

F. E. Miller
181 West 135th Street
Y.M.C.A. Annex
New York City

July 3, 1947

Mr. Frank Shiffman
Apollo Theatre
253 W. 125th St.
New York City

Dear Mr. Shiffman:

I am advised again today that your theatre
is using my act on your stage, of which I own
the copyright.

I am therefore enclosing my bill of \$300.00
for its use for the week of June 26 - July 3. *1947*

I do not wish this act to be used again in
your theatre, without my permission.

Send your check for the enclosed bill to
the above address.

Very truly yours,
F. E. Miller

F. E. MILLER

BILL Enclosed:

P. E. Miller
181 West 135th St.
T.M.C.A. Annex
New York City

July 3, 1947

TO

Apollo Theatre
West 125th St.
New York City

Use of copyright material at
Apollo Theatre - Week of
June 26-July 3rd.

\$ 300.00

July 4, 1947.

Mr. F. E. Miller,
181 West 135th Street,
Y. M. C. A. Annex,
New York City, N. Y.

Dear Mr. Miller:-

I received your letter this morning. I have nothing whatsoever to do with the comedy material which Pigment used here last week. Furthermore he informs me that he has been using this material for a period of approximately fifteen years.

You know, of course, that other comedians have used it before. If, as you contend, some or all of this material belongs to you, you should have moved to protect your rights when you know that this material was being used time after time.

Cordially yours,

Frank Schiffman

fs/ry

MCDOUGALD & MAIS
COUNSELORS AT LAW

CORNELIUS MCDOUGALD, JR.
WILFRED N. MAIS, JR.

2309 SEVENTH AVENUE
(AT 138TH STREET)
NEW YORK 30

AUBURN 2-4206

15 July 1947

Mr. Frank Schiffman
Apollo Theater
253 West 125th Street
New York 27, New York

Dear Sir:

I am retained by Mr. Flourney Miller to represent him in a claim he has against you for violation of his copyright on certain material exhibited on the stage of the Apollo Theater. I am advised that my client has demanded the sum of \$300.00 from you in payment of this claim.

I would appreciate your informing me of your attitude in this matter at your earliest convenience.

Very truly yours,

Cornelius Dougald

CMD/ds

July 17, 1947.

Mr. Cornelius McDougald,
2309 Seventh Avenue,
New York City, 30, N. Y.

Dear Mr. McDougald:

To say that I was surprised at receipt of your letter concerning the claim by Flourney Miller would be a decided understatement. Incidentally, I phoned your office but did not find you in.

The reason for my surprise is that I spoke and wrote to Mr. Miller about this situation some time ago. As I recall, the incident, Mr. Miller did speak to me on Wednesday of the week that he alleges that some of the material being used by "Pigment" was in fact Miller's property. He told me that he had spoken to Pigment about the use of this material. I later questioned Pigment who informed me that he had been using some ~~of~~ the comedy material for no less than fifteen years on appearances throughout the country. He also stated that to his definite knowledge this material had been used by other comedians. Miller, according to Pigment, never previously asserted any proprietary rights to this material. As a matter of fact when I asked Mr. Miller if he ever had asserted such proprietary rights he said that he had not bothered to do so in the past. Pigment further stated to me that Miller had not asked him to desist from using the material on the remaining day of the engagement at the Apollo.

I wonder, Mr. McDougald, if when you next see Mr. Miller to discuss this problem with him, you would care to ask him whether he doesn't think its about time that he repaid to us the approximately \$700.00 which he owes as a result of a transaction at the Lafayette Theatre many years ago. And at the same time, perhaps Mr. Miller would like to use some of the influence which he undoubtedly has with other members of his family to repay to me very substantial loans which I made to them when both Irving and Quinton were in desperate need. If you do not care to mention these matters I wonder if you would mind showing this letter to Mr. Miller.

Cordially yours,

Frank Schiffman

fa/ry