

Mae Boren Axton

TESTIMONY IN THE PAYOLA HEARINGS

Mae Axton was a Jacksonville, Florida, schoolteacher and part-time songwriter when her path crossed Elvis Presley's. She had music-industry connections and so she signed on to do publicity for the Florida leg of Elvis's breakthrough 1955 tour of the South. Axton and Elvis hit it off and a few months later, Axton offered Presley a song on the condition that he make it the first release under his brand-new RCA recording contract. After reading about a young man's suicide in the local newspaper (the note said, "I walk a lonely street"), Axton was inspired. When Elvis heard "Heartbreak Hotel," he loved it and met Axton's first-release condition.

A couple of years later, when Congress began its investigation of the payola scandal, Axton took umbrage at comments ASCAP officials had made about their company's chief rival, BMI, which represented Mae Axton and tons of other rock and roll songwriters. Here are excerpts from her testimony.

Mrs. Axton: I am Mae Boren Axton. I am a schoolteacher and have been for 16 years. Currently, I am employed at Ribault High School in Jacksonville, Fla.

During the time I have taught school I have done other things to supplement my salary, including writing, working in radio and television, doing advertising work, and in recent years as a professional songwriter.

I asked for the privilege of appearing before this committee because some of the statements made by the proponents of this bill have aroused me to what I consider justified indignation. You see, I am a songwriter who is affiliated with BMI, and I am also a writer of compositions popularly termed "rock and roll."

Among them, perhaps the most successful being, Heartbreak Hotel, recorded by Elvis Presley.

Senator Pastore: You wrote Heartbreak Hotel?

Mrs. Axton: Yes, sir.

A few weeks ago I sat in this very room and I heard proponents of the bill very callously slander, in my opinion, writers of BMI. I heard, too, with a great deal of horror, accusations that BMI and its writers, through the medium of rock and roll music particularly, had deliberately and callously either caused or contributed to juvenile delinquency.

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Mrs. Axton: Well, I want to say here if it is true that writers of BMI, writers of rock-and-roll affiliated with BMI, like Mae Axton, have contributed deliberately and viciously to juvenile delinquency, I certainly would be a modern Dr. Jekyll and Mr. Hyde. And I know that it is not true, because I am a very respected member of my community, I am the wife of a schoolteacher, coach, athletic director who deals all the time with teen-agers, even for more years than I have. I am the mother of two children, and I teach these young people because I like to teach them. I find that they need people who care about them to help guide them.

I have turned down, incidentally, many more lucrative jobs so I could teach, because I sincerely believe and have felt a sort of commission, a compulsion, I believe that the good Lord endowed me with some sort of love and some sort of understanding of the teen-agers that makes it necessary for me to be a part of developing and guiding these boys and girls who are going to lead the destinies of our world.

Senator Pastore: How old are your children?

Mrs. Axton: One just turned 21, the other is 17.

Senator Pastore: You are a very young mother.

Mrs. Axton: Thank you, sir.

I, for many years, have been active in church and civic activities, and of course school, PTA, and all the affiliated organization of school work, and yet, the proponents of this bill would have you believe that as a BMI writer and particularly as a writer of rock-and-roll music, that I personally have contributed to this juvenile delinquency, as I have mentioned earlier, and the foundation to the reason why I wanted to appear before this committee was because I felt that these charges needed to be answered, and because I would also like to tell you what Broadcast Music, Inc., has meant to me, and I am sure to many other writers like me, who perhaps would not have had the chance to have their tunes heard had it not been for the open door policy of BMI.

First, I would like to tell you how I happened to become a song writer, being a schoolteacher and then how I happened to become affiliated with BMI.

Since I was a kid in school, I started writing things for programs. Then when I started teaching, I would write songs to fit particular occasions for civic clubs, community, school, and church affairs, and finally, at the urging of my friends I submitted some for possible remuneration to compensate for the notoriously small income of the schoolteacher. I can go back to the time when I received \$70 a month for teaching school. My first song was accepted by a publisher in Tennessee, Count Me In, and was recorded by Capitol Records.

I can't describe the delight, perhaps excitability in my own heart as the typical teen-ager of the rock-and-roll of today, when that record was first played, and I heard a diskjockey call me and say: Listen to something. I was excited and happy. Following this, this initial release, I was advised by some people to join an organization called ASCAP.

I was given an address to write, and I made not only 1 but 2 inquiries, and to this date have never received an answer, even.

I sometime later—I didn't stop songwriting, I went on. It was a challenge, and it was fun, and I continued songwriting, and sometime later someone suggested that—it was a BMI affiliate suggested that I join an organization called Broadcast Music, Inc., and so I wrote them and within a matter of a few days, I got an application for membership, so I filled it out and sent it in, and almost immediately got a contract with BMI.

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Senator Pastore: At the time you wrote to ASCAP were you then a member of BMI?

Mrs. Axton: No. I didn't know what either organization was. Schoolteachers don't know a lot of things.

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Senator Pastore: Now, what is your agreement with BMI? Do they subsidize you in any way?

Mrs. Axton: No, sir, I get royalties.

Senator Pastore: Let's get that on the record from one who has the experience. What is your association or your contractual relationship with BMI?

Mrs. Axton: Well, I have a contract, I don't know the details of it, I am perhaps too much of an idealist to pay as much attention as I should to

every detail of a contract, and the technical areas of songwriting, or anything—perhaps I do not know as much as I should.

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I am sure had I been born in a different age, I would have written whatever songs the teen-agers liked at that time, whether during the stone ages or whatever it might be.

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I want to add here, too, that I believe it is because people like a song, and that is why it advanced to the status it did, in national lime-light, and not because any recording company, or any broadcaster, gave it any special breaks.

We who are engaged in any kind of education, and I say my mind, because I am just common, ordinary run-of-mill type of school-teacher.

Senator Potter: What do you teach?

Mrs. Axton: Speech and journalism.

Senator Potter: You should teach a little songwriting on the side.

Mrs. Axton: Well, we have some good jam sessions with the teen-agers and they love it.

Senator Pastore: What instrument do you play?

Mrs. Axton: I play the piano. I wish I could play the guitar, but I can't. My son does.

Senator Pastore: Was that your inspiration for writing?

Mrs. Axton: Yes; I taught first-year music. And I am actually more a poet, I suppose, and a true lyricist. I have written poetry since I was 6 or 7 years old. I started my first efforts and got started having them published when I was a pre-teen-ager, and I liked the rhythmic flow of poetry, and I think it expresses something that perhaps prose could never quite reach, so from that, as I say, I started writing lyrics, and sometimes little tunes to go with the lyrics, sometimes lyrics to put with something else, someone else would do.

Senator Pastore: How about Heartbreak Hotel? Was the tune yours?

Mrs. Axton: Yes; the idea actually came from a friend of mine whose name is on that, Tommy Dirden. He came over to my house that evening and asked if I read the paper. I was busy writing a story for a magazine and I said, "No; I haven't had time."

He said, "There is something in this that distresses me." He said he read where a man had committed suicide and he left one sentence: "I walk a lonely street." If you know the song, that is a part of

the song, so that is Tommy's, or the newspaper's, I don't know whose—perhaps the man who died. He said, "It worries me to death."

I said, "It is a tragic thing," and of course it impressed me terribly, things of that sort do, but I said, "Think of the heartbreak he must have left behind him, so there ought to be a Heartbreak Hotel at the end of that lonely street."

He said, "That is a terrific idea."

And I said, "You know, I think I would rather stop the story and write a song." He dubbed it off for me on tape 20 minutes later. It was one of those things that came as a result of a tragic experience that in a vicarious manner I had participated in, you see.

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I try to write the kind of songs that may assuage grief, may inspire someone, make the lonely a little less lonely, may give an opportunity, an outlet, we might say, for the excess energy of these youngsters who I sincerely believe are trying to keep pace with the fastest moving age the world has ever known.

In all humility, I think that I have accomplished this to some degree, with some of my tunes, in the case of at least some people.

From a purely personal viewpoint, I might add that my son, my youngest son, a senior in high school, will go to college next year because of the supplemental money that I have been able to earn from songwriting to add to the schoolteachers' salary that my husband and I make, because we are both schoolteachers, and so we have the limited income of schoolteachers.

We are very happy that Johnny will be in college next year, because of the open-door policy in our sincere opinion, of BMI and the encouragement that they have given me. I want to say this, that anything, anything at all that would tend to make BMI another ASCAP, or even, much worse, to eliminate BMI as a competitive organization would certainly be a fatal blow to songwriters like me, and in the long run would do a tremendous disservice to the American people, and I would like to add here that writers of music everywhere give hope to the eager and the weary alike, and I think it is most important that we keep it so that any song by any writer in any day and age has its chance, its rightful chance to be heard, and it is my firm conviction that the best way to preserve the situation is to keep BMI intact and keep Broadcast Music, Inc., open door and open door ever and always.

Senator Pastore: Thank you very much, Mrs. Axton.

Senator Potter: You have been an outstanding witness, and if I have any bills I would like to have pushed, I would like to have you testify in behalf of them.

Senator Pastore: Senator Thurmond.

Senator Thurmond: I have enjoyed your testimony, and you are very impressive.

Mrs. Axton: Thank you, sir.

Senator Pastore: Thank you very much.

Unknown

THE PLANE CRASH

Johnny Ace killed himself—or was killed—over a game of cards just as his career was taking off in 1955. After that, this 1959 disaster was rock and roll's first big tragedy. Here's a radio bulletin announcing the deaths. Don McLean didn't call it "the day the music died" for nothing.

FOR THE PAST few hours, we've been furiously trying to put together this story, the story of a happy success for three young singers that ended in a very sad death this morning early in the cornfield near Mason City and Clear Lake, Iowa.

If you're one of those that loves rock and roll (and there are many) or if you're one of those that hates rock and roll (and there are many) you'll realize that this is a very big day in the lives of many of those in our generation because this is a day that ended in tragedy for three of the biggest names in the music business.

The names, in order of bigness, probably would be Ritchie Valens, Buddy Holly of the Crickets and also the Big Bopper.