

SPEEDWAY GOSSIP

Pickens Sues A. A. A.

On March 22 William H. Pickens filed suit in Los Angeles for \$75,000, against the American Automobile Association; William Schimpf, its contest board chairman; and several others, including D. A. Shelor, manager of Automobile Club of Washington, Seattle, and H. E. Patterson, manager of the Fresno speedway.

From a statement sent Motor West by Mr. Pickens, who formerly was Barney Oldfield's racing manager, it appears that:

On October 26, 1922, Dick Jennings, millionaire sportsman of Pittsburgh, in one of Louis Chevrolet's Frontenacs, broke all world's records for circular dirt tracks from 1 to 20 miles, at St. Louis; but Chevrolet had not obtained sanction from the A. A. A. nor complied with other A. A. A. preliminaries. Later he explained that his intention was to send the required applications, also affidavits as to the records, which were broken when weather favored, all together. Chevrolet had sent all the papers, and a \$100 check, but after the event—"the same as we did for the races we held at the Indiana state fair last year, and this year, September 9."

Present at the event were several newspaper men, including Pickens and an Associated Press reporter who also served as timer. This reporter, on his own responsibility, sent out the news.

The event was run "fairly, according to my interpretation of the rules," Chevrolet wrote the contest board on receiving its wire (the day after the time trials) disqualifying him, the car and driver for noncompliance with the preliminaries, hence without A. A. A. sanction, and for "false" publicity.

The day after the disqualifying telegram was sent Chevrolet his \$100 check was cashed by the contest board nevertheless and, apparently, not in accord with the disqualifications.

Soon afterward the disqualifications were lifted and the contest board was trying to locate Pickens to "advise him of his disqualification in connection with false publicity he issued at St. Louis in connection with alleged Frontenac trials. You (Chevrolet) notify him of this at once." This telegram added that the Kansas City track people had been wired similarly and warned to eliminate Pickens from all connection with proposed further time trials. The Fresno track management also was notified by wire of Pickens' disqualification; and Manager Patterson, at Fresno, made that public.

What Pickens' connection, if any, with the St. Louis event was, is not clear. He says he was present on his own business, not subject to A. A. A. sanction or supervision; that the A. A. A. rule on false publicity, No. 28A,

holds promoters (Chevrolet, in this case), responsible for the acts of their publicity and advertising agents. Moreover, he says he had no official connection of any kind with this event; but that the news about it was fact, not false. He so wrote the contest board on November 10, from Cleveland, and demanded a public retraction. On not receiving a reply he wrote to George H. Diehl, then A. A. A. president, threatening suit. No reply. So Pickens is suing.

Pickens says the St. Louis affair was used as an excuse to defame him. He asks: "What penalty was assessed recently when publicity was carried in connection with trials by Cliff Durant, to the effect that 'Cliff Durant today broke all speed records up to 75 miles at Beverly speedway. The 'crime' of Durant was parallel to that of Chevrolet."

"The contest board saw it had made a 'bull' and, having cashed Chevrolet's check, had to make the goat out of someone. Who but Schimpf's arch enemy, Bill Pickens, could serve the purpose better?"