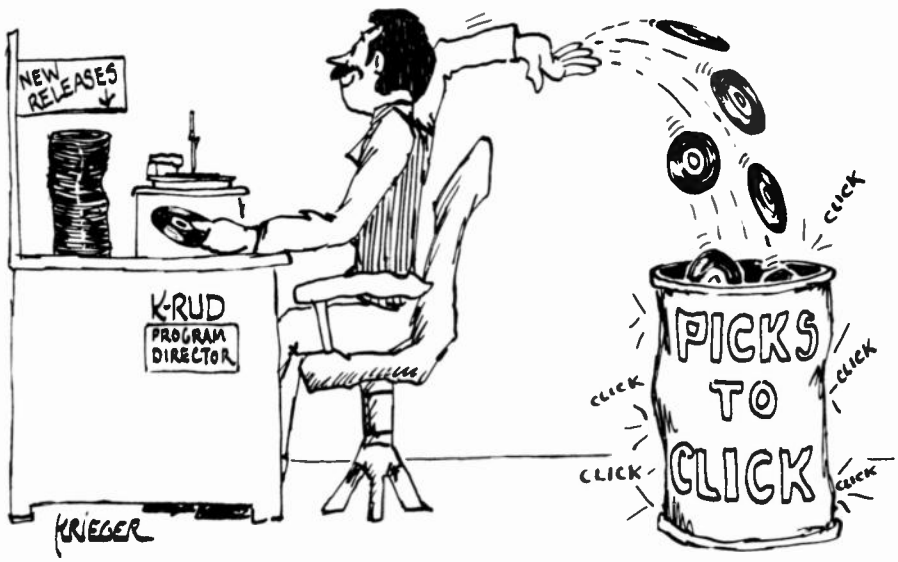
Cam began his music business career as a singer and musician, and went on to become involved in all phases of broadcasting. Beginning in 1936, he worked for the RKO General-owned CKLW stations, operating their Canadian stations. During World War II, he was Officer in Charge of the Canadian Forces Radio Service, which supplied programming to the Allies, and he spent some time in the United Kingdom, where he completed his education as a concert opera singer. In 1967 and '68, he was President of the Canadian Association of Broadcasters, and while serving as Chairman of the Copyright Committee, he was involved in negotiations to determine what license fees would be paid to performing rights societies by radio stations. The sale of the CKLW stations in 1971, ended Cam's 35 year association with them. At that time, he was invited to join PRO as their assistant manager. He became their Managing Director in 1973.

PRO was originally called BMI Canada, and was formed in 1940 to license in Canada the music of Broadcast Music, Inc. of the U.S. In 1947, it was activated as a subsidiary of Broadcast Music, Inc. to encourage Canadian music, and they began to accumulate writer and publisher members. On July 1, 1976, they became independent of the U.S. organization when the ownership passed to Music Promotion Foundation, a not-for-profit organization. PRO became their new name as of July, 1977.

Over 7,000 writers and 1,300 publishers are affiliated with PRO, and they are continuing to seek new members. They have a staff of field men who go out to clubs, coffee houses, high school auditoriums, etc., on the lookout for new talent. Some of the Canadian PRO writers are Gene MacLellan, who wrote *Snowbird* and *Put Your Hand In the Hand*; Randy Bachman, Rock star of Bachman-Turner Overdrive; Terry Jacks, Hagood Hardy, and Dick Damron. Cam says, "We have affiliated members in all fields of music from folk songs to symphonies. Two of our classical writers are Harry Somers and Murray Schafer.

"Our philosophy is that those who feel they have a song in their soul should be given the opportunity to express it and to find out if they have a chance to be professional songwriters. We are only too pleased to assist in any way we can and to make any of our facilities available. Canadian writers who want to know more about PRO should write to the Writer Publisher Relations Department at our office."

SHARPS AND FLATS *By Butch Krieger*



CHICAGO AREA

Ray Papai, President
Ultra Nova Publishing–ASCAP
P.O. Box 95366
Woodfield Post Office
Schaumburg, IL 60195
(213) 359-9556
Also: Ultra Nova Records and Productions

Ray began playing woodwind instruments in high school and turned down a chemical engineering scholarship to major in clarinet at Indiana University.

His activities are far too numerous to list all of them here, but some examples are: played with big bands like Artie Shaw, Jimmy Palmer and Ralph Marteri; played in classical groups like the Chicago Symphony Orchestra, Chicago Chamber Orchestra, and his own Contemporary Arts Woodwind Quintet; played for ballet, opera, musicals, TV jingles; backed many top acts and was musical director at the Candlelight and Mill Run Theaters; and taught the National Music Camp, Northeastern University and Triton College. All the while, he has been composing his own tunes.

In 1971, while at the Mill Run Theater, Ray was asked by some of the acts performing there for new material. He formed the publishing and record companies to serve the demand for his music. He is currently expanding activities to production and publishing of local acts. His "Seeds Of Papai" (Papai is pronounced 'poppy') album consists of his own jazz tunes. A cut from the album, *Love Touches All* is getting airplay and will be released as a single by an artist Ray is producing, Josie. Josie needs disco tunes. Other Ultra Nova artists are: Joyce Garro, who needs funky R&B songs; Donal, a female artist with an Easy Listening voice who needs Country Rock tunes; Beezoomy Loodaez, a Rock group; and Pam Pervis from Dallas, who wrote the lyrics to and is recording two of Ray's tunes, *Love Groove* and *Changing Clouds*. Ray's disco version of Earl Hagen's *Harlem Nocturne* is getting action at the discos.

Ray prefers submissions on reel to reel tape with leaders between the songs and lead sheets, if you have them. If you don't have lead sheets, send lyric sheets. Send no more than four songs and include a self-addressed, stamped envelope.

Ray says, "Many songwriters have imagination and come up with ideas, but they need schooling to have the tools to express the ideas. Writers should study theory and analysis of chord progressions, so they can stay out of a rut. Many writers write the same song over twenty times—and a monotonous tune can kill a good lyric. I think the music should say as much as the lyrics.

"What we're dealing with in songs is the sharing of the experience of life. Writers get experience by studying and and from the dues paying process we all go through. Analyze good tunes. Don't buy the sheet music, figure it out and write it down for yourself. Then, write similar tunes for practice. Eventually, your own unique creativity will surface. Schooling, analysis and listening come first—then you can create. Many try to create too soon."

AGAC from page 12

don't use the term argue in a belligerent sense)—where to defend what you have written and how much to compromise or not to comprimise. I want to be proud of the work that I do. With "A Star Is Born," I didn't feel like I compromised because whatever changes we made were for the better. We'd think we had a good song and we'd say, here it is, and play it. Then Barbra would suggest some changes and we'd start working on it, and it would be better. If Paul were here he'd agree with me, I'm sure, because we both feel Barbra has great instincts both musically and dramatically.

WRITER: I'd like to get back to the very beginning when you were talking about when you sit down to write and you have to decide whether you are going to write a song designed to be a hit or a song to be more of an expression of yourself. At that time do you feel like you have to write a song hit or do you continue writing what you . . .

KENNY: I don't think I have ever sat down to write a hit song, even though I hope obviously the song will reach a lot of people. When I write a song with Paul, I always feel it's going to be a good song and that comes first. I know what you're asking; it's a difficult decision.

If you want to be practical, then you just say, what's happing in the market today? So okay, sit down and write a disco tune. If you find that there's a problem in trying to write for the way the market is at a particular point—experiment. Experiment with a lot of idioms.

Some people like to listen to the radio and records all the time, some people don't. I go through phases where I wake up listening to AM radio just about every day getting dressed to keep up with things or I may listen to some Bartok. I mix it up, not only because of the songs that I write but because of the business that I'm in and I prefer the versatile kind of approach. I like many different kinds of music. One of my favorite writers is John Mandel who wrote *The Shadow of Your Smile*, *Emily* and the theme from *Mash*. I love the way he orchestrates—he is a magnificent writer.

LOU: Kenny, do you think that the writer today is writing kind of quality song that Frank Loesser, Richard Rodgers and George Gershwin kind of song?

KENNY: Yes I think that certain people are. I think a James Taylor ballad like *Fire and Rain*, let's say and a Gordon Lightfoot kind of song are a tremendously high quality. There are people who are saying that they're not writing good songs like they used to, and that's not true.

LOU: I think also that the difference is that in the Frank Loesser-Rodgers-and-Hart time the music communication with the people out there was far more limited than today. Today you can get ten different sounds from different worlds on one radio by turning the dial. It's good for the songwriter because then he can go in all those directions.

KENNY: Yes, it's a terrific time for songwriters. And the more you write in various idioms, the better it is. Experiment in one idiom and then turn around and write a patter song if it interests you—like a Gilbert-and-Sullivan kind of thing.

I am very interested in jazz and grew up listening a lot to Oscar Peterson when I was really young. There were certain voicings and techniques that he would use that I couldn't figure out. But all of a sudden I started listening to Bill Evans one day, and after I had listed a lot to Bill Evans, I learned more about Oscar Peterson's playing. It is strange to me because they don't play alike. But certain things that I finally started hearing in Bill's playing taught me about Peterson's playing.

The same thing about songs. One of my main piano influences in the studio is Floyd Kramer. When I was working and living in Atlanta that pianistic style worked its way into some of my songs—especially into some of the demos that I play. Sometimes I find country-like voicings in the middle of ballads and I just let them go because they are earchatching and have a naturalness about them.

What Lou said is very interesting to me. This is a great time for us business-wise. A songwriter who is fortunate enough to get some good records can sit at home and write songs and send them to people. When you are well-known enough, you can just send or take them to publishers or A&R men. But even when you *are* well-known, sometimes you still have to sell the song to the artist.

LOU: What do you mean, sell?

KENNY: Well, not literally sell. That's a good point. One of the good things about AGAC is that it protects all of us songwriters. When I use the word "sell," I don't mean really sell the song. I mean in the sense of pitching the song, let's say, and then make sure you take care of the business side. That doesn't necessarily mean "you." Have your attorney do it or talk to AGAC about it. Find out, if you don't know, about royalty rates or whatever. Ask the questions and have your attorney make the deal for you. And don't be afraid to tell your attorney how you feel about the deal—whatever it is.

I was offered a production deal about two years ago and it looked good on paper. Yet I said to myself, do I want to go to Chicago for six weeks? My attorney said, it sounds like a good deal. And I said, it looks great except for one thing—I just don't feel like going out of town right now. So there are certain inner things that you have to let your attorney know about too. The more you tell him, the better he's going to be able to help advise you. Always make sure that you get very strong legal advice and do everything in a businesslike way after that song is finished.

WRITER: Earlier you mentioned getting your song to a producer. How do you do that?

KENNY: Well, it's a hard thing. First of all, number one, practically speaking, copyright the song—and I'm not talking about sending it to yourself in the mail. After that, the answer is persistence. I read a great quote on one of the studio walls where it said words to the effect that the world is full of people with talent, but it's persistence that you have to develop to try to get into see so and so and so and so. It's persistence.

LOU: You know, the other thing I also feel is that when you have one hit and suddenly some of the people who have heard some of your songs in the past who didn't like those songs, can hear it with a different ear. The same song; same demo.

KENNY: That's true. And it happens.

WRITER: The thing is that the songwriter knows the song. The guy who writes it knows what it's all about. I make the mistake of assuming that the person I am playing it for knows as much about music as I do. He doesn't. All they know is your list of credits. If it's a good one, they want to hear it. If not, they don't.

KENNY: It's a curious thing, you know. I spoke to a guitar player who wasn't so busy in the studio business not too long ago. Now all of a sudden he's real busy. Everybody is saying, wow, you've really been practicing—you sound so great. And he says, well, I always practiced, and I'm playing the same way I did six months ago.

It's just that he played on a hit record, and now he's the guy that everybody wants. You have to keep your inner soul together about stuff like this. It all comes back to that same thing—you still have to be proud of your work.

LOU: If I compare myself to somebody who I think I'm better than and he's making a lot of money—all I do is get an ulcer.

KENNY: One of the worst things to go through is when you listen to people's songs and say, how did he or she ever think of that? Oh, I'll never think of

that. I'll never be able to write those kinds of songs. That's the worst thing you can do because you are not him or her and never will be, and all you can do is write the way you write.

If you want to study songs, of course you can get your Gershwin's piano vocal score of "Porgy and Bess" or James Taylor songs and you can find the most beautiful chord changes and learn a lot about songwriting. But it dosen't teach you to be yourself.

WRITER: Are publishers very important any more, or not?

KENNY: I'll tell you where they're important. It's a part of his business to get your song to artists and producers. If he can do that, then he's important and necessary. Even if you are a famous composer — well, you may not know the artists but the publisher may. That's how they're important.

WRITER: Kenny, can anybody record after it's been recorded once?

KENNY: I don't know. Lou, do you know?

LOU: They don't even have to ask. The publisher can refuse to give the mechanical license and they legally can still record it. The first time that the song is recorded is the only time the publisher controls who records it. After that first recording, anyone in the world can record it by applying for a license from the publisher.

WRITER: I wrote a song recently with Gladys Knight in mind. Should I take it to publishers or what? I feel that the best way to go to an artist is trough the management — they are the ones that are looking around for the best for their artist — rather than go to a publisher. I'd like to hear your opinion.

KENNY: A lot of it depends on your song. If you have something specifically for one artist, try going to the artist, his manager or his producer. If you've got a song that can be covered by a lot more people, it might be in your interest to go to a publisher because he'll do more as far as getting other versions of the song.

WRITER: Do you think it's important for a writer to do the demo himself? I mean I have a four-channel machine at home and have all the thoughts for the song should I lay down the lead guitar parts, lay down your ideas for the bass, put a little light percussion — get it all together at home?

KENNY: I would say it's important only if you can play all those parts well enough.

WRITER: There is a disadvantage if you trying to sell the song, though. I made the mistake of producing a set of demos where I simply forgot about trying to sell the song. I came up with all the arrangements, backup vocals, everything and what the publishers heard was the record. They didn't hear the song.

KENNY: That's a good point.

WRITER: There is another side to it too. I have also tried the approach with just the piano and somebody singing; you think they can hear it, but they can't. There's that middle ground.

KENNY: Exactly. There are two sides to that coin. There is the, gee, you did it with piano and voice — what else do you hear on this? And there's the other angle. Oh, you filled it out so much you didn't leave me any room to decide what I want to do. If the guy likes the song enough, he'll say, you did a piano and vocal. Would you now do a more finished demo? In which case you have to make up your mind. If he's that interested in the song, you want to see if you can have him pay at least part of the cost. Some publishers will, some won't, some will pay all. Obviously it's much easier to start with the piano-vocal version and then map out the whole thing.

WRITER: Kenny, do you think a writer should be at the recording session?

KENNY: I'd like to explain something to you — speaking practically and I will put on different hats — an arranger's hat, a writer's hat and so forth. I have been at sessions as a keyboard player on a first recording of a song with a major artist. Both the lyricist and composer were there and it was embarrassing because the arranger couldn't do his job and the producer couldn't do his job because every four bars the writers were rushing up to either the artist or producer saying, oh, no, no, it can't be this way . . . It got insane after a while.

The work went to pieces. It was the kind of thing where everyone was saying, what do *you* think — well, what do *you* think — like eight different producers. Consequently, the record sounds like it — horrible. So have those meetings ahead of time! Get all the conceptual things ironed out so that when you walk into the studio, you can work.

WRITER: Do you think a writer should stay with one style all the time?

KENNY: Well, I don't like that for myself. The practical answer is that I think a lot of commercially-minded music people are looking for that indentity — that stamp that says, hey, that's a Bacharach-David song . . . or the sound that makes it John Lennon-Paul McCartney — certain production values. You know, it's an interesting thing. Soundwise, one can go further than writing songs. One can write records. What I mean by that is, if you listen to some of those Beatle records — everything goes together. I mean the arrangement goes with the song. Somehow when they wrote the song, the concept went right onto the wax. There's a certain way of writing a song where you hear all the background licks and all the supporting things, and that's really good. The more you have in the back of your mind the way you really want your song to be arranged, the clearer the conception is going to be.

Getting back to what you said . . . as far as people wanting to pigeonhole you, yes, it exists. But if you come up with four dynamite songs that you really feel strong about, and one is a ballad and one is a country tune and one is R&B, and so forth, present them all because you don't know what that publisher or producer will be interested in.

WRITER: Would you say that it's better to write with your direction strictly on that Top Ten because it's really where the strength of the market is?

LOU: There are many songwriters I know, who think in terms of only being on the Top Ten, but there's a lot of money in this business. The music business goes anywhere from children's nursery rhymes that have been around through the years making substantial amounts of money — all the way through classical music.

KENNY :There are all kinds of techniques for writing, and I think a lot about different ways of doing it because whatever way works for that moment — terrific. I'm talking about if you need to write with someone else that day, do it. If you don't, write it yourself.

LOU: Kenny, what are your feelings concerning the fact that the industry is 70 percent out in California?

KENNY: Although there has been a movement out there for the last 15 or 20 years, a lot of big companies have offices in New York.

There are still things here in New York. If you want to talk about making money — if that's what you are writing songs for, there are avenues of approach where one can do well and never have a Top-Ten record. Investigate the different media whether it's theater or television, soap opera themes, jingles etc.

You know, what it come down to in a certain way is that no matter how successful one is, or is not in the business, you want to be able to go to sleep at night saying, hey, I wrote something good today — this is what I did, it's got a direction about it, it's honest, and I feel proud of it.

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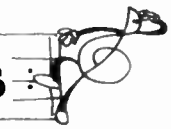

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AUDIO from page 9

liable to place sounds on the tape in such a manner as to force the engineer cutting the disc to employ further equalizers and limitors and compressors, as well as a series of filters to make cutting and tracking possible. This, therefore, will destroy, (to a large extent), the effects as well as the aural spectrum recorded on the master tape. In 90 percent of the cases where the disc sounds poorly, the fault does not lie with the engineer cutting the disc, but rather with the inexperience and lack of proper microphone techniques and placement, as well as improper use of equalization at the time of the recording. It is also due to the poor judgment of the engineer making the final mix for the master tape.

The technique of "equalization" is accomplished with a variety of 'tools', all generally referred to as equalizers. Most studio mixing consoles employ some sort of equalizers either in every microphone channel, or outboard equipment mounted, to be patched into the desired channel. Some equalizers might be of the 'infinitely rising—cut-off' type, whereas others might have a 'shelving' characteristic (which is most desireable), while others might be 'peaking-dipping' of either a narrow or broad range. Others might be high-pass or low-pass filters combined with some of the above features, and others be of a wide frequency selection or 'graphic' type. There is no 'good' or 'bad' equalizer per se, as each is designed for a specific purpose by the designing engineer. And although the final judgment of the equalization used lies within the aural judgment of the critically listening recording engineer, it is absolutely essential that he be thoroughly familiar with the curve characteristics of the equalizer he is using, as well as to the OCTAVES AND FREQUENCIES of the instruments and certain peculiar sound characteristics. A chart showing the Octaves and Frequencies will be shown in Part II of this article in the August issue.

In the conclusion of this article in next month's issue, I will cover the critical portions of the audio spectrum defining each range through the ten octaves and describe how equalization and attenuation can positively effect these ranges so that your recording will sound better. The above mentioned chart of Octaves and Frequencies will also be included as a summary and visual example of the entire discussion.

Editor'sNote: The author is President of the College For Recording Arts located at 655 Harrison Street, San Francisco, California 94107. Their curriculum has been awarded full accreditation by the National Academy of Recording Arts and Sciences. o

LAWYERS from page 31

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Paul Baratta in New York to Accept ASCAP—Deems Taylor Award

At a ceremony held at ASCAP's headquarters at One Lincoln Plaza in New York, Songwriter's Managing Editor, Paul Baratta is shown here accepting his Deems Taylor Award for articles which appeared in Songwriter during 1976 from the President of ASCAP, Stanley Adams. The presentation was made before members of the press, representatives of the publishing industry, music business figures, ASCAP's Board of Directors and the judges who voted for the winning articles. The judges included ASCAP composer Gerald Marks, Dr. Vincent Persichetti of the Julliard faculty, Professor Hugo Weisgall of Queens College, Dr. William "Billy" Taylor, Professor Ezra Laderman, professor of the State University of New York at Binghampton and songwriter-performer Harry Chapin.

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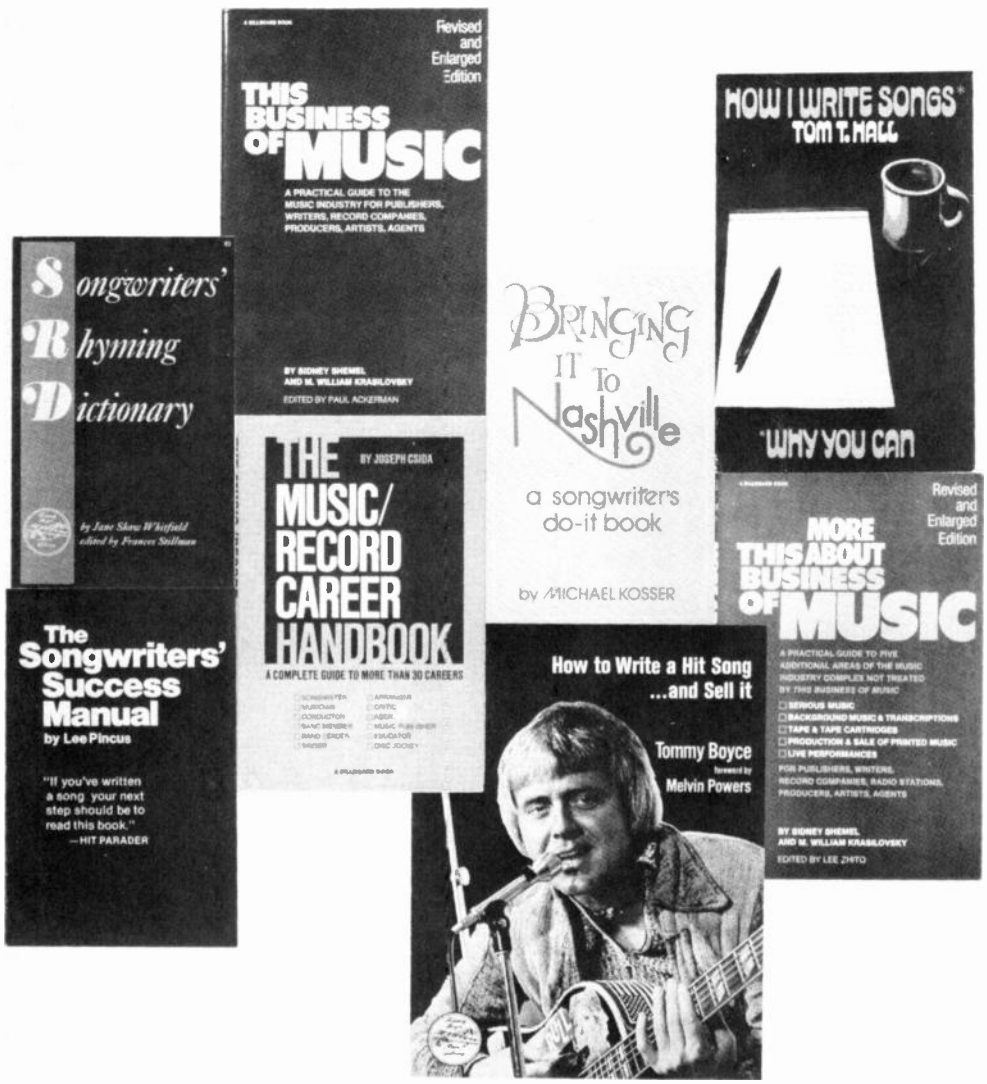

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Songwriter Magazine

• indicates those artists who record songs by other writers

Country Top 10

	Songwriter	Title	Artist	Publisher, Licensee, Label
1.	Tom T. Hall	Your Man Loves You, Honey	Tom T. Hall	Hallnote, BMI (Phonogram)
2.	D. LaSalle F. Miller	Married But Not To Each Other	• Barbara Mandrell	Ordena/Bridgeport, BMI (ABC/Dot)
3.	Mel Tillis Wayne P. Walker	Burning Memories	Mel Tillis	Cedarwood, BMI (MCA)
4.	R. Rogers	It's A Cowboy Lovin' Night	• Tanya Tucker	Newkeys, BMI (MCA)
5.	Donna Fargo	That Was Yesterday	Donna Fargo	Prima Donna, BMI (Warner Bros.)
6.	D. Reid	I Was There	• Statler Brothers	American Cowboy, BMI (Mercury)
7.	B. Braddock	Head To Toe	• Bill Anderson	Tree, BMI (MCA)
8.	M. Kosser R. VanHoy	Don't Go City Girl On Me	• Tommy Overstreet	Tree, BMI, (ABC-Dot)
9.	B. Peters	If You Want Me	• Billy Joe Spears	Ben Peters, BMI, (United Artists)
10.	L. Gatlin	If Practice Makes Perfect	• Johnny Rodriguez	First Generation, BMI (Phonogram)

Easy Listening Top 10

	SONGWRITER	Title	Artist	Publisher, Licensee, Label
1.	S. Eaton	All You Get From Love Is A Love Song	•The Carpenters	Hampstead Heath, ASCAP (A&M)
2.	R. Goodrun	It's Sad To Belong	•England Dan & John Ford Coley	Famous/Ironside, ASCAP (Atlantic)
3.	R. Kerr W. Jennings	Looks Like We Made It	•Barry Manilow	Irving BMI (Arista)
4.	Tony Macaulay	Going In With My Eyes Open	•David Soul	Almo/Macaulay, ASCAP (Private Stock)
5.	A. Gibb, B. Gibb	I Just Want To Be Your Everything	Andy Gibb	Red Cow/Andy Gibb/Joy/Hugh & Barbara, (ASCAP) (Polydor)
6.	Paul Williams Kenny Ascher	With One More Look At You	•Jack Jones	First Artists/Emanuel/20th Century/Warner Bros., ASCAP (RCA)
7.	Al Stewart	On The Border	Al Stewart	Dick James, BMI, (Janus)
8.	P. Smith, G. Jackson, R. Miner, B. Davis	Higher And Higher	•Rita Coolidge	Chevis/Warner-Tamerlaine, BMI (A&M)
9.	Stevie Nicks	Dreams	Fleetwood Mac	Gentoo/Welsh Witch, BMI (United Artists)
10.	Peter McCann	Do You Wanna Make Love	Peter McCann	American Broadcasting, ASCAP (20th Century)

R&B Top 10

	Songwriter	Title	Artist	Publisher, Licensee, Label
1.	K. Gamble L. Huff	I Don't Love You Anymore	•Teddy Pendergrass	Mighty Three, BMI (Philadelphia International)
2.	Marvin Hamlisch Carole Bayer Sager	Break It To Me Gently	•Aretha Franklin	Red Bullet, ASCAP/Begonia Melodies/Unichappell/Fedora, BMI (Atlantic)
3.	L. Sylvers, III, R., J., & E. Sylvers	High School Dance	Sylvers	Rosey, ASCAP (Capitol)
4.	J. Brinson, E. McGhee, F. Fleshman	I Can't Get Over You	•Dramatics	Conquistador, ASCAP (ABC)
5.	Philipe Wynne	Hats Off To Mama	Philipe Wynne	Wynne's World, BMI (Atlantic)
6.	Norman Whitfield	I'm Going Down	• Rose Royce	Duchess, BMI (MCA)
7.	H. J. Melvin K. Gamble	After You Love Me Why Do You Leave Me?	• Harold Melvin & The Blue Notes	HAL-MEL/Mighty Three, BMI (ABC)
8.	L. Graham	This I Swear	•Tyrone Davis	Buttermilk Sky/Content/Alynn, BMI (Columbia)
9.	S. Cahn C. Chaplin	If It's The Last Thing I Do	•Thelma Houston	Chappell, ASCAP (Motown)
10.	V. McCoy	Baby Don't Change Your Mind	• Gladys Knight & The Pips	Van McCoy/Warner-Tamerlaine, BMI (Buddah)

Songwriter Top 40

	SONGWRITER	Title	Artist	Producer	Publisher-Licensee, Label
1.	R. Bowling H. Bynum	Lucille	• Kenny Rogers	Larry Butler	Broughm Hall/Andite Invasion, BMI (United Artists)
2.	Bill Conti C. Connors A. Robbins	Gonna Fly Now (Theme From "Rocky")	Bill Conti	Bill Conti	United Artists, ASCAP/Unart, BMI, (United Artists)
3.	Stevie Nicks	Dreams	Fleetwood Mac	Fleetwood Mac Richard Dashut Ken Caillat	Gentoo/Welsh Witch, BMI (Warner Bros.)
4.	Terry Woodford Clayton Ivey T. Brasfield	Angel In Your Arms	Hot	Clayton Ivey Terry Woodford	Song Tailors/BMI/I've Got The Music, ASCAP (Atlantic)
5.	Alan O'Day	Undercover Angel	Alan O'Day	Steve Barri Michael Omartian	Warner Bros./ASCAP (Atlantic)
6.	M. Jones	Feels Like The First Time	• Foreigner	John Sinclair Gary Lyons	Somerset Evansongs, ASCAP (Atlantic)
7.	Andrew Gold	Lonely Boy	Andrew Gold	Peter Asher	Luckyu/BMI (Asylum)
8.	Stevie Wonder	Sir Duke	Stevie Wonder	Stevie Wonder	Jobete, Black Bull, ASCAP (Motown)
9.	Marvin Gaye	Got To Give It Up Pt. 1	Marvin Gaye	Art Stewart	Jobete, ASCAP (Motown)
10.	B. L. McGinty Buddy Killen	Ain't Gonna Bump No More (With No Big Fat Woman)	• Joe Tex	Buddy Killen	Tree, BMI (Epic)
11.	P. Pena	Jet Airliner	• Steve Miller Band	Steve Miller	Sailor/No Thought, ASCAP (Capitol)
12.	Bob Seger	Mainstreet	Bob Seger	Bob Seger Muscle Shoals Rhythm Section	Gear/ASCAP (Capitol)
13.	Jimmy Buffet	Margaritaville	Jimmy Buffet	Norbert Putnam	Coral Reefer, BMI (ABC)
14.	T. Caldwell	Heard It In A Love Song	Marshall Tucker Band	Paul Hornsby	No Exit, BMI (Warner Bros.)
15.	R. Kerr W. Jennings	Looks Like We Made It	• Barry Manilow	Ron Dante Barry Manilow	Irving, BMI (Arista)
16.	John Oates	Back Together Again	• Daryl Hall & John Oates	Christopher Bond	Unichappell/BMI (RCA)
17.	Peter McCann	Do You Wanna Make Love	Peter McCann	Hal Yoargler	American Broadcasting, ASCAP (20th Century)
18.	J. Walsh D. Henley G. Frey	Life In The Fast Lane	Eagles	Bill Szymczyk	Not Listed (Asylum)
19.	D. Addrisi D. Addrisi	Slow Dancin' Don't Turn Me On	The Addrisi Brothers	Norbert Putnam	Music Way/Flying Addrisi, BMI (Buddah)
20.	L. Sylvers, III, R., J., & E. Sylvers	High School Dance	Sylvers	Freddie Perren	Rosy, ASCAP (Capitol)
21.	Dean Friedman	Ariel	Dean Friedman	Rob Stevens	Blendingwell, ASCAP (Lifesong)
22.	A. Gibb, B. Gibb	I Just Want To Be Your Everything	Andy Gibb	Albhy Galuten, Karl Richardson	Red Cow/Andy Gibb/Joy/Hugh & Barbara, ASCAP (Polydor)
23.	A. Gordon	My Heart Belongs To Me	• Barbra Streisand	Gary Kem, Charlie Calello for the Entertainment Co	KiKi/Koppelman-Bandier, BMI (Columbia)
24.	Bill Conti C. Connors A. Robbins	Gonna Fly Now (Theme From "Rocky")	• Maynard Ferguson	Jay Chataway	United Artists/ASCAP, Unart, BMI (Columbia)
25.	D. Wolinski A. Fischer	Hollywood	• Rufus Featuring Chaka Khan	Rufus	Big Elk/American Broadcasting, ASCAP (ABC)
26.	B. Emmons C. Moman	Luckenbach, Texas (Back To The Basics of Love)	• Waylon Jennings	Chips Moman	Bby Chick, BMI (RCA)
27.	Tom Scholz	Peace of Mind	Boston	Tom Scholz John Boylan	Pure, BMI (Epic)
28.	R. Goodrun	It's Sad To Belong	• England Dan & John Ford Coley	Kyle Lehning	Famous/Ironside, ASCAP (Atlantic)
29.	P. Smith G. Jackson, R. Miner B. Davis	Higher And Higher	• Rita Coolidge	David Anderle	Chevis/Warner-Tamerlaine, BMI (A&M)
30.	Bette Midler Carole Bayer Sager B. Roberts	You're Movin' Out Today	• Bette Midler	Tom Dowd	Divine/Begonia Melodies/Unichappell/Fedora, BMI (Atlantic)
31.	Lerios Jenkins	Whatcha Gonna Do?	Pablo Cruise	Bill Schnee	Irving/Pablo Cruise, BMI, (A&M)
32.	J. Barry P. Spector E. Greenwich	Da Doo Ron Ron	• Shaun Cassidy	Michael Lloyd	Trio/Mother Bertha, BMI (Warner/Curb)
33.	Peter Framton	I'm In You	Peter Frampton	Peter Frampton	Almo, Fram-Dee, ASCAP (A&M)
34.	S. Eaton	All You Get From Love Is A Love Song	• The Carpenters	David Anderle	Hmpstead Heath, ASCAP (A&M)
35.	E. Stewart G. Gouldman	People In Love	10cc	10cc	Man-Ken, BMI (Phonogram)
36.	K. Gamble L. Huff	I Don't Love You Anymore	• Teddy Pendergrass	John Whitehead Gene McFadden Victor Carstarphen	Mighty Three, BMI (Philadelphia International)
37.	Graham Nash	Just A Song Before I Go	Crosby, Stills & Nash	David Crosby Stephen Stills Graham Nash	Thin Ice, ASCAP (Atlantic)
38.	Neil Sedaka H. Greenfield	Amarillo	Neil Sedaka	George Martin	Neil Sedaka, BMI (Elektra)
39.	Alice Cooper D. Wagner	You And Me	Alice Cooper	Bob Ezrin	Ezra/Early Frost, BMI (Warner Bros.)
40.	Paul Williams K. Ascher	Watch Closely Now	Kris Kristofferson	Barbra Streisand Phil Ramone	First Artists, Emanuel/20th Century, ASCAP (Columbia)

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Songwriter Q&A

Q **Please advise me about something that seems suspicious to me. I sent a piano/voice tape of three of my best songs to a publisher, and he got back to me saying he wants to publish my songs, and would I send him $450.00 to pay for musicians, singers and studio time to make demos.**

Max Miller
Miami

A *Beware of song sharks. They are unethical music businessmen who want you to pay for your own songs. Genuine, valid publishers who see value in your songs will invest their own money to make presentable demos. You, the writer, should almost never have to pay. There are exceptions, of course. It may be the case that a really good and legitimate person is just starting out with his own small publishing company and doesn't have the bread for demos. If you know the person and his validity, it might be better for you to go with him (if you feel his enthusiasm and willingness to work 18 hours a day on getting action on your music) than to go with a bigger, less personal company. Also, there are genuine demo-making services where it's worth investing a few bucks—they're the ones that are only interested in cutting good sounding demos but do not want any involvement in your publishing.*

Q **I'm a lyricist who does not write music, and I sent a set of lyrics to one of those companies which claims 'We put music to your lyrics' for which they charge a 'profesional fee' of $125.00 per song. Is this worthwhile?**

D. Byron
Passaic

A *The 'music to your lyrics' business often transpires that these companies use the same melodies over and over again, to different lyrics. Most reputable publishers, producers and A&R men are so hip to their trip that when they recognize the song sharks' label or logo on a disc or tape, they'll just refuse the product.*

Q **After reading a special music publishing supplement in a trade magazine, I realized that most firms have two companies, one registered with BMI, one with ASCAP. Would you be so kind as to explain?**

Joseph Felix
Brooklyn

A *Most companies have both BMI and ASCAP affiliated companies and some also have one with SESAC. This is because you can't have a BMI writer published by an ASCAP publisher—both parties have to be members of the same performing rights organization. Thus you have, under the same roof: Warner Bros. Music (ASCAP) and Warner-Tamerlane Publishing (BMI); Screen Gems-EMI Music (BMI) and Colgems-EMI Music (ASCAP); American Broadcasting Music (ASCAP) and ABC-Dunhill Music (BMI); Jobete Music (ASCAP) and Stone Diamond (BMI). Some publishers have several companies, in which case ownership in each company may vary; i.e., a publishing company jointly owned by a large publisher and a very successful writer.*

Q **Could you explain the Canadian Content Rule and how it would affect a U.S. writer who is collaborating with a Canadian lyricist on material to be recorded by a Canadian artist on a Canadian label? Is the rule advantageous or detrimental to me?**

Lisa Wilkinson
Anaheim

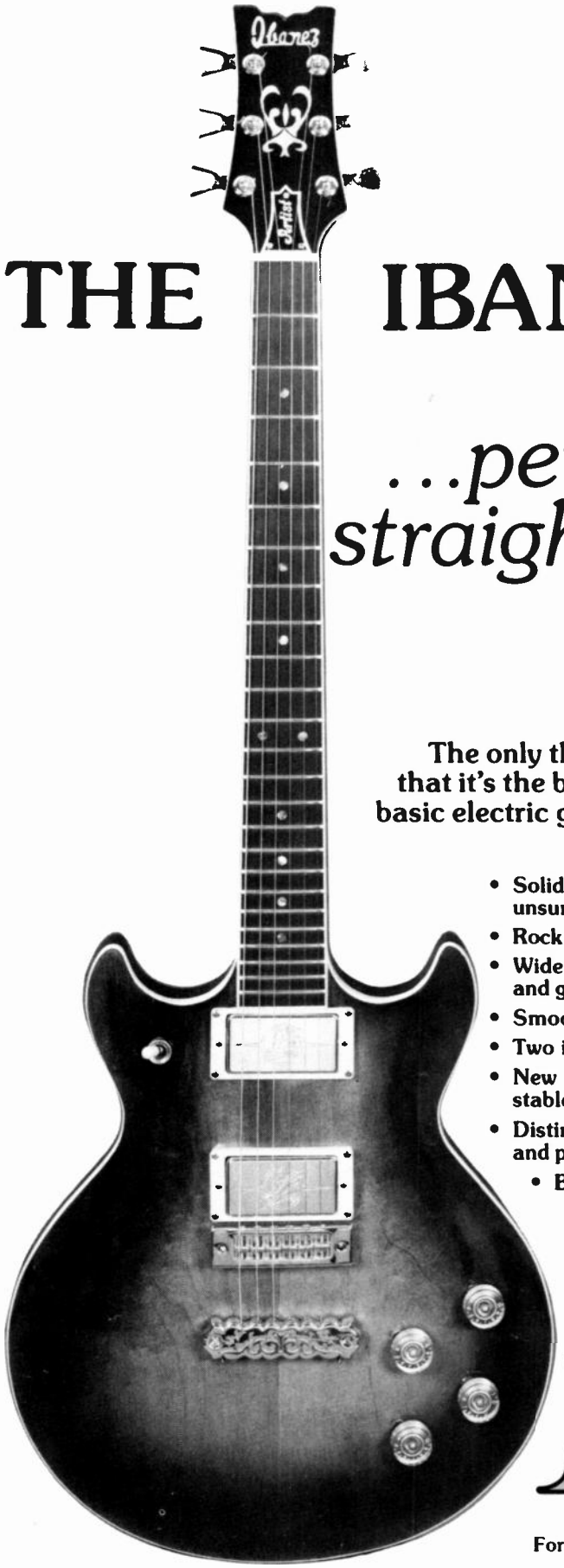
A *The Canadian government has a ruling that Canadian radio stations must play at least 30% Canadian Content records. These records must be Canadian in two out of the following four respects: music, artist, production, lyrics — M A P L. In your case, Lisa, you'll have three (artist, production and lyrics) out of the four, which will advantageously qualify this record for some airplay in Canada. Just how much airplay, and thus, just how much performance income you get, depends on the strength of the record. Example: Nazareth, a Scottish group, recorded Joni Mitchell's "This Flight Tonight" in England. Because the music and lyrics were by Canadian-born Joni, the record went on Canadian stations, became a big hit there, and Joni and the group got richer from huge performances.*

Next Month

The writer of Bend Me Shape Me, Lay Me Down And Roll Me Out To Sea, Help Me Girl and Rhinestone Cowboy talks about survival in the music business. Our August Songwriter interview will be with

Larry Weiss

In this article, Larry describes his early experiences starting in his place of birth, Newark, New Jersey, to the writing and recording of *Rhinestone Cowboy*. He tells how he survived in the music industry although it was seven years between gold records . . . *Bend Me Shape Me* in 1968 and *Rhinestone Cowboy* in 1975. He describes how he started out as a singer, but converted his emphasis to writing early on. He tells how he developed from a writer whose early strength was melody, to one who evolves his ideas from lyrics and titles. He describes how he went about gaining a complete education in the music industry working as a songplugger, staff writer, publishing company general manager, recording artist and assistant head of A&R at Kapp Records. His songs have been covered by many of the top artists throughout the world and he has stayed on top of his profession since he first entered it in 1961. Read all about Larry Weiss in our August issue . . . and much more about songwriting in *Songwriter*.



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