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METROPOLITAN AIMS LEGAL FUSILLADE AT THE HAMMERSTEINS

Opera Company Serves Summons in Application for Permanent Injunction Restraining Impresario and His Son, Arthur, from Producing Opera in New York Until April 26, 1920—"Glad They Brought the Suit," Comments Hammerstein, Declaring His Work Will Be Carried on by Corporation in Case Injunction Is Secured

New York's opera war took on a serious legal phase on Wednesday of last week, when the Metropolitan Opera Company served upon Oscar Hammerstein a summons and complaint in which it asked for a permanent injunction to prevent the Hammersteins from giving opera in New York City until April 26, 1920. The imperturbable Oscar replied that this legal action was just what he wanted, and added that, in the contingency of the Metropolitan securing the injunction, his work would be continued by a corporation.

The summons was served upon Mr. Hammerstein in his office at the Victoria Theater by Alfred Seligsberg, of the law firm of Wise & Seligsberg, acting in conjunction with Paul D. Cravath of the Metropolitan directorate.

Interesting insight into the purpose and condition of the Metropolitan Company is found in some of the statements explaining the events leading up to the signing of the contract between the Hammersteins and the Metropolitan in 1910. They are as follows:

"The plaintiff (the Metropolitan) is not engaged in such enterprise for financial profit, but solely with the view of meeting the demands of the musical public in various localities in which it presents its productions and of furthering the cause of grand opera. Since the year 1905 plaintiff has been unable to pay any dividends whatsoever to its stockholders and now has a large deficit owing to the fact that its aggregate income since that year has been less than its operating expenses. Plaintiff has been able to continue only through the support of its directors, who from time to time have advanced funds for that purpose, most of which have never been repaid."

The complaint further points out that after the entry of Hammerstein into the operatic field the production of grand opera became an unprofitable venture in 1909. At that time the Metropolitan Opera Company was approached by Oscar and Arthur Hammerstein, through their representatives, with the view of selling their business, including producing rights and good-will. It is asserted that the Metropolitan Opera Company at no time during the negotiations asked the defendants to sell their business, the advances having been made by the defendants.

As a part of the complaint there is appended the contract made on April 26, 1910, between Oscar and Arthur Hammerstein and E. T. Stotesbury of Philadelphia, by which the Messrs. Hammerstein agreed to withdraw from the field in New York, Philadelphia, Boston and Chicago, on the payment by Mr. Stotesbury and his associates of \$1,200,000.

In addition to these facts a new contract is made public for the first time, which was entered into between the Messrs. Hammerstein and the Chicago Grand Opera Company on June 21, 1910, covering practically the same ground. There also is published for the first time Oscar Ham-



ALMA GLUCK

The American Soprano of the Metropolitan Opera Company, Who Has Just Scored a Striking Success in London—She Received All Her Musical Training in the United States. (See Page 31)

merstein's declaration making his son, Arthur Hammerstein, his attorney, to enter into negotiations with Mr. Stotesbury and the Metropolitan directors for the sale of the Manhattan Opera Company's properties.

Made Son His Attorney

One of the important clauses in this declaration is the authorization of Arthur Hammerstein by his father to enter into an agreement, if he wished, by which the Messrs. Hammerstein would abstain from giving grand opera "in any part of the United States of America." As the contract subsequently was drawn it excluded them only from New York, Philadelphia, Boston and Chicago. Oscar Hammerstein was in Europe when the sale of his properties was finally made on April 26, 1910. It is asserted that Oscar Hammerstein ratified the execution of agreements and acts done by Arthur Hammerstein as his attorney-in-fact after his return in 1910 from Europe.

Relation is made by the plaintiff of the fact that, following his disastrous operatic venture in London, Oscar Hammerstein

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PUCCINI DESCRIBES HIS ONE-ACT OPERAS

Composer in Paris Relates Details of His Three Widely-contrasted Librettos

Details concerning the three one-act operas to be written by Giacomo Puccini for presentation in a single evening's program have been given out by the composer himself in an interview in Paris with Camille Cianfarra, representing the New York American. The news that Puccini had forsaken the idea, for the present, of writing another opera of conventional length and had chosen instead to devote himself to three one-act operas, one comic, one lyric and one tragic, was originally made known in this country exclusively in MUSICAL AMERICA. Announcement was also made in these columns that the three librettists to be represented in Puccini's unique undertaking were his fellow countryman, Gabriele d'Annunzio, and the two Frenchmen, Tristan Bernard and Didier Gold. Just what the stories of the operas will concern is now, however, made public for the first time. D'Annunzio will write the libretto for the lyric opera, Bernard is the author of the comic libretto and Gold of the tragedy.

Puccini announces that he spent three years in continuous search for a suitable libretto for an opera of regulation length but that despite the receipt of a great many manuscripts, from famous playwrights and obscure authors both, his quest failed utterly. Then it was that he turned to the one-act opera. Tristan Bernard and d'Annunzio are well known, but not so familiar a name is that of Didier Gold, a young writer who has depicted the Parisian underworld in the book chosen by Puccini.

"I owe the discovery of this drama," said Puccini in the Paris interview, "to a woman, who, knowing I was seeking a libretto, invited me one afternoon to tea at a fashionable Paris hotel. Before I left she thrust into my hands a small book, first exacting a promise that I would read it.

"It was a revelation. The drama, which is full of passion, takes place on a Seine river scow, the captain and proprietor of which, named *Michael*, lives on board with his wife *Georgette*. There are three other persons: *Louis*, a deckhand and *Georgette's* admirer; a second deckhand and his wife.

"The action proceeds with lightning-like rapidity. It is Saturday night, and on quitting work *Georgette* tells *Louis* she will signal when it is time to call by placing a small lamp on the deck. *Michael* suspects, and that evening he reminds his wife of days bygone, when their only child was alive and life was the happiest. He concludes by entreating her to love him still, but the woman retires apparently unmoved.

"The scow is moored opposite a long row of cheap pleasure resorts. *Michael* lights his pipe, and *Louis*, mistaking the glare of the match for a lamp, emerges from his hiding place and is promptly caught by *Michael*, who chokes him to death. On hearing his wife's footsteps *Michael* hides *Louis's* body under his long cape, and when *Georgette* gently invites *Louis* to clasp her to his breast, he arises and *Louis's* body falls at the feet of the terrified woman."

D'Annunzio, who is also the poet who furnished the libretto for Mascagni's "Parisina," has promised to send Puccini a poetic legend of the Middle Ages, which will give the composer an opportunity to write light idyllic music.

Tristan Bernard's one-act burlesque has a plot decidedly out of the ordinary. The action takes place in an African jungle where a party of Europeans fall into the hands of a native tribe. These natives are thoroughly acquainted with European ideas and customs; as they once composed the "African Village" at the Paris exhibition. They decide that they will show the other natives a European village in full working order and the prisoners are made to act all kinds of bizarre scenes until finally they are rescued.

Hammerstein Seeking Services of Felix Weingartner

BERLIN, July 14.—That Oscar Hammerstein hopes to execute a coup against his rivals of the Metropolitan Opera House by engaging Felix Weingartner for his opera season in New York is the report current in this city. Mr. Hammerstein's representatives are now negotiating with Weingartner, who, it is said, is not averse to the proposition, provided it leaves him time for the fulfillment of certain European engagements. It is recalled, however, that Herr Weingartner's engagement for a part of the season with the Boston Opera Company has been announced and it is difficult to see how the two American engagements could be reconciled, in view of the fact that Manager Henry Russell, of Boston, is an ally of the Metropolitan Company.

New Motet by Richard Strauss

BERLIN, July 13.—Richard Strauss has just completed a new work called "Eine Deutsche Motette," written for four solo voices, orchestra and chorus of sixteen parts.