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# Songwriter



**Songwriter  
Interview:**

**Peter McCann**

**...“Do You Want to Make Love,”  
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Peter McCann



Chuck Kaye



Songplugging

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by Paul August

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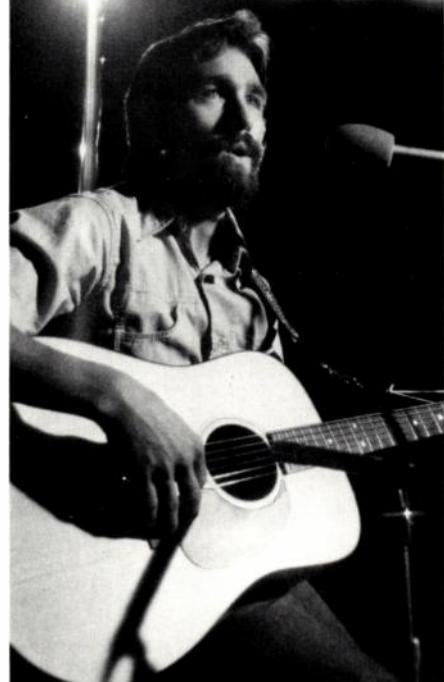
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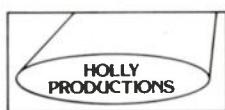
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## Songwriter News



Peter Yarrow hoots it up with SRS members (l to r) Pamela Graham, Steven Michael Schwartz and Don Mrozek at SRS' Third Festival of New Music. Yarrow has met with various SRS members in search of tunes for the Peter, Paul and Mary reunion album.

**Peter, Paul and Mary**, friends of the fledgling songwriter from way back, are recording a reunion album. And, sure enough, the group who scored with tunes penned by such "unknowns" as Bob Dylan, John Denver and Gordon Lightfoot in the 60s, has once again turned to the unsung for songs.

Peter Yarrow recently met individually with 20 members of Songwriters Resources and Services in the offices of SRS. Yarrow told us he initiated the meetings with the SRS members, all veterans of SRS' Festivals of New Music, because "I decided that many of the songs I've heard from these young songwriters have more of a cutting edge than what I was hearing from any of the publishers.

"I also wanted to initiate a process whereby producers or artists who are looking for material can make use of songwriters' efforts directly, rather than through the ordinary processes, which are so difficult for songwriters to challenge."

Added the SRS vice president: "I've heard several sensational songs that I'm going to present to Paul and Mary."

\*\*\*

**FREE VERSE:** Buddy Kaye's songwriting seminar travels to the University of Colorado at Boulder July 29-30. For information, call Peter Seward at (303) 492-5141. Kaye

— continued on page 6



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## News from page 4

starts his UCLA Extension summer classes July 11 (Song Lyrics) and July 13 (Songwriters' Workshop). For more details: (213) 825-9411. . . . The American Guild of Authors/Composers has started Askapro West, a Los Angeles version of the New York seminars for songwriters. The monthly rap sessions feature prominent members of the music business in a one-to-one question-and-answer format, and are free to the public. For a reservation (space is limited), call AGAC at (213) 462-1108. . . . Reprints of the article, "How to Get Your Song Published," are available upon request from the Public Relations Department of the American Society of Composers, Authors and Publishers, One Lincoln Plaza, New York, N.Y. 10023. The text is an updated version of an article which appeared last year in *International Musician*, the publication of the American Federation of Musicians . . . L.A.'s Sherwood Oaks Experimental College will present its first "full-time intensive recording workshop," beginning June 26. The program, which offers transferable college credit, is open to screenwriters, musicians, engineers and producers. For more information: (213) 462-0069. A second session begins in late July.

\* \* \*

If there was any question who Art Garfunkel's second favorite songwriter is, his latest album, "Watermark," provides the answer. Nine of the 11 songs were written by our March, 1976, cover boy, **Jimmy Webb**. Garfunkel told us how he came to regard Webb as "The best songwriter I'd seen since Paul Simon": "We met about 10 years ago. Jimmy sat down, very shy, and played three or four things for Paul and me. I was very impressed. Without realizing it, I must have put him in the back of my mind as somebody I'd like to work with in the future.

"Years later, Jimmy and I went inside the studio and put down a two-hour demo. I lived with the tape for several years to the point where it became my favorite music. When I was recording the 'Watermark' album, I jumped into the project with the feeling of 'I'm gonna do my favorite music . . .'"

Asked what sets Webb a cut above the rest of the songwriting pack, Garfunkel paused a moment: "He's very emotionally affecting. That's his real strength."

• • • • •



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Len Latimer      Rich Wiseman      Bill Reid

Who's Who Editors      Photographer      Illustrator  
Pat & Pete Luboff      Richard DiLello      Dennis Ellefson

Contributors  
Al Kasha, Joel Hirschhorn, Charlie Monk, Ladd McIntosh,  
Paul August, Allan McDougall,  
Sidney Shemel, M. William Krasilovsky, Sheila Davis,  
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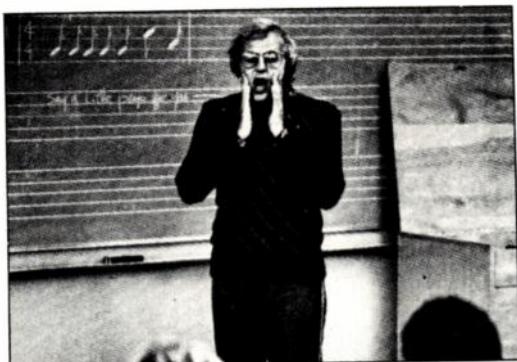
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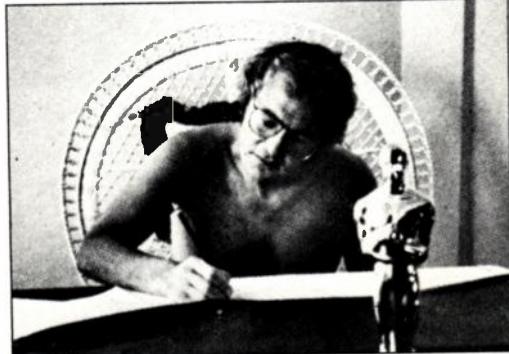
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AL KASHA, the instructor for this program, combines the unique abilities of an award-winning songwriter with the even more extraordinary talents of a gifted teacher. Since 1971, Mr. Kasha has been on the faculty of UCLA, conducted workshops at Sherwood Oaks Experimental College, as well as doing an annual lecture tour throughout the country. In 1973, he won his first Academy Award for the song "THE MORNING AFTER" from *THE POSEIDON ADVENTURE*. His second Academy Award, in 1975, was for "WE MAY NEVER LOVE LIKE THIS AGAIN" from *THE TOWERING INFERN*O. To date, he has received 13 Gold Records, having sold more than 44 million recordings of his songs. His most recent film assignment is the Song Score for Disney's most ambitious musical comedy, *PETE'S DRAGON*, for which he has been nominated for Academy Awards in two categories, Best Song, "CANDLE ON THE WATER" and Best Song Score. Mr. Kasha is a contributing columnist for *SONGWRITER MAGAZINE* and received his BA degree from THE JULLIARD SCHOOL of MUSIC in New York City.



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Dale was in our Who's Who column in the January, '76 issue, at which time he was Director of Creative Affairs for MCA Music. He moved to ABC in March, 1978.

The ABC publishing companies have a catalog of over 16,000 songs, including pop standards such as the Mamas and Papas' hit *California Dreamin'*, and Lambert and Potter songs, *Don't Pull Your Love* and *Love Music*. ABC publishes Peter McCann's hit songs *Do You Wanna Make Love* and *The Right Time of The Night*, and songs by Steely Dan, Kenny Loggins, Daniel Moore, and many others.

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"Without the songwriter, there would be no music business. Writers deserve respect and direction for their music and that's why I have an open door policy. Every tape that is mailed in or dropped by is given a fair listen. If I get excited, I can generate that excitement to a producer to get the song recorded."



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Ron got involved in radio work in '65. He spent three of his four years in the Air Force working with the Armed Forces Radio and TV. After the service, Ron got into commercial broadcasting  
— continued on page 39

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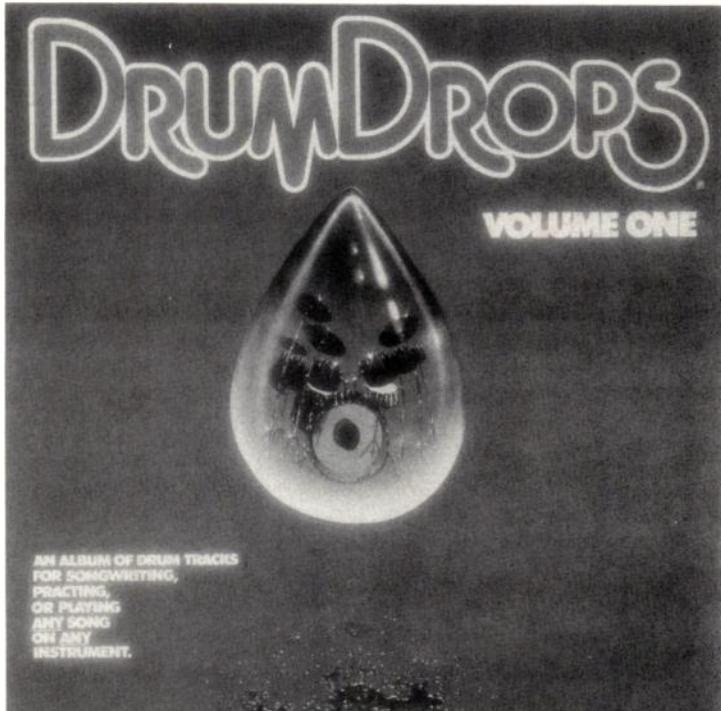
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## The Character Pop Song (Where Are the People?)

by Al Kasha

in association with Joel Hirschhorn

Before the early 60's, popular music dealt with its subject matter in generalities. Songs such as *Because of You, I Won't Cry Anymore* and *You're Breaking My Heart* talked about love but rarely defined it through characterization. The songs of the pre folk-rock era had feeling, but no sense of people. Listeners never knew what the protagonists looked like, whether they were short, tall, old, young, blonde or brunette. There were no references to gestures, styles of dress or any other idiosyncrasies.

The character pop song is more prevalent today than ever before, because music listeners aren't satisfied now unless they're given specific information. This is an educated generation, one in which psychoanalysis is a fact of life, rather than the weird preoccupation of isolated eccentrics. Unless a writer delves beneath the surface of his subject, their attention is liable to wander.

In the recent hit *Native New Yorker* (Denny Randall/Sandy Linzer) the authors write: "You grew up riding the subways, runnin' with people up in Harlem, down on Broadway." This brings New York vividly alive. They go on: "You're no tramp but you're no lady . . . where did all those yesterdays go, when you still believed love could really be a Broadway show. You were the star, when did it close?" It's a story of disillusionment that everyone can identify with. The line: "You're no tramp but you're no lady" is an original way of saying that the character is human, not promiscuous but subject to temptation and pressure. In the old days, the lyrics might have said, "You're a native New Yorker and you need love," which wouldn't have given us a sense of the lonely, searching person inside.

An early character pop song, one which has just been successfully revived by James Taylor, is *Handy Man* (Otis Blackwell/Jimmy Jones). In the 40's,

the treatment would have been something on the order of "I'm a lover and I want to hold you," which remains stubbornly superficial. Those words don't make you see the handyman, but these do: "I'm not the kind who uses pencil or rule, I'm handy with the love and I'm no fool . . . you tell all your friends and they'll come running to me." They dramatize a kind of self-confident, sexual narcissism.

*Sophisticated Lady* (Chuck Jackson/Marvin Yancy/Natalie Cole) is a title that could easily have been handled through cliches. There might have been references to dancing, champagne, moonlight, but the lyrics say, "She stands tall and steady like the Eiffel Tower, she is hip to politics but loves her jazz." You know the sophisticated lady very well by now, and when the next line, "She wears knee length dresses with her high heel steppers," completes her physical description, she's come completely to life.

In Dean Friedman's *Ariel* he writes: "She was collecting quarters in a paper cup" . . . "She wore a peasant blouse with nothing underneath" . . . "She was a Jewish girl, I fell in love with her." Ariel is very different from Elliot Lurie's *Brandy*, "a girl in this harbor town and she works laying whiskey down." A contrasting personality is *Christine Sixteen* (Gene Simmons) who's "hot every day and night, there's no doubt about it." In this generation, it's not enough to be in love with a girl . . . the listener has to know who she is.

The pre-characterization era sang, "I want to be alone to cry." We can all identify with that, but if you said, "I am a rock, I am an island," there's more strength and power to the portrait. Examine these words: "I've built walls, a fortress deep and mighty that none can penetrate . . . I have my books, and my poetry to protect me." We get a sense of the character trying to insulate himself

and not really succeeding. Even though he protests that he's shutting out pain, we as listeners have the sense that the pain is chipping away at his defenses. We also know that he's hiding behind the shelter of books and poetry, that he's a thinking person, and handles emotional crisis in a cerebral way.

Today's writers don't merely say, "I love to play the old piano roll." David Gates' *Guitar Man* is characterized like this: "Then the lights begin to flicker and the sound is getting dim — the voice begins to falter and the crowds are getting thin — but he never seems to notice, he's just got to find another place to play." That's more than devotion to music, it's a kind of obsession. It's the difference between saying, "the guitar man loves his music" and painting an individual so attached to his instrument and what it signifies that he's completely adrift without it. The person is revealed, not a vague stereotype.

The list of character pop songs is endless. There's Ray Steven's *Mr. Businessman* working himself to death and neglecting his family, Joni Mitchell's dreamy and poetic *Michael From Mountains*, and the embittered *Mrs. Robinson* by Paul Simon. There's Lennon and McCartney's *Eleanor Rigby* standing alone at the church, and Neil Diamond's *Desiree*, who takes up with boys half her age. There's Jimmy Webb's *Carpet Man*, letting his girlfriend walk over him.

Love is an emotion that dominates all our lives in one way or another, but it's not enough to just say, "I need you" or "I want to break up with you." In a world where readers hungrily devour People and Us magazines, eager for capsule summaries of people from all walks of life.

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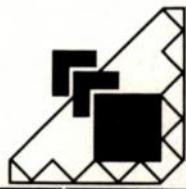
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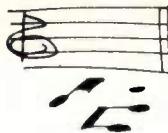
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# Composition



## How Are You At

by Ladd McIntosh

We introduced the subject of *chord voicings* in our last article. When we talk of *voicing* a chord we are speaking of the way we place the various notes, or components, of a chord so that the most desirable sound is achieved. It is not sufficient to voice all chords in root position as this would tend towards a sameness; hence boredom.

There are four basic kinds of voicings:

1. Root position
2. Closed or block (inversions)
3. Open
4. Incomplete

Each type of voicing was briefly discussed in our last article. In this article

we will examine more closely the "do's and don'ts" of *open* voicing.

There are a couple of things to always keep in mind with any voicing.

1. The top (melody) note.
2. The bottom (bass) note.
3. The space (interval) between adjoining notes.
4. The range, i.e., how high versus how low to comfortably place it. (It is quite possible to score something either too high or too low.)
5. The interval between the top two notes.
6. The interval between the bottom two notes.

As stated last issue, *Open Voicings* are *any* voicings that span more than an octave (Ex. 1). They may be chosen for a number of different reasons. Because they span a large area, they tend to have a much fuller, and in general, bigger sound. Open voicings may successfully be employed when writing for the following groups of instruments: saxophones — 4 or 5; trombones — 3 or more; full brass — 6 or more (mixed trumpets & trombones); orchestral woodwinds — full section; strings; the piano; the guitar (if you know what you're doing); mixed vocal groups; and any combination that employs instruments of both high and low pitch such as full orchestras, chamber orchestras, brass choirs, marching and symphonic bands, big bands, pit orchestras and studio orchestras.

As with anything else, constant use of this device may lead to boredom — a musical saturation. Open voicing should be balanced by being alternated with passages in either *close* or *incomplete* voicings, or else with sections of unison or solo emphasis. Sustained open voicings also make excellent *harmonic pads* underneath an existing melody (Ex. 2).

### Sharps and Flats

by Alex Granado



"Let's see now . . .  
What rhymes with — "and then I wrote . . . "?

### THE TOP (MELODY) NOTE vs. THE BOTTOM (BASS) NOTE

One of the first things to determine is: "what will be my top note in this particular voicing?" This decision is quickly followed by the selection of the bottom note. The human ear hears the top and bottom first and then picks up on the rest. These two notes should agree with one another.

Some things to keep in mind about the top note:

1. It should lead smoothly from the top note of the preceding voicing to the top note of the one following.
2. It should not clash with the melody note (or notes).
3. It should not be voiced too low.
4. It may be any note of the chord as long as it meets the above 3 conditions.

The bottom note is usually the root of the chord. The reason for this is that the bass player's job is to outline the basic chord progression. He does this by play-

# Voicing Chords?

ing roots and fifths predominantly; unless, of course, the chord symbol calls for a note other than the root to be sounded on the bottom (Ex. 3). When voicing, we must always take into consideration the notes the bass player will be playing and be careful not to clash with him in our voicings. For example, if you were to foolishly voice the ninth of a  $B^b9$  on the bottom and *not* alter the chord symbol to a  $B^b9/c$ , your low instruments (baritone saxophone, bass trombone, tuba, cello, bassoon, bass clarinet or bass voice) would confidently sound the low "C" while the bass player would happily plunk away on the low "B"! Your  $B^b9$  indicates to him to play (Ex. 4). The result is mud: an abrupt "clinker" in your otherwise brilliant arrangement and more than likely, an "Oh, boy, ain't he dumb" look from one or more of your players. **MAKE SURE YOUR BOTTOM NOTE ALWAYS AGREES WITH THE CHORD SYMBOL** (Ex. 5).

## THE INTERVAL BETWEEN THE TOP TWO NOTES

Here, the best thing to do is to employ thirds (minor or major) or possibly fourths. Larger intervals must be used with caution. Your ears should tell you whether or not the interval is too large. Fifths and sixths are generally acceptable. Anything larger than a sixth will have a very stark quality — unless it's an octave which is quite nice (octaves merely double the melody so it's still important to watch the interval between melody and next lowest *harmony* note). While major seconds are usually fine, **MINOR SECONDS BETWEEN TOP TWO VOICES ARE TO BE AVOIDED**.

If the top two notes are only a minor second apart (Ex. 6), their dissonance makes it very difficult to determine just which one is the intended top note. Some definite "no's" with minor seconds include:

Melody Note	Chord Type
3rd	minor ninth
3rd	dominant 7 <sup>+</sup> 9
5th	any chord with +11
7th	dominant 13 or minor 13
Root	Major 7 (closed)

## THE INTERVAL BETWEEN THE BOTTOM TWO NOTES

Assuming your bottom note is the root, the two best choices for notes immediately above it are 7ths or 10ths (Ex. 7 & 8). Perfect fifths are also acceptable, but these are expendable and if removed, you will usually find a 7th or 10th (Ex. 9 & 10).

Smaller intervals such as 2nds & 3rds are fine, but not in open voicing since open voicing must, by definition, span more than an octave. A chord

voiced with a small interval at the bottom and larger intervals above it would be "bottom heavy" and awkward sounding. These voicings are found, but usually in the arrangements of novice writers. More professional arrangers avoid them altogether.

Sixths work fine if you're voicing a sixth chord, but can be quite a problem if voicing the more common 7th chords (Ex. 11).

Ninths between the bottom two voices work *only* if the third of the chord is placed next to the ninth (Ex. 12).

Ex. 1  $G_{mi}9$

Ex. 3  $A_{mi}7/D$

Ex. 6  $E_{maj}7$  *No!*

Ex. 2  $C_{mi}7/F$   $F9$   $B_{bmaj}7$

Ex. 4  $B^b9$  *DO NOT AGREE*

Ex. 5  $B^b9$  *Correct*

Ex. 7  $A^1$   $F_{mi}7$

Ex. 8  $C^7$   $G_{maj}7$

Ex. 9  $A^{13}$   $D_{bb9}$

Ex. 10  $B^b9$

Ex. 11  $C69$

Ex. 12  $C^9$   $E_{mi}9$   $G_{mi}7/C$   $F_{mi}11$

WRH

# The Anatomy of A Songshark

**(From Anonymity to Stardom)**

by Helen King

*Songwriter Magazine* and virtually every reputable organization representing music creators and publishing companies have written articles, distributed monographs, and personally cautioned songwriters against songsharks. Songsharks are those who trade on people's need for recognition, validation of their lives — and of course money. Not everyone has invented electricity, but almost everyone has written a poem and believes it to be his or her key to immortality. These are the potential victims of songsharks. The field is wide open.

Pick up almost any pulp magazine of national or local distribution and you will find classified and display ads with a single theme: "Song/poems wanted, Win fame and fortune with your songs, or just lyrics or poems. We will evaluate your songs without charge." Some of the ads are framed in dollar signs. I've seen as many as twenty such ads in a single periodical offering to put your poem to music.

You are finally seduced, and mail in your poem. Although there are variations in the answers you receive, the message is pretty much the same. It opens with, "You will be happy to hear," or "We are pleased to advise you," that your song was accepted (sometimes it's by 'our professional staff,' or 'by our panel of judges') for commercial recording by our label." Or, "your poem was among the top five (or ten, or thirty) of the 300 (or 500) songs we received this week." I asked an amiable songshark

who dropped in to see me a couple of months ago if he ever rejected any songs. "Oh yes," he said proudly, "when the lyric is so filthy you feel squeamish even touching the paper it's written on." Years ago, Harry Ruby, one of the top American lyricists, told me that he sent a songshark the worst possible lyric he could write just to see what would happen. The answer was positively ecstatic. They found it immortal verse.

The Lord giveth, and the Lord taketh away. The next paragraph after "You will be happy to hear . . ." reads: "We hope you understand that records are an extremely speculative business and should only be pursued by songwriters who can accept disappointment as well as success. Hundreds of records are released each week; only a few are 'hits.'

This paragraph appears in every songshark letter and in every contract. Apparently, on advice of counsel, such a disclaimer is imperative in order to neutralize all the implied promises in the ads. So here you have the truth. You're disturbed, but only for a moment. Self deception comes easily. Of course you can "accept disappointment as well as success." But you know in your heart that your poem is a sure winner. You wrote it! You've compared it with some of the songs on the charts. Those songs don't really say much. Yours is your own brainchild — it's full of meaning.

A paragraph that does not always appear, but don't be fooled by it, says: "Unlike many companies, we do not

charge the songwriter fees for recording, arranging, musical setting or musicians." Don't worry. They will!

We'd better take a look at the contract they enclosed with this carefully worded letter. It's called a "Commercial Recording Contract." I have a sample in front of me. Here's what this same company says about making a record:

"Manufacturer agrees to record the above composition. Manufacturer represents that in the opinion of the Manufacturer this is a commercial type recording on a hand-cut 45 rpm disc."

And that's all. This paragraph simply says that the Manufacturer will record the composition. It says nothing about who gets the recorded copy, or copies. All they agree to do is 'record' it, which simply means that they will prepare a recording. Not a word about pressings. And 'hand-cut' (on a lathe) is common practice. However, it does sound good, like hand-cut crystal. It's also interesting to note that the *sole judge* of the commerciality of the recording is the Manufacturer.

Here's another paragraph from the same contract:

"It is also understood that the writer wishes to obtain the following services:

- A. Manuscript copies of the record (lead sheet)
- B. Mechanical licensing
- C. Copyright Advisory Service



**CHECK ONE:**

\$69 as payment in full  
 \$30 as down payment. Balance of \$39 within 120 days."

Let's look at these services:

A. Manuscript copy, which is a simple lead sheet, is available in the open market for \$10, give or take a couple of dollars.

B. A mechanical license is the paper that says the record company has the right to record your song. Cost? The price of the paper!

C. Copyright Advisory Service. This one's cute. You read that and you imagine a panel of lawyers briefing you on the intricacies of the complex copyright law. All I can figure out is that they fill in the blank spaces on an application for copyright. Cost? The form costs nothing; filling it in can't take over ten minutes.

And, incidentally, under the new copyright law your song is protected whether or not you get a copyright.

The same paragraph, cautioning you against believing any of the implied promises in songsharks' enticing ads and literature, appears in every contract I studied. Here are a couple of samples, with slightly different wording:

"Since no one can accurately predict the success or failure of a song, the performance of all promises made in the letters or literature of Manufacturer shall fully complete their part of the agreement. Acceptance of your material by Manufacturer does not constitute a guarantee of its success."

Note that "success" can easily include either the commercial success or artistic success, or both.

"Due to the nature of the music business, it is impossible to predict accurately the success of songs and that the acceptance of material by Manufacturer is not a prediction for the success of this material."

Enough for disclaimers. The message is the same, no matter how stated. The songshark is off the hook!

Here's another little signpost that appears in every contract, with varying syntax:

"Manufacturer reserves the right to make any changes or revisions in either words or music or both which he believes necessary to improve the song for recording," or

"The Author agrees to allow Publisher (this one's a songwriter contract) and/or their employees to make revisions of the words or music submitted by Author."

Some of the changes may be constructive. However, in chatting with a competent composer who makes an adequate living composing music for songsharks, at \$3.00 per song (he can do

ten an hour), I asked what making "changes or revisions" means. Allotting himself six minutes a song, a long song can make a deep dent in his profits, so he simply reduces the length of the song. He doesn't call it "cutting out a bunch of irrelevant stuff," it's called "tightening up the lyric."

I asked the composer how he operates. He told me. He picks up a batch of lyrics from the songshark, slaps them one at a time on his music stand, turns on his tape recorder, and starts singing the words while strumming his guitar. When his feet begin to hurt from standing, he sits down at the piano and continues grinding them out. This was a couple of years ago. He may be getting as much as \$5.00 a song now.

Now put this one into your mental computer:

"If writer fails to complete payments of services under Section 4 (that's the one about the \$69, \$30, \$39), he shall not be entitled to a refund of any monies already paid, and all payments thereafter paid shall be retained for

services and liquidated damages, without any further obligation or liability on the part of either party here-to."

Now you know what happens to you when you can't come up with the other \$39.00.

Here's another goodie:

"Manufacturer agrees to obtain for and submit to writer a Songwriters Contract for the writer within 60 days providing royalties payable to writer when earned, subject to writer's acceptance."

To the uninitiated songwriter, a "Songwriter Contract" is construed as a guarantee of "publication," similar to a book publishing contract. You assume that your work will indeed be published, that is, that sheet music will be printed, or records pressed, distributed for public sale, and that royalties will automatically accrue to the creator. Not so. In music industry practice, the publisher is the agent who takes the com— continued on page 42

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# How To Choose (And

by Leo de Gar Kulka

Comments have been made from time to time that the purpose of recording is to transport the listener into the concert hall or into the studio or vice versa. In fact, nothing could be further from the truth. What the recording engineer has to try to accomplish is to create an artificial environment that will sound good and pleasant to the listener at home. In doing so, the acoustic environment in which the music will be reproduced has to be taken into consideration. For instance, since motion pictures are generally reproduced in rather large halls (motion picture theatres), the music and the sound are cut absolutely dry (with as little reverberation as possible), because the speakers over which the narration or the music is being reproduced is on the stage, behind the screen, and the reverberance of the entire theatre is utilized to add a degree of liveness. On the other hand, if that same music is going to be reproduced in a tiny living room, which most apartments have, then we will find that the sound of the music is going to be extremely dead, which means there won't be any reverberation or any decay of the sound because the room itself does not add anything of its own characteristics to it, being too small and furthermore carpeted, draped, and appointed with furniture, which further tends to absorb the sound.

The reverberance of the natural environment can be achieved in numerous ways; one of which is by the choice of microphones. If one uses a series of highly directional microphones and places them close to the instrument, then the environment in which the instrument is being recorded has very little effect on the actual sound of the recording because the microphone is highly directional and therefore selective and, if aimed at the strings or the sound coupler of the instrument, it will pick up *only* that sound. On the other hand, if an omni-directional microphone (a ball-shaped mike that has a sensitivity over a 360-degree radius) is used, then we will find that depending on how

far the microphone is placed from the sound source of the sound coupler, a greater or lesser degree of room ambience will be picked up. Therefore, it is quite ridiculous to consider extreme close miking with a highly directional microphone. The habit of close miking came about from using inefficient so-called directional microphones, which were, in most cases (except for the highest frequencies), omni-directional, and therefore picked up a tremendous amount of room ambience. The only way that one could compensate for the ineffectiveness resulting from the wrong labelling of the cheap directional microphone was by sticking the microphone practically into the instrument. On the other hand, a properly directional microphone, that is, one that has a signal rejection at all frequencies within the cardioid pattern, will then be so selective that it will pick up the sound only within its cone of acceptance and therefore eliminate the majority of the room ambience. One can therefore place this microphone somewhat away from the instrument, allow the sound to achieve a greater character by its propagation through the air and at the same time reject and have a minimal amount of ambient sound.

Therefore, the selection of the microphone and knowing the characteristics of the microphone is of primary importance. Remember in your efforts or in your playback efforts, the end result is only as good as the weakest link in the chain. A good directional microphone, one that is directional in all frequencies, rather than just in the high frequencies, is extremely important and these are not necessarily expensive. There are several microphones that are made that have a better than 35-degree front-to-side and a 40-degree front-to-back rejection ratio over a very broad spectrum of the audio. These microphones are of the dynamic kind, as well as the condenser kinds, they do have an extremely narrow band and are in the \$120 to \$200 price range. The fallacy is

that a lot of so-called engineers who are partially or inadequately educated feel that price alone is a criterion and they choose highly specialized and expensive condenser microphones. These mikes are considered to be, or labeled, as cardioid which have an extremely wide, 180-degree, angle of acceptance. Therefore, although they are, for all practical purposes, cardioid in pattern, their pick-up pattern is rather broad. So, in order to get that kind of ambience leakage, one has to place these microphones rather close to the instrument. The problem that arises then, is that the close miking with a condenser microphone defeats the purpose of a condenser microphone, which is basically a distant pick-up microphone and it should not be used for close pick-up. It doesn't *sound good!* It sounds better further away, especially if the diaphragm is one that is a little bit larger than a dime. For close miking, the microphone diaphragm has to be smaller than a dime.

From the above discussion, we can readily see that the directionality of the microphone has to be taken into consideration whenever a job application arises. An example of this is the use of microphones in public address systems. Everyone is always concerned with POWER in order to fill a room with sufficient amount of sound. A tremendous amount of attention is focused on Amplifier Power, when in reality the limiting factor is not the amp power, but the directional characteristics of the microphones used. A broad spectrum patterned mike, though labeled "uni-directional" might in reality be unidirectional in the high frequencies (within the "cone of acceptance"), however, when in the mid-range and low frequencies it is almost omni-directional (a synonym for non-directional). This then becomes the limiting factor, as the output of the loudspeakers will be picked up by the sides and back of the microphone, fed back into the amp and to the speaker, back into the mike, and

# Use) A Microphone

we have a round-robin, which causes a loud squeal which we call "feedback!" The first reaction to stop this is usually a habit of cupping the hands over the mike to cover it up and stop the noise. In actuality, the hand now forms an acoustic chamber which amplifies the sound to the mike, acts as an acoustic amplifier, and just makes the condition worse. The solution, then, is to point the microphone AWAY from the speakers and to turn the volume of the amp down. In order to gain power and loudness, these microphones then almost have to be swallowed by the singer, which does little to enhance the sound quality, to be sure.

A different solution, at great expense, is offered in so-called anti-feedback devices, which are sometimes equalizers, which give the operator a chance to filter down, or lower certain resonant frequencies within the room within the speaker line. Obviously, this changes the frequency response of the sound. In actuality, the attempt is made to filter out those frequencies which the microphone is still super sensitive to, in a non-directional pattern. A further "solution" then is attempted by causing digital time delays of the sound, or certain frequencies of the amplified sound, which would most likely tend to feed-back into the microphone. All of these supposed remedies of course help in some fixed situations and they are costly.

A much simpler solution to get more volume into the audience, is in the choice of microphones. If you will use a highly directional mike, which is also called a "hyper-cardioid" microphone, a substantially higher volume will be possible before feed-back sets in. Look at the polar pattern, and observe what the front-to-side rejection ratio is at ALL frequencies. Not only at the upper spectrum! The front-to-back rejection ratio at ALL frequencies should be even greater! Now you don't have to swallow the microphone, you can hold it well back, or leave it on the stand, and your volume to the audience will be doubled!

An additional solution, or precaution, is to have a soft, sound-absorbing backdrop, to prevent sound from bouncing back from the back wall to the back of the stage and from there into the mike. Hang a heavy curtain BEHIND you, and you will gain additional decibels. Place the speakers in FRONT of the mikes, and you will gain more. Choose directional speakers, which disperse sound into the audience, but little to the sides and as little as possible to the back, and you will again gain more volume. If you follow these guidelines, you will find that you will not need a more powerful amplifier, but better microphones.

There is one more habit I have often observed, which completely defeats the microphone designer's efforts! Possibly you have unwittingly defeated a good mike yourself. Have you ever noticed that some mikes have ribs down the top or side of the microphone handle? Others might have a hole or two, and still others have meshing or port-holes on the side of the microphone stem. Please remember that these serve no decorative purpose, but very dramatically affect the microphone sound and directional characteristic! Why? Well, because dynamic microphones are basically omni-directional, and are changed into cardioid (directional) mikes by a series of acoustical chambers WITHIN the mike, which, through a most careful routing of sound waves through vents, holes, or louvres, cause cancellations of sound acoustically (through phase cancellation). It is these chambers which then, by careful design, make the microphone highly directional. If you grasp the mike stem and cover up any vent, louvre, or hole with your hand, you are defeating the acoustic chamber which makes the microphone highly directional. And, just by covering up these portals, you are transforming the mike into a non-directional or omni-directional mike with a feedback level so sensitive, that it will again defeat all the power of your amplifier.

For maximum volume without feed-back assure yourself of the following:

- 1) Reduce the bounce of sound off the walls of the room.
- 2) Reduce the sound reflection from behind you.
- 3) Place speakers in FRONT of the microphones.
- 4) Choose highly directional smooth frequency response microphones.
- 5) Keep the mikes from pointing in the direction of the speakers.
- 6) Do not cover up any vent-holes on the mike.
- 7) Do not cup your hands over the mike, or hold it too close to your face or mouth. (Even your face, and especially the cavity of your mouth can reflect sound back into the mike, causing feed-back!)
- 8) Use more and smaller speaker systems placed strategically in the room at lower volume, rather than one or two speakers which must be cranked up very high to blast away across the room.
- 9) Use moderation, and realize, that LOUDNESS of music certainly does not make it better!

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*The College for Recording Arts proudly announces the graduation of its latest advanced class of students. Future employers, please note, that our students had more than 500 hours of concentrated, and no-nonsense instruction in the major areas of the record/music industry, not only in recording engineering. Please recognize that they are not 10-week expert dial twirlers, but serious generalists with a wide expertise not only in sound recording, but also in publishing, the new copyright laws, business and finance, a most thorough music course in the anatomy of commercial recordings, and a host of other subjects including disc mastering, packaging, marketing, and promotion. Do yourself a favor when a CRA graduate calls at your door. First thing, ask to see the DIPLOMA. It represents the personal letter of recommendation of myself and our staff. A Certificate of Completion is NOT enough. Only the DIPLOMA is your assurance of hiring a good well-trained person. If you have any questions, please do call us for more details. A good attendance record is your assurance of professionalism and punctuality. If you have a special need, please drop us a line and we will arrange for an interview with those we consider best qualified for your job requirement.*

*For information, write to: COLLEGE FOR RECORDING ARTS, 665 Harrison Street, San Francisco, CA 94107.*

# Charlie Monk's Music Row

There is a rumor that **Johnny Rodriguez** will be switching from Mercury to CBS at contract time and will be produced by **Billy Sherrill**.

**Floyd Cramer** is no longer produced by independent **Owen Bradley**, but by his son **Jerry**, RCA's Nashville chief. Floyd cut **Billy Joel's** high energy tune *Root Beer Rag*.

Want a real "southern gospel" album? Try *Covered In Warmth* with the **Happy Goodman Family** (Howard, Sister Vestal, Sam, Rusty and Johnny) on Canaan. My son Collin and I are crazy about Rusty's tune *John The Revulator*.

The Kenny Rogers-Dottie West album may sell well if only because of the cover picture. My compliments to the photographer Gary Regester. **Kenny Rogers** helped write two of the songs — *What's Wrong With Us Today* with **Dottie** and producer **Larry Butler**, and *Beautiful Lies* with Alabama hillbilly **Milton Brown** and **Marriane Gordon** (Mrs. Rogers).

A very good progressive country album is a 1972 A&M release *The Last of the Red Hot Burrito Bros.* It includes *Six Days on the Road* (Dave Dudley's first hit), a tune written by **Carl and Peanut Montgomery** and an oldie written by **Don Reno** and **Jimmy Lunceford** called *Dixie Breakdown*.

**Casey Kelly** and his wife **Julie Didier** wrote the first track on Janie Fricke's first album. I am particularly impressed with Janie's performance of *Please Help Me I'm Falling*, a standard country tune from **Don Robertson** and **Hal Blair**.

MCA's **Ronnie Sessions** has recorded *Cash On Barrelhead*, an oldie written by **Charlie and Ira Louvin**. The Louvin Brothers were a top act until Ira was killed in a car accident. Charlie has had many solo hits. One of my favorites being *See The Big Man Cry* written by **Ed Bruce**.

**Byron Warner** has been cast to co-star with **Jerry Reed** in a TV film/pilot for NBC called *Good Ole Boys*. Warner plays Nashville's top publisher while Reed is an aspiring picker and singer. (Somewhat an autobio).

Clean humorist **Cotton Ivy** has a new album on Word titled *Cotton Ivy, The New Will Rogers*. The album, produced by **Ken Harding**, unfortunately sounds too much like **Jerry Clower** but the graphics are outstanding and I love Cotton Ivy.

**Mickey Newbury** has a new ABC-Hickory album with all newly written tunes except an **Alan Moore** arrangement of the old gospel favorite *His Eye Is On The Sparrow*, the title tune.

**Crystal Gayle** relates why she doesn't sound as countryfied as big sister **Loretta Lynn**, "Loretta was raised in Kentucky and I was raised in Wabash, Indiana, so I have a Hoosier accent — blended with the Nashville Sound." Crystal just recorded the old Julie London goodie, *Cry Me A River*.

The winners in the International Country Music Awards at Wembley, England included: **Dolly Parton** (Best Female Vocalist), **Slim Whitman** (Best Male Vocalist), **Statler Brothers** (Best Group) and Dolly's sister **Stella Parton** (Most Promising New Act).

After 32 years of dedicated service to Acuff-Rose Publication, my buddy (and Dean of Country Promo Men), **Mel Foree** has been named Vice-President.

**Charlie Calello** dropped into town to do tracks for an Englebert Humperdink session. Lucky writers to get tunes on the date were **Ben Peters**, **Jerry Fuller**, **Jerry Foster** and **Bill Rice**.

**Bill Anderson** dueted with "King" **Roy Acuff** on *I Wonder If God Likes Country Music* which will be included in Anderson's MCA album *Love And Other Sad Stories*.

Producer **Henry Jaffe** and **Ralph Markowitz** (*Dinah!* and *Kraft Music Hall*) have signed a deal with the Gospel Music Association that may bring the Annual Dove Awards ceremony to network tvee in November.

**Dolly Parton** has a new album of old stuff on Monument. *In The Beginning* features two of my favorites, *Curly Putnam's Dumb Blonde* and *Put It Off Until Tomorrow* written by Dolly and her uncle/mentor **Bill Owens**.

Things to say when you ain't got nothing else:

Conway Twitty's Nashville home is up for grabs for \$525,000 — **Jean Shepard** now records for **Slim Williamson's Scorpion Records** — **Don Schlitz** wrote and recorded *The Gambler* — **High Mofatt** recorded *The Gambler* — **Charlie Tango** recorded *The Gambler* — **Bobby Bare** recorded *The Gambler* in his new album — **Delbert McClinton** wrote **Emmylou Harris' Two More Bottles Of Wine** — **Jerry Wallace** is booked by **Joe Taylor** — **Ervine Woolsey** is the new country promo chief for ABC Records — producer **Nelson Larkin** is the new head of GRT Records in Music City — **Razzy Bailey** who wrote *9,999,999 Tears Ago* signed as an artist with **RCA** — **Jimmy Buffett's Changes In Latitudes, Changes in Attitudes** has sold more than a million copies — **Betty Jones** and **Kelly Bach** wrote Dawn Chastain's *Never Knew (How Much I Loved You 'Til I Lost You)*.



**Bobby Bare**



**Jerry Reed**



Left to right at the Warner Bros. Records Thursday night party at the Nashville City Club: Barbara Farnsworth (V.P. Top Billing, Inc.); comedian Jerry Clower; Billy Carter; Bob Merlis (WB's director of publicity); and Robin Rothman (Warner Bros. Records general manager).



Pat Nelson and Gerry Wood of Billboard, Crystal Gayle and Charlie Monk.

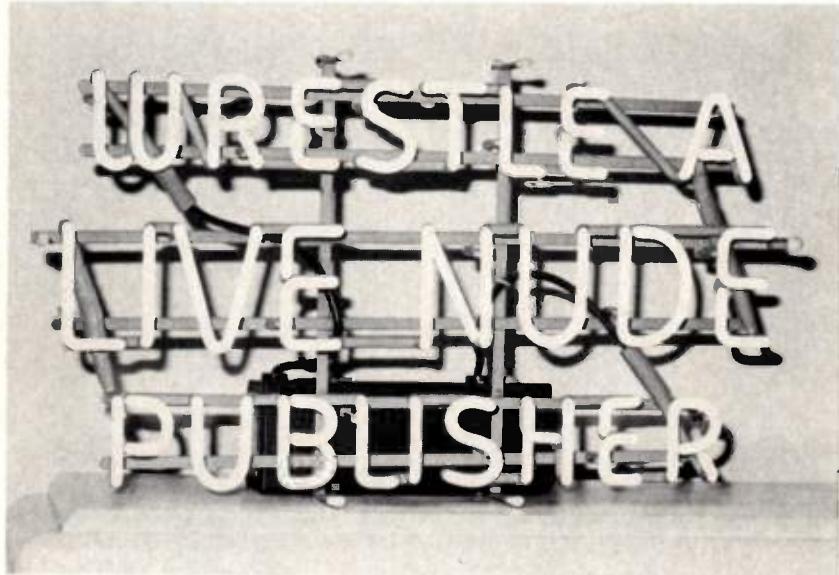


The Happy Goodman Family

# Publisher Rap:

by Rich Wiseman

## Almo/Irving's Chuck Kaye



**"My concept  
of publishing is that  
you're almost a  
patron of the arts."**





## Interview by Allan McDougall and Len Latimer

There's a small neon sign above the piano in Chuck Kaye's office that reads "WRESTLE A LIVE NUDE PUBLISHER." The sign's a laugh-getter, but it also gets you thinking. At a strapping six-foot-one, the high-energy president of Almo/Irving Music Publishers, a division of A&M Records, would be a tough customer in a ring — literally and figuratively.

With the exception of a 1972-5 "hiatus," when he sailed his 45-foot yacht around the Pacific, Charles B. Kaye has skippered Almo/Irving since its founding in 1966. In those days, Almo/Irving (the Almo's for A&M cofounders Herb Alpert and Jerry Moss, the Irving's for Moss' dad) was a "holding company, a shoebox, one file." Today, Almo/Irving, together with its foreign company, Rondor Music Inc. (for Ronnie Moss and Dori Alpert; this is a families affair) is ranked among the top handful of music publishers with more than 500 covers in 1977. Included in its catalogue are songs by Peter Frampton, Paul Williams, Brian Wilson, Bob Marley, Bill Withers, Supertramp, Styx and Heatwave.

Kaye's position as one of the most successful and respected publishing figures in the country is somewhat remarkable considering his age — only 37 — and the fact that even into his early 20s he was "fumbling around like a buffoon." Credit his stepfather, none other than publishing great Lester Sill, president of Screen Gems/EMI Publishing, for pointing him in a music business direction.

"I was born in a musical trunk. My father found two guys, Leiber and Stoller, and Jerry Leiber lived with us for two years. He wrote 'Charley Brown' and 'Yakky Yak' about my hassles with my folks.

"So then my father found a guy named Phil Spector. When Phil's career took off, they started Philles Records in 1963.

"At that point I was a college dropout. I drove a cement truck, laid bricks. Finally my father gave me a job as a secretary at Philles."

But Kaye, who'd done a bit of independent promotion work, didn't stay stuck in front of a typewriter for long. He transferred to promotion; and, after Spector and Sill split up and Spector moved his offices to New York, Kaye tagged along — as general manager. The experience made his head do a 78 rpm spin.

"Philip gives me a cot and a black and white TV and I'm living in my office. Winter time, no kitchen, it was a nightmare.

"There's one story that was a classic. I'm interviewing this very professional

secretary in my office bedroom, and I have on a sharkskin suit, with no shirt. It's the middle of winter, this company's really hot with the Ronettes and the Crystals, I'm a hot record man, and I can't get it together to get my laundry. So this woman looks at me and says, 'What are you doing here, what is this place?'" Well, the record business," I answer. And she ran out of there, man."

Kaye didn't last so long himself. He returned to Los Angeles at the invitation of Don Kirshner, going to work for Dimension Records, an offshoot of Kirshner's and Al Nevins' Aldon Music. There Kaye rubbed shoulders with the likes of Barry Mann, Carole King and Neil Sedaka and learned about publishing from Kirshner, Nevins and Lou Adler, who he described as "really the best — they initiated a new world of publishing."

When Kirshner sold out to Columbia Pictures, the music publishing end came to be known as Screen Gems/Columbia Music. Kaye worked for Adler, a vice president, until Adler left to become an independent producer. Kaye then became West Coast Director, signing up the likes of David Gates, Stephen Stills and Richie Furay and hustling "all of the best songs of the Sixties."

Still, by 1965, Kaye said life at Screen Gems had come to be a bore. Looking to "make my career move," he started talking with Jerry Moss, who he'd known since his independent song-plugging days. "Moss and I had gotten pretty tight. I had turned him on to some songs, and I was always hustling Herbie (Alpert). Then Moss said he wanted to start a publishing company. Obviously they had copyrights with the Tijuana Brass, so we negotiated a deal."

**Was it difficult making the move from songplugger to publishing executive?**

Having had experience in romancing disc jockeys was a great asset when I first went into publishing because I'd approach producers as if they were disc jockeys. Except producers need what you have and disc jockeys don't want you basically.

**Were you prepared for the administrative challenge at Almo/Irving?**

I had been great at running songs at Screen Gems; the street was it for me. I loved it, loved it! I had no idea about contracts. I spent the first two months reading them. I gradually got into it, and it just started. My first hit was by a girl named Ruth Ann Friedman, "Windy," the Association hit.

**Didn't Paul Williams figure into the early days of Almo/Irving?**

Yes. I've got a great story about him

and Biff Rose. One day Biff walked in, hysterically funny, played eight songs and just breaks me up. So I sign the songs, gave him whatever monies I did and he's gone to buy a piano.

The next day my secretary buzzes me and says there's a guy named Paul Williams here. So Paul comes in. He's got a little Levi's jacket on and bow tie, blond hair down to his shoulders, and glasses. He must be all of 4' 3". Anyway, he's got a big grin on his face and he says, "I wrote half of those songs, where's my money?"

I was real pissed at first, but the guy was so highly charming that we discussed it and we both got pissed at Biff. So I squared with Paul, gave him the bucks. I really dug his music.

Meantime I had this big guy around, Roger Nichols. I knew Roger had great melodies, but didn't know what to do with them. So I put Paul and Roger together, two of the most unlikely looking guys in the world.

I was still all legs in those days. I began pounding everybody over the head with their stuff. You couldn't dislike it, so we started to get a lot of records. Then the *We've Only Just Begun* commercial came along. It was then that we knew we'd won.

### You've played the match game other times and won.

I brought Richard Kerr out here from England. Matched him with Will Jennings, who used to teach French and the Classics at the University of Texas, before he took off for Nashville to become a songwriter. Their song, *Looks Like We Made It*, was No. 1 for Barry Manilow.

The job is creative. It's putting the pieces together.

### Lots of others try to put the pieces together and don't make it.

It's not easy, man. But we've got an incredible staff here. Lance Freed, Alan Freed's son, is my vice president. I stole him from Jerry Moss . . . he's really talented. My half brother, Joel Sill, is professional director, handling the creative department. He's cut hit records, put together hit soundtracks, done music for films.

### Talk a little bit about your film connection. You were one of the first pop publishers to get involved with films.

The first time that that whole thing ever came together was at Screen Gems. I learned a lot there. At Almo/Irving, Brian de Palma came in one day in 1970 with *Phantom of the Paradise*. I put Paul Williams on the project. Then I left in 1972. When I got back I was surprised to death to see that Paul had re-written it and was starring in it. Yeah,

I was way ahead of the game on that score.

### How do you operate in terms of your staff writers?

We try to stay on top of them as much as we can, match them up, give them assignments. We have casting meetings every week. Last week we worked over Linda Ronstadt — we just got a Tom Jans song to her. We're working hard on Rod Stewart.

My concept of publishing is that you're almost a patron of the arts. You're in business to develop artists. You give them money, get records for them, you have to build their career any way you can, whether it be movies or record deals. I wheel and deal any way I have to. And when they score, then you own the publishing.

### What percent of your business



**"Publishers blew it a long time ago. They sold out to the record companies."**

today is comprised of self-contained artist/writers?

About 60%.

Given that figure, do you see the role of publishers changing?

You have to involve yourself quicker with artists. We handle their affairs.

Like Peter Frampton?

Exactly. We got involved with Peter after he dissolved Humble Pie and went out on his own. Both Jerry and myself came up with the bread when he needed it.

As I said, publishing today is creative. I do business with everybody, everywhere possible. I've got Bob Marley and the Wailers on Island, Alan Parsons on Arista, Wendy Waldman and Eugene Record on Warner Bros.

What can you do about a writer/artist who's afraid to give up his

publishing, because a record company may want it?

I'll make a record deal for him. That's part of my job.

### Do you feel obligated to give A&M first crack at an act you've signed?

This is tricky stuff. A while back I made a deal with Russ Regan (past president of 20th Century Records). He said, "Why didn't A&M want it?" I said, "Basically it isn't for A&M, this particular act and idea is the best for you." That was true. But as president of this division there's an obvious responsibility to the corporation.

### How do you feel about the new copyright law?

Fair.

It seems that publishers have their hands tied when it comes to pushing for higher mechanical rates, considering the largest publishers are record company-owned, and the record companies would have the most to lose.

That's exactly it. There's nothing we can do. Publishers blew it a long time ago. They sold out to the record companies. They control us.

### Getting back to your staff, who listens to unsolicited tapes? Do you welcome them?

Curry Tjader, Cal's brother, is our screener. And, yes, send in your tapes — with lyric sheets. We listen to them all. You're not going to believe this, but Heatwave came to us through the mails, *through the mails!* Their first album has sold two million.

### What advice do you have for fledgling songwriters?

Learn from the masters, the Stevie Wonders and Carole Kings. You have to copy to understand form, structure. But at a certain point, you must find your own space and your own creativity. Then you will develop. Yet you must relate to the commercial aspects. To me, commerciality is not a degradation. For me, brilliance comes when people like Paul and Roger sit down with an idea, and within a three-minute period bring tears to your eyes or laughs to your heart.

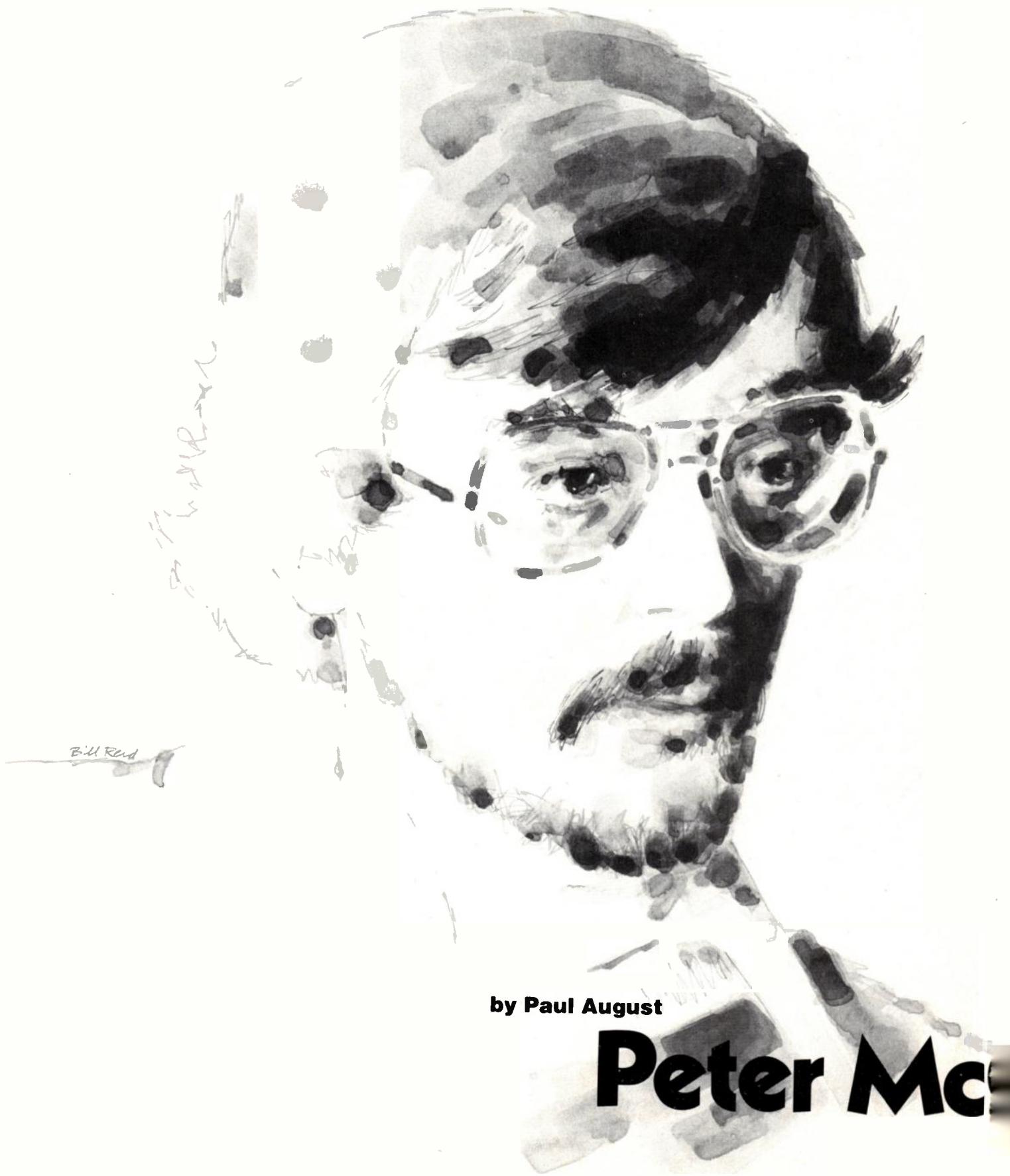
But the first thing a serious songwriter must do is move to New York, Los Angeles or Nashville — one of the musical centers. Sending tapes to publishers from Wyoming is real tough. You've got to do what Will Jennings did. He went to Nashville, hung out, starved, scuffled, but was good and got it together. He'll be wealthy and valuable to the industry some day.

Again, songwriters just have to know where to go. The path is clear cut — they need a publisher. Writers need a publisher today more than ever.

**"Publishing today is creative . . .  
I do business with everybody,  
everywhere possible."**



**“I have a panel of 6 guys in town and  
I play them my tunes. If two of these  
guys hate it then I know I’m in.”**



**by Paul August**

**Peter Mc**

Peter McCann won a college glee club scholarship from the Jesuit priests, formed a rock group, moved to Hollywood, disbanded his band, got a job he never knew existed, and recorded a top ten song that was banned in Dubuque, Iowa, and Bismarck, North Dakota: Do You Wanna Make Love.

A newcomer to the ranks of successful songwriters, McCann is 30 years old and still in the struggle phase of his career. Jennifer Warnes recorded his first hit tune, Right Time of the Night.

**Let's start with direct questions. Was it a tough climb to become a successful songwriter?**

It wasn't hard at all. The way I tell it, it was a real struggle but I never had to get a day job. People exaggerate hardships. I grew up in Bridgeport, Connecticut. It's a tough, street fighting, industrial town. I was one of the few people to come out of my neighborhood with a college degree. I had a glee club scholarship at a small Catholic college in Fairfield, Connecticut. We did 30 concerts a year and I sang 30 hours each week. It was a great way to go through school.

**Did you also play in bands?**

Yes. Even in high school, from the time I was in boy scouts in 1962, I was always in a group. After college there wasn't anything to do so I decided to give music a shot. We had a band called "Repairs." A year after college we recorded for Motown, doing two albums with Andrew Loog Oldham, who also worked with the Stones. I was continually apologizing to our band for my songwriting ability. I was the worst player and I wrote the most stuff. I had to start somewhere.

**The group broke up?**

We lost two members in 1973 and decided to come out to L.A. While living in Connecticut, we could perform when we wanted and make enough money to live. In September of 1974 we came to L.A. but we weren't getting anywhere.

**So it was basically six nights a week in L.A. clubs?**

Oh God yes. I'm not built for that. It takes all your energy and you can't write. God bless anyone who can do it. I did it for two weeks and said, "that's it."

**Were you a very prolific writer at this time?**

No. I'd write one song every two months. I just didn't know how to write. When I finished a song it was an event. Any creative spark, carried through to a certain point, was a work of art. You didn't touch it or criticize it. I really didn't have a clue about writing. Nobody was buying my writing or performing.

**How were you paying the bills?**

Money from the band always paid the bills. We were communal in finances but private in every other way. And, we managed our money well. I'll never forget driving back through Montana and stopping in Las Vegas. We had \$12,000 from the gigs we played up north. I gave everybody ten bucks. That money paid the rent and we were always ahead.

**No major arguments over money?**

The only arguments we had were about directions in music or rehearsal time. You have to love the group if you work with the same people for five years, on the verge of success or total failure.

**You married in 1974. The Motown deal was over. There's two members missing.**

Right. Everybody was going in different directions so we broke up. The classic "one of a kind" story. We had been together for five years.

**How did you get a publisher?**

I went out on the street with all my "works of art." I didn't know there was a job called staff writing. The idea of someone paying me to do what I wanted to do in my spare time . . . that was ludicrous. Now I write everyday, whether I like it or not. If I don't, I get nervous. I'm a neurotic writer, a compulsive writer.

I had an appointment with Rick Weiser at ABC Music. He was working under Hal Yoergler who is now my manager. Rick said, "I don't like the tune enough to get involved in it. But get your new tunes on tape and I'll have Hal listen."

I brought Hal 3 or 4 tunes. He passed on 3 of them and said, "I like this other tune. It has potential. Why don't you work on it?" I brought it back a week

later and he took it on a one song basis. Next week I brought in another song he liked and I re-wrote that. They gave me a small advance and I began to get the idea. After that happened about three times Hal said, "If you keep this up, we're going to put you on as a staff writer."

"A staff writer? What's that," I asked Hal. He laughed and explained the job. I was in shock for a week. Staff writers not only get paid for writing but get royalties as well. So, eventually ABC signed me as a staff writer.

**When was your first song recorded?**

I was a staff writer for six months. I had reached that stage of frustration where I wrote it because I was pissed-off that nothing was happening. Stark and McBrien recorded *Suicide and Vine* under the title, *If You Like The Music*.

**Did you see it charted?**

Yes. It charted MOR. It was a good record but I think they missed the words.

**Would you rather have your songs done by established artists?**

No. I'm more interested in writing hits for newcomers than those who have been around for awhile. I'd like to be a part of an artist's career as opposed to getting a song on a star's album because someone has the juice.

I'm finding myself with a younger crowd here. My last 6 or 8 tunes were inspired by different girls I've met lately. There was an 18 year old girl from Canada. She sang for me and knocked my socks off. We made a demo and a week later she was offered a deal. There are at least four girls in town, like Jo Stafford's daughter, who inspire me to write for them. They're such good performers. I feel better with the spirit of the streets and a younger crowd. I'd rather keep the company of the struggling than those who made it.

*We're talking in Peter McCann's rented house, a classic designed by architects Green and Green. It's in a middle income Glendale neighborhood. The interior is warmed by wood beams and wall panels. His living room contains a chess set carefully placed to one side be-*

# Cann Interview

cause it soaked too much concentration from his songwriting.

Peter is sitting in a rocking chair wearing a black sweater over a white shirt. He has on blue jeans, black loafers and a sense of repose. Len Latimer, Publisher/Editor of Songwriter Magazine, is here asking most of the questions. We continue . . .

**Did you drop out of law school?**  
No. Why?

**You weren't in law school?**  
No. Where did you get that?

**We got that from one of these bios.**

I've heard other people say I dropped out of law school. I took pre-law courses.

**It builds a mystique.**

Yea. All the journalists keep using it. I'll keep denying it. Go ahead and use it . . . makes the opposition lawyers a little wary.

**We want to ask how you wrote your latest hit. Consider the lyrics:**

*Do you wanna make love*

*Or do you just wanna fool around*

We get the impression of a guy at the Troubadour around 1:30 in the morning, after a few belts of booze, with the last chick in the place.

(Peter looks annoyed.) I suggest you look at the words and the chorus and see if you come out with the same impression, which is actually the exact opposite. I think  $\frac{1}{2}$  million bought the record because of what you thought and  $\frac{1}{2}$  million because of what I thought. I don't care. I hate to see people just take the hook line and say this is the song, which it is not.

Psychologists call it a multi-interpretational image. I originally wrote it for a woman.

The song, by a woman, would change the entire meaning. Let's reconsider the lyrics. These lines convey different meanings when sung by a man or a woman.

*You can take it seriously*

*Or take it somewhere else*

I knew I had a hit when I got to that line. It really is a serious song. When disc jockeys first started playing with it, I was really upset. But I got over it. Basically the song says, are we just fooling or is this for real?

### What inspired this song?

I was with a friend in a bar and we were having an intellectual conversation, reflecting on the scene. This inspired the hook. I did the basic song in an afternoon. I already had an old melody floating in my mind and it happened to fit the chorus. I added the bridge. I think writing the song was the easiest part.

We took the demo to the publisher and made the single first, followed by the album. The single was on the charts two weeks after it was released.

As we started to ask Peter about Right Time of the Night, he replied with some "mixed feelings" and "no comments." Here's what happened: McCann's publishing company, ABC/Dunhill Music, is also active as a production company. Hal Yoergler, his publisher, recorded McCann singing Right Time of the Night and was successful in selling McCann as an artist to 20th Century Records.

However, Jennifer Warnes came out with her own version. Her record hit the charts and 20th pulled back Peter's release. Of course, the publishing company was happy to see a hit no matter who the artist, and no one wanted to see a battle over a cover record. The ironic result was that Peter's song hit big but his record stopped short. Now let's talk about the tune.



**"The best songs have no more than 25 words in them."**

In your song, *Right Time of the Night*, the opening lines are specific and poetic:

*Sun goes down on a silky day  
Quarter moon walking through  
the Milky Way*

Then you contrast those crisp, detailed images with a very simple, earthy statement in the next two lines:

*When it's me and you, baby  
We could think of somethin' to do*

Now is that a conscious method you use?

No. I don't do anything like that consciously. That's one thing you can't teach people. You're looking at that analytically and I don't write that way. The only thing I do in a song analytically is to structure it in such a way that I'm not bucking the odds. If it takes too long to get to the chorus, I won't get radio play. If I can structure my lyrics

and melody to be heard by a million people, I'll do it that way.

*... sun . . . silky day . . . quarter moon . . . Milky Way. Great lines. What was the inspiration?*

It was the first time I ever went to Malibu. I'd been out here for a year and a half. I realized that Milky Way would be a nice interior line to silky day, which came first.

At *Songwriter Magazine*, we heard *Right Time of the Night* before you revised it. It was basically versed and more of an instrumental.

Yes. It took 6 months to work on. Hal Yoergler knew there was something there and he kept pushing me. I came to him with 4 or 5 re-writes over a 6 month period.

I wrote *Right Time of the Night* for a man. It was sung by a woman. I wrote, *Do You Wanna Make Love* for a woman. It was done by a man. Shows how much I know.

**Now you perform your own songs. Are you a guitarist and a singer?**

I don't really read music and I have little talent for instruments which I use as tools for songwriting. I'm getting better on the piano. I played guitar in our band. I just didn't write good songs.

**How did you learn?**

I met Hal Yoergler. He forced me to re-write tunes. There are no definite rules. It was the first time anyone ever said, "... that's strong but that's a weak part of the song." What do you mean, "that part" of a song? I thought a song started at the beginning and ended with a stop. I didn't care if it was 10 or 2 minutes long.

Everytime I asked, "what do you mean," I got a good answer. He never told me what to write. He told me what to re-write. I could always write a pretty decent melody and a good lyric but I didn't know how to structure a song and glue it together. For example, if a verse didn't happen to be as long as the others, I would just say I was being more free-form as a writer. I was very unstructured and undisciplined.

**Do you feel structured now?**

I've been listening to structured songs all my life. I didn't recognize them. I know many writers have the ability to say something poetic, artistic, unusual or clever. They can write a melody but they can't structure it into something buyable.

**Let's talk in terms of our readers. How can they get to your level? How can they improve their writing so publishers will buy it and vocalists will sing it? Obviously there has to be a basic talent but is there a technique you've learned that is helpful?**

I've learned to study other songs. I don't listen to the radio much. I listen to other songwriters who aren't happening. Anyone can recognize a hit when

## Right Time of the Night

Words & Music by Peter McCann

VERSE: Sun goes down on a silky day  
Quarter moon walkin' thru the Milky Way  
When it's me and you, baby  
We could think of somethin' to do

CHORUS: 'Cause it's the right time of the night  
Oh, the stars are winkin' above, honey  
It's the right time of the night for makin' love

VERSE: We'll go drinkin' in some heavy bar  
I'll take you night-ridin' in my Chevy car  
When it's me and you, baby  
We could think of somethin' to do

CHORUS

BRIDGE: I got you and you got me  
Tell you, that's the way my momma always  
Said it should be  
I'll be sweet, and you'll be kind  
We'll be bad, if you don't mind

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## Suicide and Vine

Words & Music by Peter McCann

VERSE: Among the many faces that the world will never see  
There's a man who's made of music and he plays for you and me  
He came to California and he tried to make his way  
He'll tell you of his journey and the song that got away

VERSE: He'll never see his glory upon the record charts  
Behind them is the story of a million broken hearts  
But he stands his ground and takes it  
The hero always does  
Sadler than the has-been is the man who never was

CHORUS: So if you like the music then let the player know  
He's on the road to nowhere, with nowhere else to go  
If you like the music, don't you be afraid to say  
You're the one who helps him on his way

VERSE: He could be a big star if they gave him half a chance  
He could stand upon the silver stage and make the people dance  
But if you want your ticket now, you won't stand in line  
He's playin' on the corner of Suicide and Vine

CHORUS

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## Do You Wanna Make Love

Words & Music by Peter McCann

VERSE: Sometimes the love rhymes  
That fill the afternoon  
Lose all their meaning  
With the rising moon

VERSE: Hold me and tell me  
That the words you say are true  
Answer the question  
I must ask of you

CHORUS: Do you wanna make love  
Or do you just wanna fool around  
I guarantee it will bring you down  
If you try and fool yourself  
Do you wanna make love  
Or do you just wanna fool around  
You can take it seriously  
Or take it somewhere else

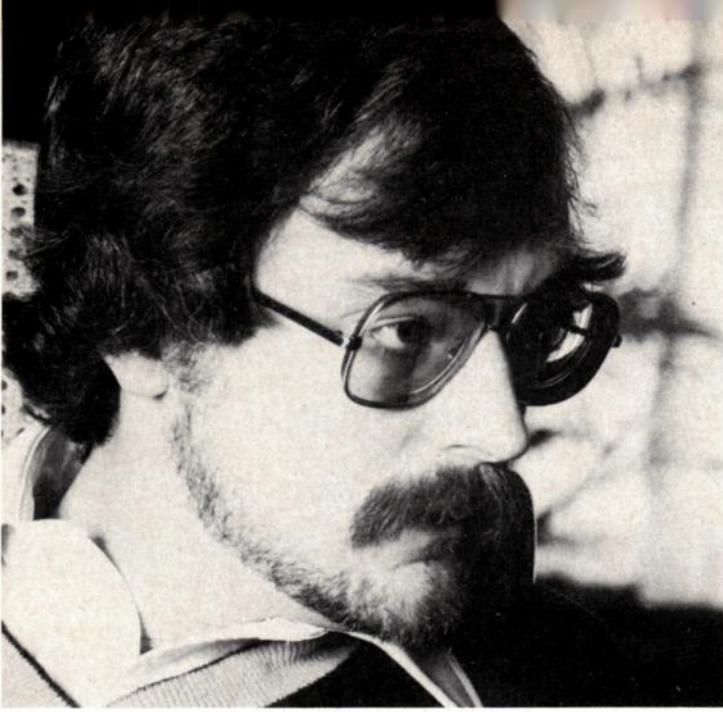
VERSE: Take all the freedom  
That a lover will allow  
If you feel the feeling  
That I'm feeling now

VERSE: Where loves goes a fool knows  
That the hurt can go as deep  
Don't make a promise  
That you cannot keep

CHORUS

BRIDGE: Well, if you wanna get close to me  
You could do it so easily  
Is it love that I see  
When I look in your eyes  
Or just another empty lie.

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**"I've never met a critic who writes better songs than I have written."**

they hear it in the Top 10.

It's more valuable to piece together what's going wrong with a song. Frankly, that's the key to what I'm doing. It's not listening to hits and following patterns. It's polishing my own work. I discover why it's not happening . . . I might be missing the transition from verse to chorus or I might not be saying it as well as I could.

**It's not what you did wrong. It's what you didn't do.**

It's either one. If I did it right, it feels good. I write for Hal. I never have to make the final decision on a tune. My publisher and Hal make that decision. It simplifies things.

Also, I have a panel of 6 guys in town and I play them my tunes. If 2 of these guys hate it, then I know I'm in.

**You respect their judgement in reverse?**

Right. Some of my friends think my writing is too commercial but I just write about my personal relationships. If they think it's trite, well . . . I've never met a critic who writes better songs than I have written.

**Whose opinion do you respect?**

Publishers and other songwriters. I admire people who keep up the struggle. I feel closer to them. I've been influenced by Crosby, Stills and Nash, the Beachboys, the Beatles . . . who hasn't? The Beatles had such strong melodic elements in their songs and the Bee Gees are the same way. They're good commercial writers and deserve the Top 10.

That's quite a range of influences. Are you experimenting with new

**styles? *Broken White Line* sounds like a country tune on your album.**

Great beer drinking song. Somebody bet me \$20 I couldn't write a trucking song without using CB in it. I turned it into a semi-religious thing. Also, I've just written a swing tune and a thirties "mean to me" tune.

**The performers are here to do it. Do you think it's important to be here in L.A.?**

I just wrote a letter to somebody who sent me a tape from Bridgeport. I said, it's good but it's not great. If you want to learn more about it, come here to learn. They should be here because there's more recording going on here than in New York. According to the musician's union, musicians earned \$12 million in L.A. last year as opposed to \$5 million in New York. This is Music City.

**We're always afraid that someone will read that in our magazine, divorce his wife, quit his job and take the next bus to Hollywood.**

People eventually do what they want to do. He may not really want to be a songwriter but he wants to get rid of his wife. There's a song in what you just said.

**Here in L.A., does this environment affect your creative process?**

I need time and energy for creativity. I work best when I wake up in the morning. Sometimes I feel there's a spiritual element because I don't think I'm talented enough to do some of the things I do. Once I had a feeling that this was my last song. Then I wrote a really good one. I'm not going to let myself think like that again.

I usually work on clusters of 3 or 4 songs at a time . . . starting one, finishing another. I never write anything down. If it's not strong enough to re-



**"I don't really read music and I have little talent for instruments . . ."**

member, it's probably not commercial.

**And your publisher helps you?**

He takes the talent to the peak. Working under him is like going back to school. When I'm rough on myself I have fewer corrections.

Songwriters have to remember that they don't go to a publisher for just one song. They've got to build a relationship. Once we open that door, it's perpetually open, even if the personnel change.

I've learned that there's no point in taking a tune to a publisher until I feel

**your songs are very simple and direct.**

The best tunes are the simplest. I believe that it was Paul McCartney who said that the best songs have no more than 25 words in them. If I could, I would use all one syllable words in my songs.

I have a song I just finished. Listen to the girl on this demo.

*The tape filled the old house with a husky female voice. The song had that androgynous quality found in many of McCann's works. Here is a man who*



**"I'm more interested in writing hits for newcomers than those who have been around for awhile."**

it's ready. If I don't feel very strongly about it, if I'm not ready to fight for it, I don't carry it outside of this room.

At this point our interview is jostled by roommates entering and leaving. Peter lives with his wife and another songwriter, Brian, and his girlfriend. Peter pours some Verana liqueur for us. It has a mild taste and the pleasant effect of taking the edge off the interaction of the interview, which is getting crowded.

Richard, the Songwriter photographer, mounts a silver umbrella to a steel tripod for flash pictures. Len is changing the cassette and I'm reviewing my yellow note pad questions. We heard a rumor that Peter McCann has a mass of tangled metal near his piano, but we don't see it. Let's continue.

Your background reflects pre-law classes, Colonial history and a traditional Catholic education. However,

*writes songs for women. He doesn't have an Oedipus complex but is simply inspired by young talents.*

*As the song builds, Peter moves from his rocker to the piano and plays along, flawlessly. His piano playing belies his self-effacing remarks that he's only improving on the piano.*

**It's a great song. Beautiful.**

Thank you. I took one other song that wasn't working and used a few lines from it to build this.

**Women and ballads once had a hard time making hits but now they're coming back.**

There's no cut and dry rule. If we record the song with her voice and the proper production . . . it will actually be a hit.

Somebody told me, "It's hard for ballads in  $\frac{3}{4}$  time to be hits these days, isn't it?" I picked up the charts and *When I Need You* was #1.

The best songs surface to the top. I take a lot of flak for writing formula songs. There was a time in my career when I avoided writing about personal relationships. Now I have feelings I need to get off my chest. The lyrics in the last song come from a relationship and I remember how it felt.

**How do you move from the feeling to the craftsmanship? What are your work habits?**

I work all the time and it drives me nuts. I'm a compulsive songwriter. As a staff writer for ABC, I wrote a lot. It's like doing math . . . I fell in love with the sample problem. Instead of writing sample problems, I create them. That's how we used to study in college. I had four guys who split the workload, the notes, the lectures. . . . We learned just as much in  $\frac{1}{4}$  of the time.

The functions of the study groups would be to try and guess what questions would be on the exam. At one point, we called every question on the exam . . . every one! We took our exams in the gym and I would hear this "ha ha ha" coming from four different parts of the gym. This is preparation for studying the medium that you're working.

Now I feel the same kind of atmosphere of a fraternity here. Over the past 8 months I've begun to meet new people and I feel like we're all in school, learning together. It's like a campus atmosphere at the Troubadour on Monday night.

**Do you go there often?**

I'm at the showcase on Wednesdays and the Troubadour on Mondays. I would rather go there than see a headliner at the Roxy.

**One final question. Your future?**

I want to write good songs and I want other artists to cut them. I'm not putting writing above performing. I know many new talents and I plan to put together a band and go on the road. I like TV and I enjoy recording. And I like the feel of ASCAP royalty checks.

**Thank you, Peter. Where is that big glob of metal we've heard about? More mystique?**

I used to have an old Ford Fairlane when I was growing up back in Bridgeport. I had such fun with that old car. I always promised myself that someday I would have it pounded down and smashed into a hulk of metal to have in my dining room as a coffee table. Then, when my guests arrive, they'd ask, "What's that?"

And I'd say, "That's the first car I ever had."

*We laughed. That's Peter McCann, a success who is still struggling between the Monday night lights of the Troubadour and the slick oily streets of Bridgeport. That old Ford is really inside Peter McCann, waiting to jump out into one of his new songs.*

by Pat and Pete Luboff

# Twelve Commandments of

**Editor's Note:** Pat and Pete Luboff, an energetic husband-and-wife songwriting, article writing, kite-making team, edit and research *Songwriter Magazine's* "Who's Who" column and the *Tunesmith* newsletter. They contact and interview scores of publishers each month to research who will listen, to learn the publisher's background, discover what type songs they are seeking, and to listen to the publisher's "pet peeves." This article, thus, is the result of many hundreds of hours of valuable interviews with music publishers throughout the United States and Canada.

Publishers listen to tapes by the thousands. They can tell by just looking at the package you send how much care you took in putting the demo together, and they start right away to form an opinion about what kind of writer you are. Some mistakes just put publishers in a negative mood before they hear the first note on your tape. Other errors condemn your tape to rejection before it is even opened. We've done hundreds of interviews of publishers and they all agree that these are the major evils to avoid:

## 1) Thou shalt not send unsolicited tapes.

The *Songwriter Magazine Music Directory*, which can be purchased for \$2.00, and other books like it are handy tools, but the appearance of a company's name and address on such a list does not constitute an open invitation for you to send tapes of your songs.

If you're working from such a list, you must first find out if your tape will be welcome. If you're in the same town, a quick call will get you the answer to that question and the question of how best to submit your tape. If you're out of town, make it easy for the publisher to indicate the necessary information by sending a note asking them to check off the proper boxes on a self addressed, stamped post card sent with the note like this:

Publisher's name: (You fill this in)

Will you accept my demo?

Yes  No

Your tape preference:

Cassette  Reel to reel

Maximum number of songs:

1  2  3  4

Send tape ATTN: \_\_\_\_\_

Thanks, Your name, address and phone no.

If you are sending a tape to a publisher who has appeared in the "Who's Who" column, or in *Tunesmith*, do NOT write ahead! Their appearance in these publications is an invitation for you to send a tape. Always read the instructions for submitting tapes very carefully and follow them. Any deviation from the instructions puts your songs at a disadvantage.

Some people who appear in the "Who's Who" column are NOT publishers. We know you're not reading the instructions because these people get tapes even though they ask specifically that you do *not* send tapes!

## 2) Thou shalt not send a tape of 27 songs and ask a publisher to listen to numbers 4, 16, and 23.

A huge number of songs on a tape will put a publisher off faster than you can say 'forget it.' Again, if you read the instructions carefully, you'll find a recommended maximum number of songs for your submission, which is usually three songs. That doesn't mean you *have to* send three songs, it means send no more than three songs. If you only have one or two songs that fit the publisher's description, send only those. But never ask a publisher to search through a dozen of your songs for the one or two you think he or she will like.

Copy your songs from a master onto a clean cassette or reel tape, so only those songs that you are submitting are actually on the tape the publisher receives. If your demos are on reel-to-reel tape, you can make it easier for the publisher to find each song by putting leader between the songs. Anything you can do to make it easier to deal with your tape will put the publisher in a positive frame of mind and give your songs a better chance.

## 3) Thou shalt not send lead sheets only.

No publisher has the time or the inclination to sit down and play your song from music written on a lead sheet. You *must* send your songs on tape.

## 4) Thou shalt not send lyrics only or music only.

If you submit lyrics only, you're showing such a basic lack of knowledge of

today's music business that you may not even get a reply. Practically without exception, publishers insist that you submit only complete songs — that is: words, melody and chords recorded on tape. If you are a lyricist, it's up to you to find a composer.

Similarly, if you're a composer, you must find a lyricist. Unless you're Herb Alpert, publishers are generally not interested in instrumentals. If you need help finding a lyricist or composer, SRS has several services available to members seeking collaborators.

## 5) Thou shalt not send a capella tapes.

A cappella means "without instrumental accompaniment." Your song may be complete in your head, but unless it's complete on tape, it shouldn't be sent to a publisher. Complete means — words, melody and *chords*. The minimum tape you can send is a guitar/voice or piano/voice demo. Your voice alone won't do.

## 6) Thou shalt not send tapes without neatly printed or typed lyric sheets.

For the most part, lead sheets are optional equipment in a demo package. A few publishers insist on lead sheets and some ask you to send them if you have them, but most publishers aren't interested in seeing lead sheets. What they all insist on, without exception, are lyric sheets. A stranger to your tape will probably have trouble hearing all the words in your songs. Even if every word is crystal clear, a publisher wants to see how the lyrics 'read.' A demo without a lyric sheet is like a song without a hook — there isn't a publisher in his right ears that will like it.

## 7) Thou shalt not send blank tapes, tapes with the wrong songs, multi-track demos with songs on other tracks, or tapes with so much noise that the song can't be heard.

Before you put your tape in the mail, play it to make sure it is the right one. Also, try listening as if you were a stranger to the tape. Can you hear the words, the chords? Use clean tape when making your demo copies. It will save you from noisy tape and tape that may have old recorded material on other tracks that may be picked up by the publisher's tape equipment.

— continued on page 45



**Songspluggings**

# Performing-Rights Organizations

by Sidney Shemel and  
M. William Krasilovsky

Edited by Paul Ackerman

**Editor's Note:** The following is an excerpt from the "bible" of the music publishing industry: *This Business of Music.*"

The greatest source of revenue in the music industry comes from public performance payments collected and distributed by ASCAP and BMI. Yet, the basis of operation of each of these organizations was nonexistent until 1897 because Congress had failed to include public performance rights within the copyright statute prior to that date. Even after inclusion in the statute, there was no practical way to collect substantial monies, since only less important sources such as concerts, dance halls, and cabarets were available before the development of broadcasting, and the numerous copyright owners were not sufficiently organized to license and collect.

In 1975, ASCAP alone collected over \$85,000,000 in performance fees from

broadcasters and other sources. BMI's collections from such sources were about \$52½ million, and SESAC, a third licensing organization, about \$2½ million. The three organizations received an aggregate of some \$140,000,000. This may be compared with 1963 collections of approximately \$38,000,000 for ASCAP, about \$15,000,000 for BMI, and over \$1,000,000 for SESAC, or a total of some \$54,000,000. Total collections thus more than doubled in the interval.

**Editor's note:** In 1977, ASCAP grossed \$102.4 million, while BMI grossed between \$60 and \$70 million.)

The 1975 ASCAP figures indicate that television licensing produces approximately 54 per cent of the U.S.A. performance collections, with radio about 31 per cent and other sources of relatively minor significance. It is reasonable to assume that BMI ratios are similar. SESAC reports that in its licensing operations, radio contributed 75 per cent, television 21 per cent, and other sources 1 per cent.

The many years of lobbying by the performing-right organizations and their author and publisher members or

affiliates for repeal of the statutory exemption of jukeboxes reached success in the 1976 Copyright Act. Under that statute, commencing in 1978, Jukebox owners are required to pay license fees of \$8 per box, which is expected to add \$3½ million a year to the aggregate performance fees collected.

The performing-right organizations also benefit from their right, provided under the 1976 Copyright Act, to license cable television. This vast field has been estimated to result in music licensing revenues to performing-right organizations of \$8½ million annually. It is too early to estimate the amounts of new license fees anticipated from public and educational broadcasters under the revised Copyright Act. In the absence of voluntary agreements between copyright owners and public broadcasters, actual fees to be charged in this new field are to be determined by the Copyright Royalty Tribunal created under the 1976 statute.

Aside from the new Copyright Act, there is a further possible source of in-



creasing performance revenues in the burgeoning area of college concert dates. It was formerly assumed that college concerts were to be specially treated as low-budget nonprofit events largely in the field of serious music. However, rock and roll and other popular artists regularly appear at stadiums and halls before major audiences on a highly profitable tour basis having little or no relationship to nonprofit educational ventures. Higher performing-right music fees have been required for college concerts in recent years.

### ● Organization of ASCAP, BMI and SESAC

ASCAP is a membership organization of some 17,800 composers and authors and 4,800 publishers. Founded in 1914, ASCAP shares revenue equally between writers and publishers. It collects on the basis of a general license to stations for its entire catalog, with the fee founded not on extent of use of music but on gross receipts of the station less some adjustments, such as agency commissions and wire charges. Its basic rate amounts to somewhat under 2 per cent of adjusted gross receipts of stations. In distributing revenues to members, ASCAP pays an equal amount to pub-

lishers as a group and to writers as a group after an actual overhead deduction. The overhead charge which is generally considered low percentage-wise in comparison to that of other societies throughout the world was \$17½ million in 1975. Formerly, ASCAP absorbed the costs of distributing over \$13 million a year received from foreign societies, but, in 1976, a 3 per cent service charge was initiated.

BMI is a competitor of ASCAP owned by some 480 broadcasters as successors to the station owners who established BMI in 1940 as a move towards increasing broadcasting industry bargaining power with ASCAP. As of January, 1976 it represented about 29,000 writers and over 15,000 publishers. BMI, like ASCAP, charges broadcasters a fee based on formulas applied to adjusted gross receipts. The rate is also somewhat under 2 per cent, but the adjustments are such that the same licensees who utilize music of both societies pay approximately one-third less to BMI than to ASCAP. The original prospectus used for selling stock in BMI to broadcasters set forth that no dividends were to be expected from the company, and no dividends have been paid. Except for operating expenses and reserves, BMI pays all of the money it collects to its affiliated composers and publishers.

For many years BMI encouraged Canadian publishers and writers to join a wholly owned subsidiary, BMI/Canada. In 1976, all ownership was transferred to a Canadian trust so as to constitute BMI/Canada a fully Canadian operation in the same sense as CAPAC, the ASCAP affiliate.

SESAC is a private licensing company which has been owned by the Heinecke family for 45 years. It represents about 260 publishers who own about 450 catalogs. It also represents a

number of writers who became affiliated in recent years (since 1972) under a new procedure. SESAC differs from BMI and ASCAP in that it allocates to its publisher and writer affiliates 50 per cent of the profits of its operation after first deducting specified overhead expenses, with SESAC retaining the balance of the profits.

SESAC also differs from the other societies in that its formula of allocation of payments to affiliates places less emphasis upon actual surveys of performances on the air. SESAC's formula takes into consideration, in addition to performances, the following factors: the availability of the number of copyrights in a publisher's catalog, the diverse kinds of music contained in the publisher's catalog, the growth of the catalog due to new publications added each quarter, the catalog's seniority within the overall SESAC repertory, all other commercial use made of the catalog such as mechanical reproductions and electrical transcriptions of the works in the publisher's catalog on either record or tape, and the promotional efforts of the publisher. Under an incentive program, SESAC grants performance points to its writers and publishers for single-record releases (in 1976 a minimum of \$150 each to the publisher and writer), album recordings (in 1976 worth \$75 to the publisher and an equal amount to the writer), trade magazine picks, cover records, and the chart activity of each SESAC composition that appears in the three national music industry trade magazines: *Billboard*, *Cash Box*, and *Record World*. Bonus payments ranging from 10 per

**Performing Rights** *continued*  
cent to 25 per cent of a song's earnings are awarded for longevity (being on the charts for a minimum of 15 weeks), crossovers (appearing on more than one type of chart), and carryovers (for works having earning power beyond a one-year period). In addition, SESAC reviews and analyzes all national network logs and spot-checks the programming of local radio and television stations.

Fees charged by SESAC to licensees differ from those charged by ASCAP and BMI inasmuch as they are based on fixed determinants rather than a percentage of gross receipts. SESAC uses a national rate card applicable to all of its broadcast licensees which considers factors such as location, hours, power, and advertising rate of the station. Fees for full-time radio stations range from \$180 to \$6,000 per year, and the average fee for a 10,000-watt radio station is \$1,200 a year. SESAC, like ASCAP and BMI, licenses virtually the entire broadcasting industry.

SESAC further services its affiliates by licensing and collecting fees for mechanical and synchronization rights and by designating foreign sub-publishers. The fee charged by SESAC for such licensing, collection, and designation is 10 per cent of the receipts from mechanical, synchronization, and foreign licensees.

In 1966, SESAC published a two-volume catalog of compositions contained in the SESAC repertory; annual supplements to the basic two-volume catalog are published each year. In the same year, SESAC also published a Record-A-Ref which lists SESAC-represented musical compositions that have been recorded by commercial record companies. Annual supplements are also published.

Although SESAC does receive logs from all three major networks, and also does a small amount of spot-checking through monitors, it does not have the resources available to determine accurately the extent of use of SESAC music. It is generally accepted that SESAC is by far the smallest of the three major performing-right organizations in the United States. In fact, in a 1970 judicial decision involving music licensing, it was stated, "BMI and ASCAP are each other's sole competitors of any consequence."

organizations. Most local radio station performances are sampled on the basis of only a small percentage of the total. This small sample is then multiplied by formulas established by leading statisticians in order to represent most fairly total national performances, without undertaking the inordinate expense of a universal count. ASCAP handles local television performances in a sampling manner similar to local radio performances, except for supplementation by reference to cue sheets and *TV Guide*. BMI also logs locally originated television performances by sampling. However, for motion pictures and other syndicated programs on local television BMI departs from sampling procedure by its more accurate use in computerized form of all of the program listings of motion pictures and syndicated programs that currently appear in the approximately 90 issues of *TV Guide* published each week.

Where samples are used for logging purposes, the two organizations resort to different devices. ASCAP sends tape-recording teams throughout the country to bring back actual tapes of the programs performed, which are then analyzed and identified regardless of whether or not the songs are in the ASCAP repertory. The stations included in each year's survey are determined by an outside firm of survey experts; radio stations which pay ASCAP over \$10,000 a year are always included in the sample. BMI requests each licensee to supply, once every 12 to 14 months, a station-prepared log of music used in a particular week designated by BMI. The station is alerted to this request in advance, but BMI takes pains to keep the list of logging stations secret from publishers and writers. ASCAP's system is definitely more costly than that of BMI, and results in less stations being actually logged, but ASCAP claims its system to be superior because the secrecy factor avoids any possibility of fictional entries or favoritism. BMI points out that the payment per station even when multiplied by the applicable factor is relatively low and the influence of any manipulation would be very small. BMI also contends that, especially in the fields of rhythm and blues and country and western music, its access to more logs from small cooperating stations offers a broader basis for judging nationwide performance of songs less likely to be programmed as frequently on big city stations. BMI achieves some secrecy by using only a portion of the logs, and it checks for fictional entries by comparing the log of one station with those of similarly situated stations. Both organizations statistically weigh the samples received, in accordance with size and importance of the logged station and the time of day of the pro-

gram. ASCAP's procedure is generally on the basis of "follow the dollar"; weight is given in accordance with the percentage of dollar receipts from the station involved. FM stations are separately grouped for survey purposes.

SESAC, having no accurate local station logging procedure, relies, among other factors as noted above, upon review of network logs, limited spot-checking of local stations, and increased emphasis upon commercial record releases and results shown in trade paper charts for the purpose of allocation of performance monies.

## ● **ASCAP Songs Versus BMI Songs**

ASCAP is under a U.S. Court-administered consent decree, entered into with the approval of ASCAP and the U.S. Department of Justice, with respect to the antitrust laws; the decree guides nearly every aspect of its operations. BMI also is subject to a consent decree which not only relates to relations with users of music but also covers relations with affiliated publishers and writers.

The ASCAP decree requires ASCAP to accept any applicant for membership who, as a writer, has at least one song regularly published or commercially recorded, or as a publisher, actively engages in the business and whose musical publications have been "used or distributed on a commercial scale for at least one year." ASCAP actively solicits membership of writers and publishers through full-time staff members located in New York, California, and Tennessee, as well as by regularly placed trade paper advertisements inviting membership. In fact, ASCAP acts promptly to accept publisher applications by active publishers, without any prerequisite period of operations. The ASCAP decree also requires ASCAP to permit members to resign and compels the establishment of procedures available for resignation. A member of ASCAP may resign at the end of any calendar year by giving three months' advance notice in writing.

The 1966 BMI decree is similar to the ASCAP decree in respect of the acceptance of writers or publishers as affiliates. Under the decree BMI must accept as a writer affiliate any writer who has had at least one composition commercially published or recorded, and any publisher actively engaged in the business and whose compositions "have been commercially published or recorded and publicly promoted and distributed for at least one year." The decree prohibits contracts with writer or publisher affiliates from having a duration in excess of five years, except that

## ● **Logging Procedures**

ASCAP and BMI have extensive systems of statistical sampling of actual broadcasts to determine amounts to be paid to writers and publishers. Each network performance is logged and credited for payment purposes by both



BMI may continue to license compositions in existence at the date of termination until advances to the particular writer or publisher have been earned or repaid. In practice, the term of the publisher agreement is five years, and the term of the writer agreement is two years, except for extensions as to existing copyrights at date of termination until advances have been earned or repaid. Throughout its history, BMI has been aggressive in the solicitation and attraction of new affiliates.

ASCAP charges a \$50 yearly membership fee for publishers and \$10 yearly for writer members. BMI has a \$25 application fee for new publisher affiliates, with no comparable fee for writers; there are no annual charges for either publishers or writers.

SESAC is not bound by a consent decree in any of its operations. However, it actively solicits new publisher and writer members. The basic term of its publisher agreement is five or ten years and the term of its writer agreement is three years. Such terms are automatically extended for similar periods unless canceled on three months prior notice.

No writer or publisher can collect from more than one performing-right organization for the same songs, as dual membership or affiliation is not permitted. However, a writer or publisher can resign from one of the organizations as to future songs, retaining collection rights as to songs previously registered with the organization and which continue to be licensed by it. Although ASCAP and BMI speak of release at the end of the license period of all rights to past songs of members or affiliates who resign, it is rarely accomplished. The difficulty arises from the fact that the

song is originally placed with one or the other performing-right organizations by the writer as well as by the publisher. This split origin of rights is rarely matched by joint organizations, and it has been judicially held that either the writer or the publisher can insist on maintaining the status quo with the first organization to which the performing right was jointly entrusted. This principle was established in a case involving the resignation, in 1940, of Edward B. Marks Music Corp. from ASCAP in order to join BMI. This occurred at the inception of BMI.

BMI acts to discourage writer resignations by terminating any bonus status of such writers. If a song remains in BMI after a resignation, because of continued affiliation of the publisher or another writer, the resigning writer will be thenceforth paid at only basic BMI writer rates.

ASCAP also seeks to dissuade resignations. A writer on a four-fund basis, after resignation, will receive payments only on a current performance basis if the song is still licensed by ASCAP by virtue of the membership of an ASCAP publisher or another ASCAP writer.

Where an ASCAP writer collaborates with a BMI writer and the song is licensed by both societies, both will pay their own publishers and writers.

In case of collaboration between an ASCAP writer and a writer not affiliated with a performing-right organization, ASCAP will pay both writers if the unaffiliated writer's contribution is published by an ASCAP publisher and the unaffiliated writer does not give licensing rights to another performing-right organization. When a BMI writer collaborates with a writer not affiliated with another performing-right organization, BMI will not pay the unaffiliated writer.

## ● Clearing Functions

Despite frequent grumbling by broadcasters at the necessity for paying sums akin to a gross receipts tax to performing-right organizations for the right to perform music, it is generally conceded that without such organizations inordinate expense and chaos would result. There would be endless searches and bargaining for performing rights, involving the owners of both established and obscure songs. Each station would require copyright clearance experts and would undergo programming delays while contacting the owners for each performance. The concept of a general clearance agency for a large group of music rights, undertaking a uniform system of collection and payment, is necessary for the orderly

supply of music to stations. If it were not so, the government might close all performing-right organizations on the ground of violations of antitrust laws.

A United States Supreme Court decision in 1967 quoted with approval a lower court finding

... that a central licensing agency such as ASCAP is the only practical way that copyright proprietors may enjoy their rights under the federal copyright laws and that broadcasters and others may conveniently obtain licenses for the performance of copyrighted music. It (the lower court) found that single copyright owners cannot deal individually with all users or individually police the use of their songs; and that a single radio station may broadcast as many as 60,000 performances of musical compositions involving as many as 6,000 separate compositions.

## ● ASCAP and BMI Credit Systems

One result of government review under the ASCAP consent decree has been the requirement that any ASCAP writer be free to choose payment on the basis solely of current performances of his works instead of the more complicated "spreading of payments" four-fund system preferred by older members.

The new ASCAP writer was formerly given this choice immediately upon joining. However, any new writer was better off with the current performance basis inasmuch as he had neither length of membership nor any recognized works. Accordingly, the possibility of error was removed by a 1976 amendment to the Writers Distribution Formula which provides that all new writer members are to be on a current performance basis. It is only after three full survey years of a new writer's membership in ASCAP that he may elect, by written notice not later than March 31st, to switch to the four-fund basis. An election made on either the four-fund or the current performance basis is binding for not less than 10 calendar quarters (2½ years). Except for such restriction the basis can be changed by a notice prior to April 1st electing to switch to the four-fund basis effective for the September distribution and by a notice before October 1st to switch to the current performance basis effective for the succeeding March distribution.

The manner in which ASCAP determines current performance payment to writers may be described as follows: the writer's current performance credit point value is calculated by dividing the



## Performing Rights *continued*

total number of dollars available for distribution each quarter by the total number of ASCAP performance credits in the four most recent quarters then serving as a basis for distribution to writer members of ASCAP. Each individual member's credits are then multiplied by that point value to determine his actual share of the distribution. The point value will fluctuate with ASCAP receipts and the total number of ASCAP credits. For the most recent complete survey years the current performance

point value has been approximately 80 cents.

In the "follow the dollar" policy of valuation of surveyed performances, ASCAP, with respect to network TV loggings, recognizes that a sponsor pays more on weekends and during prime hours. Performances on Monday through Friday receive 50 per cent, 75 per cent, and 100 per cent of full credits, depending on the time of day whether morning, midday, or after 7 p.m. For weekends, the midday credits are eliminated in place of a full payment prime time commencing at 1 p.m.

The four-fund basis is designed to give steadier income to a writer as compared to the income based on a current performance computation. After the allocation of the amounts to be distributed on a current performance basis is made, the remainder left for distribution to writers on a four-fund basis is allocated as follows: 20 per cent goes into the Current Performance Fund where credits are based on the most recent four quarters of performances, and the balance is distributed to three other funds in accordance with long-range factors: the Average Performance Fund (40 per cent) for five-year averaged current performances; the Membership Continuity Fund (20 per cent) for length of ASCAP membership (with a maximum of 42 years) multiplied by a factor

based on a ten-year average of performances, and the Recognized Works Fund (20 per cent) for five-year averaged performance of the writer's "recognized works," which are generally works of more than a year's age from their first logged performance.

It should be noted that the goal of greater stability over the years through the four-fund system is enhanced even beyond the stated factors, such as five- and ten-year averages of performances. This stability factor is increased by avoiding strict arithmetic computation of performance credits in arriving at the averages to be utilized. Performance credits are equated to "points" earned in certain plateaus, with credits in a lower range of performances being worth more than credits in a higher range.

No money is actually put aside for distribution in subsequent years under the four-fund system. Rather, a member receiving distributions on that system is opting to share in current income in later years on the basis of performances averaged over an extended period of years instead of being limited to each current period. The dollar value of future credits is determined anew each year.

It would appear that a new writer is wise to continue to avoid the four-fund basis; he has neither length of membership nor many active songs over a year old. On the other hand, an established writer will probably adhere to the four-fund basis, since the three long-range funds give an element of steady earnings and security and remove some of the gambling elements of the music business. Illustrative of the further benefits of regularizing earnings through the four funds as ASCAP's rules governing the 40 per cent Average Performance Fund distribution, which provide in part as follows:

ASCAP may . . . limit the rise in such payments for one year by not more than one-half of any increase for any writer member; ASCAP may limit any fall in such payments by assigning one third of the fall in the first year, another third in the second year and the remaining third in the third year.

ASCAP publishers now receive distributions solely on a current performance basis.

*I write songs about things I believe in.  
I relate to AGAC for  
the same reason.*

MELANIE



The Guild, a voluntary songwriters' protection association is run by and for songwriters. I joined because AGAC is a valuable source of professional services. All songwriters need advice on things like contracts and royalty collections.

And new songwriters at AGAC's regular ASKAPRO rap sessions, can make friends, find collaborators and learn the business of the music business.

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## ● Qualified Works

One of the most difficult concepts in the ASCAP system of credits is the "qualified work" designation. Under this part of the system, a song with a history of over 20,000 feature performances, of which the most recent five years con-

tributed an average of 500 feature performances a year, is given special higher credits when used in nonfeature roles such as background, cue, bridge, or theme. There is also a partial qualification for higher credits if a work which passes the five-year test has accumulated 15,000 or 10,000 feature performance credits. The justification for higher credits lies in the fact that when a background strain or a theme is based on a well-known old standard, such as "Moon over Miami," the user is getting more value from the use, and the user, accordingly, recognizes that ASCAP's bargaining power for general license fees is greater than if the tune were a new song previously unknown to the public and commissioned by the user especially for that purpose. Background uses of well-known songs are also deemed to advance the plot by public identification with special moods or images associated with the song. This simplified explanation leaves aside the more difficult factor of describing or justifying the different rates of payment. A "qualified work" employed as a theme is accorded half a feature credit, while an unqualified work in the same form would receive one-tenth of a feature credit. A background use of even five seconds of a qualified work gets half a feature credit, but an unqualified work requires a three-minute use for 30 per cent of a feature credit, with reduction for lesser use, so that a use of between 19 and 36 seconds would earn only 6 per cent of a feature credit and any such use of less than 19 seconds would earn only 1 per cent of a credit.

## ● BMI Payments

The BMI standard form of writer contract does not mention payment rates. It states in effect that payments will be made in accordance with the current practices and rates of BMI. Actual payments to writers by BMI distinguish between radio and television performances. Two and one-half cents are paid for each local AM performance of a popular song on stations paying BMI less than \$4,000 a year and 4 cents are paid for an AM local performance on more important licensees. Six cents per station are paid for each network radio feature performance. Local television feature performances earn 24 cents for each station use. Network television feature performances in prime time earn 36 cents per station and in other than prime time, 24 cents. In all cases, payments for television feature performances are trebled for songs originating in (1) a Broadway show, or (2) a feature-length motion picture released after September 1, 1962 and initially

presented, prior to television, in theaters, or (3) an off-Broadway show which had an original cast LP released. The payments for television feature performances are also trebled if the composition is a "million-performance" work, which is a composition that achieves one million or more logged U.S. and Canadian broadcast feature performances while in the BMI repertoire. For performances on AM radio of a show song, a movie work described above, or a "million-performance work," the rates paid exceed those applicable to popular songs. Thus, while a network radio performance of a popular song earns 6 cents, for a similar performance of a qualified show or movie work or a million-performance work, the rate is 9 cents.

FM stations generally charge less to advertisers and accordingly pay less for music licenses. A performance on FM of popular songs earns only  $\frac{1}{2}$  cent as a basic feature rate and  $\frac{3}{4}$  cents for multiple credit works as above noted (film, show, and million-performance works) but concert works on FM receive 4 cents per minute.

BMI publisher contracts also do not contain statements of rates paid to the publishers. The standard rates of payment to publishers are the same as those for writers.

Some BMI publishers have been receiving a bonus of 25 per cent over the regular radio and television payments, and a number of other BMI publishers are paid a bonus of 50 per cent over regular payments. A publisher has automatically qualified for a bonus if his past performances reached a certain level, with the larger bonus payable for a higher level. Thus, a publisher became entitled to a 25 per cent bonus if his works received over 300,000 but less than 500,000 logged U.S. broadcast feature performances in the previous four quarters; if over 500,000 he would be entitled to a 50 per cent bonus. The bonus would apply to logged U.S. broadcast feature performances during the one-year period following the quarter in which the publisher became eligible for such payment.

There are also some BMI writers who, on the basis of past earnings, have been receiving bonuses of 25 per cent or 50 per cent over the usual radio and television payments. Thus, a writer who had earned between \$3,000 and \$6,000 for U.S.A. and Canadian feature performances for the previous eight calendar quarters would qualify for the next three years for a 25 per cent bonus, and, if \$6,000 or more, for a 50 per cent bonus.

These stated bonuses of 25 per cent and 50 per cent have been contractual bonuses to the qualifying writers and publishers. In actual fact, since 1972,

BMI has voluntarily increased the 25 per cent bonus to 75 per cent and the 50 per cent to 100 per cent, although making no contractual commitments to continue such practice.

However, commencing with U.S.A. feature broadcast performances after July 1, 1977, every BMI song is now eligible for a bonus. This approach replaces bonuses based on total catalog performances. A BMI bulletin issued in 1976 states:

... the general idea is that a song will receive the base rate described in our payment schedule until it achieves a certain plateau, at which point it will start receiving a higher payment rate. When the cumulative performances of the song reach another level, a still higher bonus will be paid, and so on through a number of specific levels. This will mean that a song — whether its success is measured in terms of initial performances or continued performances over a period of years — can receive substantial multiple payments. As of the date when this system goes into effect every song in our repertoire will start receiving payment at the rate earned by its prior performances.

The new song bonus system supersedes the bonus payments described in our payment schedules dated June 1975, which is modified as follows:

Any affiliate who has a bonus agreement which runs beyond July 1, 1977 will have the option at an appropriate time of deciding whether to stay on his present bonus contract until its termination date or to switch to the new song bonus system. Any affiliate who qualifies under the bonus requirements described in the current payment schedule between now and June 30, 1977 will be eligible for the bonus described in those payment schedules for performances up to July 1, 1977.

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About the authors: Sidney Shemel is Vice President and legal counsel to United Artists Music and Records Group and United Artists Music Co., Inc., a member of the Copyright Committee of the Motion Picture Association of America and a member of the Legal Committee of the Recording Industry Association of America. M. William Krasilovsky is a partner in the law firm of Feinman and Krasilovsky, formerly a trustee of the Copyright Society of the United States of America, and a contributor to a number of legal periodicals. He was formerly Associate Counsel for AGAC and attorney for Warner Brothers Music Companies.

This Business of Music is available through the SONGWRITER BOOKSHELF in this issue. We highly recommend it.



## The Books You Should Read Are On Songwriter's Bookshelf

**How To Play The Piano Despite Years of Lessons** — By Ward Cannel and Fred Marx. Breaks down "music theory" barriers, teaches you how to harmonize, create simple variations, countermelodies and accompaniments, chords, voicing arrangements, melody and chordal movements ... how to play by ear (and how not to). Plus a new 48 page folio of sheet music. \$8.95

**Clive-Inside The Record Business** by Clive Davis with James Wiltwerth. Clive Davis is regarded as one of the most important figures in the revolution of the record industry. "CLIVE" is the highly personal story of his days as president of Columbia Records. Davis discusses the deals, relationships, and careers of such

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**Music to Sell By — The Craft of Jingle Writing**, Berklee Press — by Antonio Teixeira, Jr., and Tony Teixeira. Besides being one of the top commercial writers

and film composers on the East coast, Tony is a popular clinician, lecturer, and music educator (faculty member of Berklee College of Music). Nationally, he has written for Chrysler Air Conditioner, Budget Rent-A-Car, Steinbauer Ale, etc. and has won many national ad awards. \$9.50

**Legal Protection for the Creative Musician** by Lee Elliot Berk. Mr. Berk is president of Berklee College of Music, and legal advisor to the National Association of Jazz Educators. Easy to read style ... teaches you to spot those instances when you should seek professional guidance. Illustrated by actual recent litigation involving well known music personalities. \$15.00

**From Score to Tape** (Berklee Press) by David Bird. Guide to music producers, engineers and studio musicians. Glossary of recording terms, microphones, compressors, Echo, Dolby, E Q, recording the voice, etc. A demonstration record is included for examples of studio sound effects and shaping. \$9.50

**This Business of Music**, Edited by Shemel and Krasilovsky. Here is the revised, expanded, and up-dated new Copyright Act edition of a book that has become established as the most relied on guide to the music-record-tape industry. It provides detailed explanations of the legal, practical, procedural problems encountered by every practicing music man and provides detailed explanations of the new Copyright Act of 1978. 575 pages. \$16.95

**Modern Recording Techniques** by Robert E. Runstein. Introduces the reader to the equipment, controls and techniques used in modern studio recording. Learn how to talk in real audio terms to studio engineers. \$10.50

**Gospel Music — 1977 Directory and Yearbook**. An annual publication of the Gospel Music Association. Lists gospel award winners plus artist/musicians, talent agencies; periodicals, radio stations, record companies, Gospel Publishers. \$5.00

**Technical Handbook of Mathematics For Motion Picture Music Synchronization** — by Ruby Rakin. Here is a book that begins with the most basic data and

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## Who's Who

from page 8

and worked for several stations in Kansas before taking on AM & FM programming for WKDA in Nashville. He left them after 2½ years to start an independent record promotion company, and his first account was the Charlie Daniels Band, which was growing under the leadership of Joe Sullivan. In '75, the Band signed with Epic and created the publishing company, Hat Band Music. They asked Ron to be Vice President of Promotion and Publicity for all of the Sound Seventy Corp. activities and to run Hat Band Music.

Sound Seventy began in '73 as a management and concert production company, owned and operated by Joe Sullivan, Charlie Daniels' personal manager. The Corporation was organized into its present structure last Fall. Their current clients include Wet Willie, Epic artist Jim Owen, the Winters Brothers (Donny & Dennis), and the Charlie Daniels Band. Hat Band publishes songs written by Charlie and the Band: *The South's Gonna Do It Again, Long Haired Country Boy, Witchitaw Jail, Uneasy Rider, Heaven Can Be Anywhere* and *Maria Teresa*.

Jim Owen just released a tribute album to Hank Williams with Hank's group, the Drifting Cowboys, and Charlie Daniels producing, called *A Song For Us All*. The Winters Brothers, an AOR group, are recording their second album and Wet Willie is having success with their single *Make You Feel Love Again*.

Ron says, "The Charlie Daniels Band has been recording their own material up to now, but we are about to record and are open to outside material. *Don't* send songs like the ones that the Band has become identified with — we don't want any Southern or Regional or novelty songs, just good solid songs that you think the Band could hit with. Besides that, we're looking for hit record standards and writer/artists. Send no more than three songs on 7½ ips reel-to-reel or cassette tape. Put leaders between the songs if it's on reel-to-reel. Include lyric sheets and send a self-addressed, stamped envelope, or don't expect your tape back.

"The best thing I ever heard said as advice is what Charlie says to young people who come up to him and say 'Boy, if I could be as successful as you . . .' Charlie tells them that his overnight success was about fifteen years in the making. You gotta love it because you're gonna plug away at it for years before anything happens. If you do love it, keep on doing it. The world needs your songs."



Paulie Hartford, Co-owner  
Albino Buzzard Music — ASCAP  
Electric Mule Music — BMI  
56 Music Square West  
Nashville, TN 37203  
(615) 383-7874

Also: PIC Records and PIC Productions

Paulie comes from a musical family and wrote her first song when she was eleven. Paulie and her sister, Ruthie, sang with various groups in New England, most recently with Skybound Station. At the same time, she was running her own illustrating business and trying to get her songs placed. After ten years of trying that from East Boothbay, Maine, Paulie decided to quit, sold her tape recorder and sent off the last three tapes she had laying around to some leads in Tunesmith that she happened to come across while cleaning up.

One of those tapes came to the attention of Jim Foster (see January '77 Who's Who for Jim's interview). Paulie had never been out of New England, but the song she sent to Jim, *Rio Grande*, came to her one night and he liked it because that's where he came from. They struck up a publisher/writer relationship, then a producer/artist relationship on her song *Borrowing*; then, in September of '77 they married and formed their own publishing and record companies!

Dale Jackson, formerly of Paramount Records, is a PIC Records artist. His single, *Daily Grinds And Neon Signs*, is doing well in the Southwest, reaching #27 on the KKYX survey, and a new single will be released soon. Dale has a Texas sound and needs material. Paulie also records on the PIC label, and *Borrowing* was a pick hit in *Billboard* and has just been covered by an RCA artist. Jim does independent production for a variety of artists, including the Buckboard Boogie Boys from Texas, and needs Country, Progressive Country, Pop and Rock material for male and female artists and groups. You may submit a three song maximum on cassette or reel to reel tape with lyric sheets and a self-addressed, stamped envelope if you want your tape returned.

Paulie continues to do illustrating: "Many of the people Jim produces are

forming their own labels and need art work. I design labels, logos, album covers, posters and promotional material for them.

"Our major complaint is that the demos that we get are often not clear. When you're not familiar with a song, a lot can slip by. It doesn't have to be a studio demo, just so the lyric is clear. We prefer simple guitar/voice demos; it leaves something to the imagination when we get to producing the song, and it always makes the demo clearer.

"Nashville is a great town to be starting a new company in. It's going through some changes, and it's nice to be a part of it."



### New York

Kevin Eggers, President  
Ucronia Music Co. Ltd. — BMI  
Columbine Music (co-owned with Towns Van Zant) — ASCAP  
611 Broadway  
New York, N.Y. 10012  
(212) 477-2800

Also: Tomato Music Company, Ltd. Records

Kevin was an agent with Sid Bernstein, who handled the original Beatles and Rolling Stone tours and other English acts of that time. Kevin then became Lee Hazlewood's personal manager. Next, he began his own label, Poppy, with artists Doc Watson, the Dillards, and Towns Van Zant. In 1977, Kevin formed Tomato and is recording these artists: Albert King, Dave Brubeck, John Lee Hooker, Towns Van Zant, Dick Gregory, Magma, George Santana, John Hassel, Clifton Scenier and John Cage.

Tomato's recent developments are many: Albert King has a R&B hit with *Call My Job*, written by Al Perkins. Dave Brubeck has a new album, *Live At Montreaux*, and recorded *La Pasada*, a major symphonic piece with the London Symphony Orchestra. Tomato recently released *A Tribute To Monk and Byrd*, featuring a sextet consisting of Thad Jones, Reggie Workman, Lenny White, Stanley Cowell, Stanley Adams, and Cecil Bridgewater; and a new John Lee Hooker album recorded in San Francisco. Chips Moman, who co-wrote and produced Waylon Jennings' hit *Wurlitzer Prize*, is producing Towns Van Zant, and Don Davis, who produced

— continued on page 42



#### ● DEMOS/STUDIOS

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**ESTABLISHED MUSIC PUBLISHER** has openings for new writers. Send tape demo, lyric copy, and SASE to: Hip-Hill Music Publishing, 4307 Saundersville Rd., Old Hickory, Tn 37138.

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**Tunesmith** is the result of many hours interviewing, probing, and investigating, to search out those people throughout the country who are currently in need of material and will listen. We cover the gamut from Pop, R&B, Country to Easy Listening. Whether you're looking for a publisher, producer, or simply want to get recordings, **Tunesmith** is for you. If you're really serious about songwriting, our confidential report is a must (besides, it's tax deductible).

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## SRS

from page 15

position, submits it to recording companies, and hopes that a company will be found to record the song and market it, at the recording company's own expense. In the case of the songsharks, they usually own their own recording companies, so that the sequence of events is reversible. If you are first offered a recording contract, the recording company offers to secure a publishing contract for you (without charge, whatever that means); or, if you are first offered a publishing contract, the songshark will license its own record company to record. However, nothing is said about a requirement to distribute for public sale. The only promise they make is that a number of records (usually 100) will be sent to radio stations.

Again I questioned my Friendly Songshark. He assured me that his company abides by that promise and, in fact, does send your song to 100 (or whatever number) radio stations. Knowing that radio stations compile tight playlists (the songs that are played each week) and rarely deviate from those playlists, usually limited to between 20 and 30 top-40 songs a week, I asked my F.S. what chance there is of his songs being released on the air. He honestly answered, "None." I asked him if he told his clients these facts of life. His answer was amazing: "I would, but they never ask!" To keep the client bubbling, songsharks have been known to send minimal royalty checks to the writers — out of their own pockets!

This game could be a lot of fun, if it didn't turn out so costly to the writer. There is usually a charge for each step. After the composer with swollen ankles (remember him?) completes the recording (usually on tape), you are told that for-so-much it will be recorded by their very famous group, The Trippers, or The Champions. You decide that if you never heard of them it's your fault. The group will be backed by four instruments, usually piano, bass, drums and guitar. How can you resist? You pay the "so-much." Now that you have a commercial recording, you are asked to pay for about 225 pressings, 100 for radio stations, 100 for you to give to your friends and relatives, and 25 are kept by the songshark, just in case you need some more. I have seen that \$69, \$39, \$30 actually grow into thousands!

You're not through! The songsharks have their own professional songwriter organizations you can join for, perhaps, \$45. When you join you get a framed certificate of membership. Another enterprising songshark will sell you a gold record to hang on your wall. For only \$49 you get:

"A beautiful, simulated gold replica of your single record mounted on a handsome solid walnut plaque (10" x 14"). Your name and song title appear on the record label. Also a metal dedication plate, with your own name, is mounted below the record."

There is a little postscript on this pitch,

"Even if you have not recorded a song, you can still order a gold record plaque. It is a magnificent gift for your friends or family."

Over the years, and after hearing the hundreds of heartrending tales told by songshark victims, I felt very righteous in my indignation. I have on tape the story of a blind Viet Nam War veteran, living on a modest pension, who could not raise "the balance" and could not get his songs back. He had submitted his only copies. Children have been known to play on parents' guilt to furnish the initial \$69, which the parents could ill afford. "Look, Ma, this letter says I have talent. Don't you want me to become famous?" Moms have been known to take that \$69 out of their grocery money. A retired factory worker who had been fantasizing all his dull life of doing something really creative. He paid for that dubious distinction out of his hard-earned savings.

On the other hand, there's the mailman in a small midwestern town who scarcely had a name. He was just "the mailman." Now he has his song played periodically on the local radio station. He has his name on a gold plaque. He's somebody. He has a name! I've given this considerable thought and decided there's nothing wrong with "vanity press" (paying a publishing company to print that book you wrote, or a record company to record your song). This is all you wanted — you got what you paid for — you're happy.

I suggested to my F.S. that he do the same thing. Cut out the hype, the implicit promise of a career, of fame and fortune. I told him he did not have to dangle the carrot of radio exposure before the innocent dreamer. Cereal tastes just as good without the "snap, crackle and pop," and costs less. For about three minutes I had my F.S. convinced that he could make a decent living honestly. I even offered to write the ad for him, putting him in a class by himself, an honest songshark, without having to deal with the hundreds of conniving competitors who keep dreaming up new scams. I offered to write a story for the pulps and talk about that phenomenon, the honest songshark who delivers the song without the come-ons and gimmicks. He accepted my offer, but only long enough to get outside our office. He returned! "We've got a deal, but I want to continue my old business too!" No deal!

## Who's Who

from page 39

Marilyn McCoo and Billy Davis, and wrote *Disco Lady*, will be producing Albert King in August.

Kevin says, "We are very artist oriented. We're interested in people who have a very distinctive musical point of view. Look at our roster, it's very eclectic. We're not developing a lot of unknowns; in that area we'd be highly selective. We're working with a base of people who are already established.

"We're looking for artists who write. We're delighted to get material. I think it's important to have an open door policy, you never know where the next great talent is coming from. The business is so competitive, it's important to present your tape in the most professional way, make it easy to listen to and respond to. Do not send just lead sheets and don't send your original and only copy. The more information you can supply about yourself as an artist, the better — press kits, pictures, bios, etc.

"Send a three song maximum on reel-to-reel or cassette tape with lead sheets and/or lyric sheets. Include a self-addressed, stamped envelope large enough and with enough postage to cover return of the entire package, if you want it back.

"No one has the ultimate ear. Don't get discouraged if you're rejected. Every artist starts from obscurity. The Beatles started out in Germany because they couldn't get work in England. If you want to develop as an artist, you've got to get out and work in front of an audience."



Canada

Vicki Walters, Manager of Administration  
Sunbury Music Canada Ltd. — CAPAC  
Dunbar Music Canada Ltd. — PRO  
101 Duncan Mill Rd.  
Don Mills, Ontario  
M3B 1Z3  
(416) 449-4346

Also: RCA Records Canada, Ltd.  
Other Offices: Worldwide

Vicki began working in the music business in 1966 as the secretary for an independent recording engineer and jingle producer. In '67, she was employed by RCA Canada in their re-

cording studio, where she advanced from receptionist to studio manager by 1975. At that time, she was approached by Phase I Studios to help set up their new operations. At Phase I, she was the studio manager in charge of bookings, talent coordination and bringing the attention of the music industry to the studio. Eighteen months later, she was ready for a new challenge, and accepted when RCA asked her to assume her present post with their publishing companies. Besides managing the administrative work, she shares the duties of Professional Manager with Jack Feeny, the President of Sunbury and Dunbar Music in Canada.

Jack Feeny, who is also RCA's Country A&R Manager and Production Manager for classical and jazz music, won the Country Producer of the Year Award in Canada. Vicki and Jack have been actively expanding their publishing activities for a year and a half. Some of the Sunbury/Dunbar Canada writers are: Roy Payne, whose *Outlaw Heroes* was one of the top money making singles of '76-'77; Dick Nolan, whose *Aunt Martha's Sheep* went gold on both single and album from Maritime Provinces sales alone; Dick Damron, a top Country writer; and John Arpin, a Contemporary MOR writer whose *Jogging Along* is used as the theme song for the CBS-TV Morning Show.

Vicki says, "Country Music is very big in Canada. It accounts for 60 to 75% of the record buying public. The Canadian Country Music Association has 12 nominating categories. This year RCA artists won ten and six of them were Sunbury Dunbar writers. We also had two tunes nominated for Juno Awards for Top Selling Single. One of them, *Let's Try Once Again* by RCA's Patrick Norman and the Black Light Orchestra, is an example of the very popular disco scene in Quebec. The other Juno nominee was a cover of Ray Evans and Jay Livingston's *Que Sera Sera*, recorded by the Raes on A&M.

"Because of CANCON (the Canadian Content law, which assures airplay to records that are of Canadian origin in two of these four parts: Music, Artist, Production, Lyrics) we are interested in receiving demos from CANADIAN WRITERS ONLY. We're looking for Country, MOR, Disco, and Contemporary Pop. You may submit a maximum of three songs on 7½ ips reel-to-reel or cassette tape, with lead and/or lyric sheets and a self-addressed, stamped envelope for the return of your tape.

"Canadian writers have to be patient. We're trying very hard to have them recognized internationally. The industry is growing, the recording studios here are superior, bar none, and the musicians are the greatest. It just takes time, we need your patience."

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# Songwriter

• indicates those artists who record songs by other writers

## R&B Top 10

Songwriter	Title	Artist	Publisher, Licensee, Label
1. R. Calhoun Chaka Kahn	Stay	Rufus Chaka Kahn	American Broadcasting ASCAP/High Seas, BMI (ABC)
2. E. Isley M. Isley R. Isley O. Isley R. Isley C. Jasper	Take Me To The Next Phase	Isley Bros.	Bovina ASCAP (Columbia)
3. R. Temperton	The Grooveline	Heatwave	Almo Tincabel ASCAP (Epic)
4. N. Kipner J. Vallins	Too Much, Too Little, Too Late	● Johnny Mathis & Deniece Williams	Homewood House, BMI (Columbia)
5. B. Mann C. Weil J. Leiber	On Broadway	● George Benson	Screen-Gem-EMI, BMI (Warner Bros.)
6. K. Gamble L. Huff	Use Ta Be My Girl	● The O'Jays	Mighty Tree, BMI (Philadelphia Int'l)
7. H. W. Casey R. Finch	Dance Across The Floor	Jimmy 'Bo' Horn	Sherlyn Harrick, BMI (Sunshine Sound)
8. Smokey Robinson R.E. Jones	Daylight And Darkness	Smokey Robinson	Motown, Bertam, ASCAP (Tamla)
9. G. Johnson L. Blackmon	It's Serious	Cameo	Casablanca, Better Days, BMI (Chocolate City)
10. G. Duke	Dukey Stick	George Duke	Mycenae, ASCAP (Epic)

## Country Top 10

Songwriter	Title	Artist	Publisher, Licensee, Label
1. A. Schroeder B. Halley	She Can Put Her Shoes Under My Bed (Anytime)	● Johnny Duncan	Dandy Dittys, Unilited, ASCAP Super Songs, Unilited, BMI (Columbia)
2. C. Howard	I'm Always On A Mountain When I Fall	Merle Haggard	ATV/Shade Tree, BMI (MCA)
3. A. North H. Zaret A. DeVita, H. Shaper	Unchained Melody Softly As I Leave You	Elvis Presley	Frank, ASCAP/Miller, ASCAP (RCA)
4. Dolly Parton	It's All Wrong, But It's Alright/Two Doors Down	Dolly Parton	Velvet Apple, BMI (RCA)
5. D. Reid H. Reid	Do You Know You Are My Sunshine	● Statler Bros.	Phonogram, Cowboy, BMI (Mercury)
6. L. Clayton	If You Can Touch Her At All	Willie Nelson	Resaca, BMI (RCA)
7. H. Carmichael S. Gorrell	Georgia On My Mind	● Willie Nelson	Peer, BMI (Columbia)
8. B. Sherrill C. Taylor M. Sherrill	Red Wine and Blue Memories	● Joe Stampley	Algee, BMI (Epic)
9. Eddie Rabbitt E. Stevens D. Tyler	Hearts On Fire	Eddie Rabbitt	Briarpatch/Deb, Dave, BMI (Elektra)
10. J. Dyer J. Tweel	Everytime Two Fools Collide	● Kenny Rodgers & Dottie West	United Artists, ASCAP/Window, BMI (United Artists)

## Easy Listening Top 10

Songwriter	Title	Artist	Publisher, Licensee, Label
1. J. Mtume	The Closer I Get To You	● Roberta Flack	Scarf Ensign, BMI (Atlantic)
2. C. Simon M. McDonald	You Belong To Me	Carly Simon	Snug C Est, ASCAP (Elektra)
3. D. Martin C. Arnold J. Morrow	I Can't Smile Without You	● Barry Manilow	Dick James, BMI (Arista)
4. Chuck Mangione	Feels So Good	Chuck Mangione	Gates, BMI (A&M)
5. Paul McCartney	With A Little Luck	Wings	A T V, BMI (Capitol)
6. M. Safar	I'm On My Way	● Captain & Tennille	Pink Flower, BMI (A&M)
7. N. Kipner J. Vallins	Too Much, Too Little, Too Late	● Johnny Mathis & Deniece Williams	Homewood House, BMI (Columbia)
8. Dolly Parton	Two Doors Down	Dolly Parton	Velvet Apple, BMI (RCA)
9. Benny Andersson Bjorn Ulvaeus	Take A Chance On Me	Abba	Artwork, ASCAP/Polar, AB (Atlantic)
10. R. Goodrum	Before My Heart Finds Out	● Gene Cotton	Sailmaker/Chappel, ASCAP (Ariola America)

## Songwriter Top 40

Songwriter	Title	Artist	Producer	Publisher, Licensee, Label
1. Barry Gibb Robin Gibb Maurice Gibb Andy Gibb	Shadow Dancing	Andy Gibb	Barry Gibb, Carl Richardson, Alby Galuten	Stigwood/Unichappell, BMI (RSO)
2. S. Pippin L. Keith	This Time I'm In It For Love	Player	Dennis Lambert, Brian Potter	House of Gold/Windchime, BMI (RSO)
3. Barry Gibb Robin Gibb Maurice Gibb	Night Fever	Bee Gees	Barry, Robin, Maurice Gibb, Karl Richardson, Alby Galuten	Stigwood/Unichappell, BMI (RSO)
4. N. Kipner J. Vallins	Too Much, Too Little, Too Late	Johnny Mathis & Deniece Williams	Jack Gold	Homewood House, BMI (Columbia)
5. John Farrar	You're The One That I Want	● John Travolta & Olivia Newton-John	John Farrar	John Farrar/Stigwood/Unichappell/Ensign, BMI (RSO)
6. J. Mtume R. Lucas	The Closer I Get To You	● Roberta Flack	Rubina Flake, Joe Ferla, Eugene McDaniels	Scarf/Ensign, BMI (Atlantic)
7. Paul McCartney	With A Little Luck	Wings	Paul McCartney	A T V, BMI (Capitol)
8. J. Barish	Count On Me	Jefferson Starship	Larry Cox & Jefferson Starship	Diamond Back Bright Moments, BMI (RCA)
9. Bule Nix Daughtry	Imaginary Lover	Atlanta Rhythm Section	Buddy Bule	Low-Sal, BMI (Polydor)
10. Chuck Mangione	Feels So Good	Chuck Mangione	Chuck Mangione	Gates, BMI (A&M)
11. D. Martin C. Arnold J. Morrow	Can't Smile Without You	● Barry Manilow	Ron Dante, Barry Manilow	Dick James, BMI (Arista)
12. L. Green R. Kersey	Disco Inferno	Trammps	Baker, Harris & Young	Six Strings/Golden Fleece, BMI (Atlantic)
13. B. Mann C. Weil J. Leiber M. Stroller	On Broadway	● George Benson	Tommy L. Puma	Screen Gems-EMI, BMI (Warner Bros.)
14. Eddie Money J. Lyon	Baby Hold On	Eddie Money	Bruce Botnick	Grajcica, BMI (Columbia)
15. A. Scott T. Griffen	Love Is Like Oxygen	Sweet	Sweet	Sweet/Warner Bros., ASCAP (Capitol)
16. L. Marinelli W. Wachtel W. Zevon	Werewolves Of London	Warren Zevon	Jackson Browne & Waddy Wachtel	Poite, ASCAP Zevon, BMI (Asylum)
17. Scott & Wolfe	It's A Heartache	● Bonnie Tyler	David Mackay, Scott & Wolfe	Ti-Gem, BMI (RCA)
18. Dolly Parton	Two Doors Down	Dolly Parton	Gary Klein	Velvet Apple, BMI (RCA)
19. Billy Joel	Movin' Out	Billy Joel	Phil Ramone	Joe'songs, BMI (Columbia)
20. Carly Simon M. McDonald	You Belong To Me	Carly Simon	Arif Mardin	Snug C Est, ASCAP (Elektra)
21. J. B. Sebastian	Do You Believe In Magic	● Shaun Cassidy	Michael Lloyd	Hudson Bay, BMI (Warner/Curb)
22. Elton John B. Taupin	Ego	Elton John	Elton John, Clive Franks	Jodrell Leads, ASCAP (MCA)
23. B. Andersson B. Ulvaeus	Take A Chance On Me	Abba	Benny Andersson, Bjorn Ulvaeus	Artwork, ASCAP/Polar, AB (Atlantic)
24. Barry Gibb Robin Gibb Maurice Gibb	If I Can't Have You	● Yvonne Elliman	Freddie Perren	Stigwood/Unichappell, BMI (RSO)
25. Barry Gibb Robin Gibb Maurice Gibb	More Than A Woman	● Tavares	Freddie Perren	Stigwood/Unichappell, BMI (Capitol)
26. J. Steinman Cleveland Int'l	Two Out Of Three Ain't Bad	Meat Loaf	Todd Rundgren	Edward B. Marks Neverland Peg, BMI (Epic)
27. A. Wilson N. Wilson	Heartless	Heart	Mike Flicker	Andorra, ASCAP (Mushroom)
28. Patti Smith Bruce Springsteen	Because The Night	Patti Smith	Jimmy Iovine	Ram Rod, BMI (Anista)
29. R. Temperton	The Groove Line	Heatwave	Barry Blue	Almo Tincabel, ASCAP (Epic)
30. A. Fraser	Every Kinda People	● Robert Palmer	Robert Palmer	Island Restless, BMI (Island)
31. Mick Jagger Keith Richards	Tumbling Dice	● Linda Ronstadt	Peter Asher	Colgems, ASCAP EM (Asylum)
32. W. Becker D. Fagen	Deacon Blues	Steely Dan	Gary Katz	ABC Dunhill, BMI (ABC)
33. R. Calhoun Chaka Kahn	Stay	Rufus Chaka Khan	Rufus, Roy Halee	American Broadcasting ASCAP/High Seas, BMI (ABC)
34. R. Ballard	Since You've Been Gone	Head East	Jeffrey Lesser	Island, BMI (A&M)
35. Rod Stewart Granger	I Was Only Joking	● Rod Stewart	Tom Dowd	Riva, ASCAP (Warner Bros.)
36. R. Banks Collins	Follow You, Follow Me	Genesis	David Hentschel, Genesis	Gelring/Run It, BMI (Atlantic)
37. J. Buffett	Cheeseburger In Paradise	Jimmy Buffett	Norbert Putnam	Coral Reefer Outer Banks, BMI (ABC)
38. D. Batteau	You're The Love	Seals & Crofts	Louie Shelton	Dawnbreaker ASCAP/Oaktree, BMI (Warner Bros.)
39. Barry Manilow M. Panzer	Even Now	● Barry Manilow	Ron Dante, Barry Manilow	Kamakaze, BMI (Anista)
40. E. Maresca	The Wanderer	● Leif Garrett	Michael Lloyd for Mike Curb Productions	Rust/Schwarts, ASCAP (Atlantic)

# Commandments

from page 31

## 8) Thou shalt not send anonymous tapes.

What good is it that a publisher loves your song if he doesn't know who you are. Publishers are human. Some are less organized than others and tape reels get separated from their boxes, outside envelopes are thrown away, and lyric sheets get lost. Put your name, address and phone number on **EVERY** piece of your package — cassette or reel, lyric sheets, S.A.S.E. and outside envelope. (S.A.S.E. means self addressed, stamped, envelope.)

## 9) Thou shalt not send demos on teeny tiny reels that go too slow.

A two inch reel that plays at 3 1/4 or 1 1/2 ips is as popular as the plague with publishers. Reels should be no smaller than 5" in diameter and travel at 7 1/2 inches per second.

## 10) Thou shalt not send teeny tiny self addressed, stamped envelopes with too-little postage.

An S.A.S.E. is a must in every demo package, but publishers tell us that writers have sent 5" reel demos and included a letter size envelope with a 13¢ stamp for the return of the tape! Make sure your envelope is large enough to return everything you sent. Weigh the demo package carefully and put sufficient postage for its return on the S.A.S.E.

## 11) Thou shalt not surround your tape package with scotch tape or any other impenetrable device.

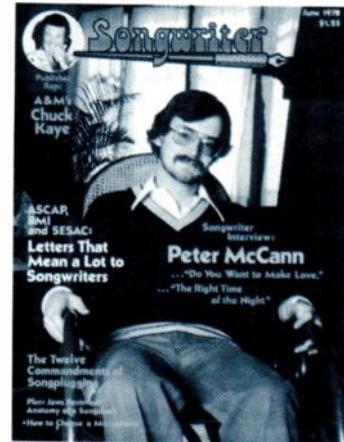
If a publisher needs a stick of dynamite to get into your demo package, you're in trouble. Make it easy to open!

## 12) Thou shalt not send your tape certified or registered mail.

Your tape will be refused and returned to you unopened if you send it by either registered or certified mail. Send it First Class and get it listened to!

Now that you know what *not* to do, you need to know what *to* do. For a publisher's eye view of what's commercial, how to deal with publishers and more, get the *Songwriter Magazine Special Report*, "How To Sell Your Songs." It costs only \$2.00 and is a terrific step-by-step guide.

See you in chart heaven!



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# Songwriter Q&A

**Q** There's something I was puzzled about. When you write the lyrics of a song and someone else composes it how do you split the money? 50/50? And in your Dec. '77 issue you mentioned that if you were to get a split deal with a publisher you would get half of the publishing income in addition to all of the writer's share — why would the composer get all of the writer's share? And is this always the case?

**Jeanette Fauth**  
KalisPELL, MONT.

**A** Please keep in mind that of the monies earned on a song that generally 50% goes to the publisher and 50% goes to the writer (or writers), thus if there are two writers on a song (example: composer and lyricist) they each would receive 25% of the total income. If the writers had a split publishing deal, the publisher would earn 25% and the writers would earn 75% (37-1/2% each). What may be confusing to you is that people talk about publishing income as being 100% and writer's income 100%, which adds up to 200% (a mathematical impossibility). Thus, 50% of publishing is in reality 25% of the total income.

**Q** What is a "formula song"? Ed Silvers used this phrase in the publisher Rap (February 1978 issue of *Songwriter*). Please give me a couple of examples of "formula songs" that are presently on the Top-40 Chart.

**Reed Burkholder**  
Lexington, KY

**A** Examples of formula songs would be "You Light Up My Life" (Debbie Boone) and "Baby Come Back" (Player). There's no specific definition of a formula song. But the music industry uses the term loosely to define a verse/chorus, verse/chorus type of song. Generally a 16 bar verse and a repetitive 16 bar chorus.

**Q** I am a songwriter who is planning to move to New York City at the end of the coming summer. I'm wondering if there are any songwriting workshops going on in N.Y. at that time or beyond. If so, could you let me know about them?

**Arnie Roman**  
Brookline, MASS.

**A** If we knew the specific month we would make a specific suggestion. But we highly suggest you contact the following: ASCAP, One Lincoln Plaza, New York, N.Y. 10023 (212) 595-3050; BMI, 40 W. 57th St., New York, N.Y. 10019, (212) 586-2000; AGAC, 40 W. 57th St., New York N.Y. 10019, (212) 757-8833; American Composers Alliance, 170 West 74th St., New York, N.Y. 10023 (212) 873-1250; At Home Workshop, 119 West 57th St., New York, N.Y. 10019 (212) 265-1853 **GOOD LUCK!**

**Q** I've written a number of song poems, and since I didn't know anything about melody writing, I submitted them to different firms that advertised in certain magazines that they will write the melody, publish and record the song for a fee of \$200.00. And like a fool, I paid it. It's been nearly three years and I've heard nothing from them or heard the song on the radio or seen it in record stores. Is there anyway I can get help? Can you tell me where I can locate some books on melody writing?

**Harold Staggers**  
Eatonville, FLA.

**A** Never pay to have a melody written or a song published. You said it, like a fool you paid it. Although these practices are considered unscrupulous they are by no means illegal. Of course if you've paid

for a service and received nothing in return, you should request a refund. The S.R.S. is very active in maintaining files on song sharks so we highly suggest that you send the information to: S.R.S., 6381 Hollywood Blvd., Suite #503, Hollywood, CA 90028 (213) 463-7170. By the way, you'll note that we don't allow "composition for a fee" ads in *Songwriter*, although we feel "demo" services are legitimate.

**Q** I am an aspiring writer-composer who has just finished a 3-song demo. My only problem is... which publishers do I send the tape to? I have acquired the yellow pages from Nashville, Los Angeles and New York but there are over 740 music publishers listed. I would go broke if I tried to send them all a demo. Could you possibly give me any advice about the proper companies to contact where my music (tunes) will most likely be listened to?

**Blaze Winslow**  
Las Vegas, NEV.

**A** Have we got good news for you! Since our inception of *Songwriter Magazine* we have been publishing a "Music Directory" of the top music publishers. The directory is indexed according to musical taste, (i.e. Pop or Country) and the publishers are especially selected for their chart action. It also lists the top personal managers, independent record producers and major songwriting associations (plus a special Canadian section). The beauty of the directory is that it doesn't list just anybody and everybody but is a songwriter's quick glance handy guide to the music business. For a copy please send \$2.00 to: *Songwriter Magazine*, P.O. Box 3510, Hollywood, CA 90028.

# Beautiful, Hand Copied Lead Sheets . . . Only \$13<sup>00</sup>

Use for showing or copyrighting your songs!

Our copyists make beautiful, precise, handcopied lead sheets for many of the major music publishers. And they can do the same for you. Simply send us a simple demo of your song (reel to reel, or cassette), with voice and either piano or guitar, and a lyric sheet, and we'll do the rest. If you have a chord sheet, that would be helpful, but isn't essential.

Specify names of writers, title of song, copyright notation, if any, i.e. © 1975 by John Doe), and any other information you want on the lead sheet. That's all we need to send you a master copy of your song. You can make your own copies from the master, or we'll make copies for you for 30 cents apiece. Include check or money order for \$13 per song payable to Music House.



Post Office Box 4577  
No. Hollywood, Ca. 91607

## "AMERICA, THE BEAUTIFUL"

SAMUEL A. WARD

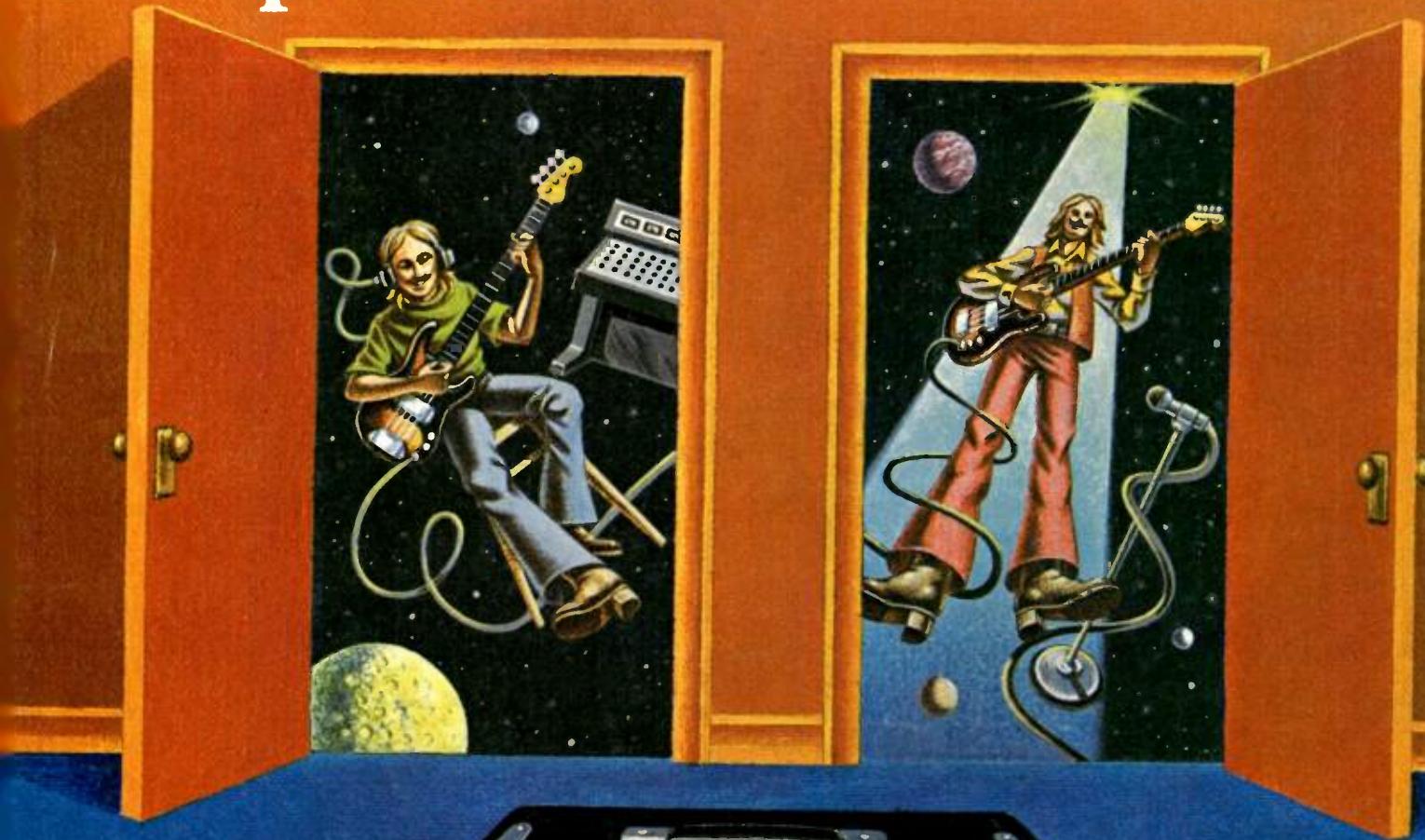
Hand copied lead sheet for "AMERICA, THE BEAUTIFUL" by SAMUEL A. WARD. The sheet includes lyrics, chords (C, G, G7, F, D7), and a piano-roll style staff. A pen is resting on the sheet.

BEAU-TI-FUL FOR SPAC-IOUS SKIES FOR A WAVES OF  
GRAN FOR PUR-PLE MORN-TAN MAJ-ES-TIES A THE FRUIT-ED  
PAIN A-MER-1-CA A-MER-1-CA G SHED HIS GRACE ON  
THEE AND CROWN THY GOOD WITH BROTH-ER-HOOD FROM SFA

Hand copied lead sheet for "AMERICA, THE BEAUTIFUL" showing lyrics and chords (C, C7, G, D7, F, C, G, F, C).

THEE AND CROWN  
SEA  
G  
D7  
C  
C7  
F  
C  
G  
D7  
C  
F  
C

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