Early Trial
Of Trust Suit
Is U. S. Aim

Williams Will See Knox
On Setting of Date

That the U. S. government is seri-
ously anxious to bring its New York
anti-trust suit against the majors to
an early trial is apparent in the an-
nouncement that Paul Williams, spe-
cial assistant attorney general, arrived
here Wednesday.

Williams will be coming from Wash-
ington for the express purpose of con-
tacting with Senior Federal District
Judge John C. Knox upon arrange-
ments to fix the date for the trial, it
was authoritatively stated.

Despite the Williams-Knox meeting
this week, attorneys have voiced an
opinion that they do not see how the
suit can come to trial before 1940 in
view of legal procedure.

Six of the eight major defendants
filed their answers Thursday of last
week. The Government is waiting the
replies of Columbia and United States.

Even assuming that the United Ar-
tists and Columbia answers are filed
within a few weeks, permitting the
case to be placed on the trial calen-
dar before next Fall, attorneys point out
that the case could not be reached for
trial in the ordinary course of
events for almost a year.

The Government, of course, may
move for a preference on the calendar,
thus advancing the trial date appre-
ciable if it proves successful, but even
this procedure, attorneys are con-
vincing will consume more time than
will permit a start of the trial be-
fore the end of the year.

Congress Dooms
Federal Theatre

The Federal Theatre Project is no
more.

Curtains in all Federal Theatres in
the country, including three in New
York City, went down Friday night
following the passage of the $17,255,
600,000 relief bill at Washington.

At the conference between Con-
gressmen and Senators, the former
refused to succumb to the Senate recom-
mandation that the theatre projects be
continued on a curtailed basis.

The House approved concessions
which will permit retention of the
project’s administrative em-
ployees on the rolls for 30 days and of
actors, actresses and technicians
who

Century Circuit Drops Games

Century Circuit in New York will drop all games and
giveaways pending legal clarification. A statement signed by J. R.
Springer, issued Friday, said:

"In view of the fact that the manager of a theatre not affilia-
ted with Century Circuit was arrested, fined $500 and given
a jail sentence, which it is reported was afterwards suspended,
Century feels that it is not fair to have its managers assume
a similar risk, and is therefore announcing in all Century theatres
within the City of New York that all such money giveaway ac-
tivities will be suspended until the legal situation concerning
games and giveaways is clarified."

Century operates 19 theatres in the city.
RKO Decides On New Sales District Shifts

A further realignment of RKO sales districts was completed over the week-end by Sales Levy, RKO general sales manager. The changes add Detroit and Indianapolis, clearing house districts under Walter Branson, district manager, and Cresson E. Smith, western and southern division manager. With March of Time and Walt Disney, eastern central district manager, will transfer his headquarters from Detroit to Phil adelphia, Dalles Board of Trade records, are the over Cincinnati, Cleveland, Pittsburgh, and Washington, in addition. Buffalo has been added to J. H. MacIntyre's northeastern district which includes, in addition, Albany, Boston and New Haven.

RKO Plans London Sales Parley Aug. 10

RKO will hold a United Kingdom sales convention in London on Aug. 10 at the Trocadero. Branch managers, sales managers and salesmen of the RKO English branch, as well as English Time and Walt Disney, eastern central district manager, will transfer his headquarters from Detroit to Phil adelphia, Dalles Board of Trade records, are the over Cincinnati, Cleveland, Pittsburgh, and Washington, in addition. Buffalo has been added to J. H. MacIntyre's northeastern district which includes, in addition, Albany, Boston and New Haven.

Premiere at Atlanta Planned for ‘Wind’

M-G-M is considering holding the world premiere of the national interna tional’s “Gone With the Wind” at Loew’s Grand, Atlanta, probably in November. That city is the locale of the picture and is therefore considered a “natural” for the premiere. Howard Dietz, M-G-M advertising and publicity department, returned from the completion of the film on the coast and is already lining up the campaign. William F. Rodgers, general sales manager, will set distribution policy on the picture when he goes to the coast shortly.

Figure at Nazi Trial Suses Warner Bros.

A suit for $75,000 against Warner Brothers Pictures, Inc., was filed in U. S. District Court Friday by Kath erine Moog, who contends that the Warner film, “Confessions of a Nazi Spy,” and stories used in connection with the exploitation of the film lib eled her. Under the name of Kate Busch she was a material witness for the suite in the Nazi spy trial here.

Metropolitan Area Closings Now at 40

Five more theatres in the metropoli tan area were closed during the week for the summer months, bringing the total to approximately 40, which, how ever, is the largest number of houses which were closed last summer.

New closings, according to N. Y. Film Bureau daily, include the Radio and Shubert, Brooklyn; the Kaneo and Concourse, Bronx, and Hawthorne, Hawthorne, N. J.

Purely Personal

BARNEY BALABAN, Paramount president, returns to his office to day after a brief vacation on the Great Lakes aboard his yacht.

FRED S. GULBRANSSEN, who supervises RKO sales in part of Latin America, left by plane via Miami late last week for his headquarters in Bogota, Kenneth general manage r in the Far East, has left for the coast and will sail July 8 from Van couver on the Empress of Canada.

H. M. WARNER was host last late week at the studio to Major General Antonio de Gorga, Montenero, chief of staff of the Brazilian army, on a coast visit.

After 16 years with Balaban and Katz as theatre manager in Chicago, CHARLES BURRIS of the Nortown has resigned to enter the publishing business.

WILLIAM MORTON, publicity man at RKO Albe, Providence, is handling publicity for a circuit in New York during the summer shutdown of the theatre.

ANTONIO A. ROMANO OF Providence is going yachting July 4 with RALPH SUTNER of Associated Thea tres, on the latter’s schooner, Fa jamo.

ROBERT MAHRENKE, manager of the Broadway, Baltimore, has been ap pointed a Justice of the Peace by Governor O’Connor of Maryland.

WILFRED LAWSON, British actor, left by plane for the coast Friday, after his arrival from London, to play RKO’s “Allegheny Frontier.”

JOHN RILEY, chief engineer of Western Electric Co., Ltd., London, sailed Friday on the Mauritania, after several weeks in New York.

BIL KALMENSON, Warner’s western and southern sales manager, returns to his desk today after a visit of five weeks in the west.

MOTIV, Monogram player, will sail on the Queen Mary on Wednesday for England to join her husband, JACK DOYLE.

GRANT WITHERS, player, has been named supervisor at the Monogram studio by SCOTT R. DUNLAP, production head.

GEORGE KRASKA, director of the Pro Arts Theatre in New York, is in New York for a few days last week.

ARTHUR LEE and CHARLES PAINE are at the former’s country home in the Thousand Islands for the holiday.

BRUNO CHELI, RKO general manager for Brazil, departed for Rio de Janeiro on the Brazil on Friday.

MORRIS LEONARD, counsel for Bal aban and Katz in Chicago, is vacationing on the West Coast.

EDGAR (ROCHESTER) Anderson left for the coast Friday after a short stay in New York.

LESTER COWAN, producer, is in New York for a brief visit.

JOSPEH M. SCHENCK, 20th Century-Fox board chairman, will probably leave this week for the coast.

EVELYN S. BROWN, assistant direc tor of advertising for Harman-Fox, will give a six-week course at St. Law rence University on visual education, including film production and re search, scenario writing, and the like.

MR. and MRS. C. H. STEWART, of Waco, Texas, visited the Paramount World Fair quarters Friday. Stewart visits the Waco Theatre, Waco, and is now en route to Niagara Falls.

MURPHY McHENRY, director of advertise ting and publicity for Edward Small Productions, is here to work on a campaign for “The Man in the Iron Mask.”

J. BURG CONTNER sailed over the weekend on a holiday cruise to Berm uda. He recently completed shoot ing “Moon Over Harlem.”

HELEN MASON of General Films, Ltd., of Toronto leaves tomorrow after a week’s buying trip in New York.

TYRONE POWER and his bride, ANNABELLA, sailed for Italy Saturday on the Rex for a belated honeymoon.

BEN PIETTA sailed Friday on the Mauretania for London.

BEN WASHER sailed for Bermuda on Saturday.

Ascap Sues in N. D.; New Law Effective

FARO, N. D., July 2.—Federal court action has been filed here by Ascap asking that KRMC of James city, Va., infringed copyrights in musical numbers on which Ascap holds copyrights and also for damages of not less than $2,500. A new state law requiring Ascap to maintain a list at Bismarck of tunes on which it claims copyrights and also taxing the organization three per cent on North Dakota earnings, became effective Saturday. The law does not affect existing contracts until their expiration.


New Durbin Contract

Hollywood, July 2—Judge Wilson on Saturday approved the new Dwana Durbin contract with Univer sal, the first contract to be consum mated under the so-called Jackie Coogan law drafted as legal safeguard for minor motion picture actors. The new Durbin contract calls for three pictures annually for five years.

Clearance Meeting

Conference is scheduled here this week to iron out clearance problems in Albany, Schenectady and Troy. The meeting was requested by New York Allied. Attending will be re presentatives of RKO, Fabian circuit, Warners and the organization.

Trade Chiefs Pleased With U. S. Parleys

$40,000,000 8-Year Refund by Warner

In the last eight years Warner has retired or refunded more than $40,000,000 indebtedness.

This includes the 1939 debenture issue of $20,000,000 which has been exchanged for 1948 debentures and $10,000,000 of which will have been retired when the present $65,000,000 certificates are canceled.

The 6 per cent convertible debentures due Sept. 1, this year, were issued in 1934 in the total amount of $44,654,500. Of this, $14,654,500 was retired prior to the issuance of the plan of exchange July 25, 1938.

Patie Finishes Film

In Color for F.H.A.

“Miracles of Modernization,” one re cently produced by Patie News for the Federal Housing Administration, will receive its first showing at Wash ington first run theatres July 7 and is being handled by the Motion Picture Bureau. This is the first color film sponsored by the F. H. A. to promote modernization of sub standard houses. It opens with shots of the modernistic buildings at the Federal Housing Administration’s A. E. exhibit in the Federal Building. There are two “case histories” of structures rebuilt with F. H. A. assistance.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

Published daily except Saturday, Sunday and holidays by Quigley Publishing Company, Inc., Rockefeller Center, New York City. Telephone Circle 7-3100. Cable address “Quigley.” New York, N. Y. Editor-in-Chief and Publisher, Edwin E. Quigley; Executive Editor, J. B. Harrington; Western Editor, Charles D. Prutzman; Eastern Editor, William H. Hayes; Western Editorial Staff: Earl W. Hammons, Charles McKee, Nicholas M. Schenck, Jack Cohn, W. C. Michel and Buckley.

(Continued from page 1)

Trade Chiefs Pleased With U. S. Parleys...
**Stars Sparkle As Des Moines Sees ‘Career’**

Des Moines, July 2—RKO took its new film, “The Orpheum and Paramount Tonight,” to the Orpheum and Paramount tonight.

A parade of stars yesterday morning, and a midnight film ball last night and various other items of entertainment occupied the two houses.

The premiere was held in traditional Hollywood fashion, with the celebrities arriving in open cars for barnstorming appearances at the two houses.

Phil Stong, noted novelist and author of “Career,” native son of Iowa, was one of the honor guests.

A dance floor built on the football field of Drake University was the scene of last night’s dance. Bobby Breen sang. Coast guests included Edward Ellis, Anne Shirley, Patricia Ellis, J. Hampton, Juanita, Joanne Reynolds, Barbara Read, Dorothy Lovett, Peggy Carroll, Alice Eden, John Archer, Leigh Jason, director of “Career,” and RKO Radio’s casting director Robert Palmer.

Assistant-vice-President Ned E. Depinet of RKO and S. Barrett McCormick, director of advertising and publicity, headed the New York delegation. Others from New York were Cresson E. Smith, western and southern sales manager; Arthur Will, head of the eastern new talent department, and Ralph Rolan. Walter Branson, midwestern district manager and Jack Osseen, branch manager at Chicago, were among the many RKO representatives from the Midwest.

A large crowd attended Jesse L. Lasky’s “Gateway to Hollywood,” a Hollywood, thirtieth and final program of the second series staged in the Shrine Auditorium this afternoon and broadcast over the CBS network from 4:30 to 5:30.

**Small to Make Six**

Hollywood, July 2—Edward Small will make his first New York feature instead of seven pictures for United Artists release, it was decided here yesterday. “Quentun the Raider” and “Food of the Gods,” announced as coming to the public in early exposure in this city, are being dropped and “The House of Monte Cristo” will be added to the producer’s list.

**Exploitation Changes**

Hollywood, July 2—Warner Bros. is extending its Coast exploitation staff. Nat Holmes will be assisted by Irving Ruhine, head of the studio publicity department, and Marty Weiser, transferred from the home office.

**Represents Disc Firm**


**Rodgers Calls Exhibitors To Accept Trade Code**

(Continued from page 1)

the report to the effect that this or that clause appears for the first time in our Code of Concessions, and that is the word is said about the fact that Allied’s General Counsel was invited on January 16th to prepare a draft that is acceptable to Allied, that Allied’s General Counsel submitted such a draft on February 7th; that Allied then signed a Letter of Agreement; that the Allied Negotiation Committee ceased functioning, came to New York and conferred with the Code group, and that the draft of Allied’s General Counsel, and that the draft of June 10th contains much of the personal Al lied.

Yet the statement is made that Allied had no contact with distributors between the January 16th meeting and the receipt of the March 30th draft.

“Further much comment has been made regarding the PREAMBLE. The fact is that in the draft of the Allied General Counsel of February 7th, 1939, there was a PREAMBLE. There were to be sign the Code and thus be bound to observe the principles, terms and conditions of the Code but did not provide for the signing of such Code by exhibitors or exhibitor groups, and their being bound too.

That was the consideration of the undersigned and unfair. In our draft of March 30th we submitted a PREAMBLE which provided that the exhibitors and organized groups of exhibitors as well as the distributors should sign the Code and be bound thereby.

These misleading statements, together with many other inaccuracies well known to all distributors present at Minneapolis, caused their spokesmen, with their full approval, to conclude his remarks at the final session of the Allied meeting on June 15th with the statement:

‘Under the circumstances, gentlemen, you leave me no alternative but to withhold any proposals from the Allied organization as a group and we will no longer negotiate with the Allied organization.’

“It has been rather unique to be negotiating for a peaceful solution of trade problems with a body who sought all concessions possible and at the same time declared their intention, no matter what the outcome, to continue their efforts, through legislation, litigation, to further curtail the progress of those upon whom they are largely dependent for their future business security and who have endeavored sincerely to solidify an industry that all concerned may benefit to the greatest extent.

“The fact that Allied as such represents a much-condemned group, and one of organized exhibitor groups, and much smaller when the nation’s theatres are considered, did not in the slightest deter us from a supreme effort to meet the problems as they were presented. We believed that we had succeeded at Chicago in November last; every item brought up was fully discussed and disposed of and it was understood there, and at that time, that the basis for a Trade Practice Code was established. All that remained was to reduce it to writing and submit a draft to Allied.

‘At that time we invited the Allied General Counsel to confer with our group in New York so that Allied would feel they had a definite part in the preparation of the document. We invited counsel of other exhibitor groups to confer with us and some of them did confer with us. But Allied expressed a preference that we prepare a document and submit it to them.

‘We did prepare several drafts in which the language had been changed, but never the intent. Assurances have been given before and are again re- peated, that any unauthorized actions inconsistent with the proposed Code will be corrected.

‘With the contemplated change in the machinery for settling clearance disputes it is sincerely believed that we have a document (June 10th draft) that will enable all interested parties to conduct their business relation ship more harmoniously and thereby benefit the industry at large.’

“Many exhibitors in the United States, independent, affiliated, whether a member of an organization or not, are extending a cordial invitation to accept the Code. We hope that all will participate, irrespective of their affiliations.

**Seattle Gives ‘Maisie’ Neat $7,400 Load**

Seattle, July 2—The dual of “Maison” and “6,000 Enemies” at the Paramount led here, with $7,400, in a week of cool weather and baseball and movie competition, “Invitation to Happiness,” and “Never Say Die,” scored $8,000 at the Fifth Avenue.

Estimated takings for the week ending June 30:

*Young Mr. Lincoln* (20th-Fox)
*Surety House* (RKO)
*BLUE MOUSE—$900* (30c-40c-55c) 7 days, gross $3,600. (Average, $5,000)
*Cabaret of Europe* (Col)
“The Lady and the Mob” (Col)
*Liberty—$1,800* (25c-35c-40c-55c) 7 days, gross $3,200. (Average, $5,000)
*Ballet in the Air* (Metro-Goldwyn-
*MUSIC BOX—$950* (30c-40c-55c) 7 days, gross $3,000. (Average, $5,000)
*Teran Finds a Son* (M-G-M)
*The Lady’s from Wyoming* (Para)
*ORPHEUM—$2,050* (30c-40c) 7 days,
gross $3,700. (Average, $5,000)
*Nancy Drew, Reporter* (W. B.)
*First Offenders* (Col)
*Palomar—$1,500* (35c-25c-30c-40c), 7 days.

New Century Circuit House

Century Circuit will increase its theatre holdings in Brooklyn with the construction of a new house on Ocean Ave. Theatre will seat about 1,000.

**“Glabbub100%RIGHT gaga SANDY! Google goo an how!”**

(Translation) "You’re 100% right, Mr. Nelson B. Bell of the Washington Post. You already said ‘Sandy is the prize find of the lot.’ Just wait until you see me in my new picture.”"
4-Day Holiday At Hollywood; Shoot 51 Films

Hollywood, July 2—Personnel at the studio scattered to the beach, mountains, race tracks, ball parks, World’s Fairs and sundry resorts to make the most of a four-day holiday from labors.

Five hundred productions are in the shooting. Although work on these will continue throughout the holiday period, staffs will have been cut to a minimum and only those units running behind schedule will be worked at full manpower Monday, which has been officially declared a holiday. Paramount went into the lead as to activity with nine pictures before the camera, while M-G-M was second with seven on stages or location while Warners, Universal and 20th Century-Fox had five each in hand. Columbia this week started “Five Little Peppers and How They Grew,” and “The Man They Could Not Hang.” Paramount began shooting “Our Neighbors the Carters,” “Seventeen” and “Argentina.” Monogram launched “Girls of Our Town.” Republic went to work on “Mob Fury.”

Fox got going on the long planned “Drums Along the Mohawk” and on “The Long, Long Trail.” Universal gave the go signal to “They Can’t Hang Me.” M-G-M finished “Babes in Arms” and “Hollywood on Parade.” Universal completed “Fury of the Tropics” and “20th-Fox Carried Away.” “Heaven with a Barbed Wire Fence” RKO sent to the cutting room “Nurse Edith Cavell” and “My Fifth Avenue Girl.”

M-G-M finished four shorts and RKO one to clean up the slate in the short subjects sector completely.

A negotiating committee from the Screen Publicists Guild and producers’ representatives are to meet Monday with labor relations agents of M.P.A.A. in a further attempt to reach an agreement on wages, hours and working conditions governing employment in the moving picture industries. It was said all major differences have been settled.

5 I.A.T.S.E. Officials Testify in Surprise

Los Angeles, July 2—Attorney George Callin, representing the I.A.T.S.E. International in the Superior court suit brought by ousted executives of Technicolor Local 37, to regain local autonomy, three Friday afternoon in an uproar when he placed on the stand five of the seven I.A.T.S.E. officials who were among the defendants.

Also President George Bourne compose the executive board.

Taking the stand in the surprise move were Halan Holhmen, of Cleveland; William Patrick, of Canada; Roger Kennedy, of Detroit; Richard Wall of Brooklyn, and James Brennan, of Newark.

Each testified that President Bourne had told them that no strike would be prevalent in connection with the conduct of Local 37 inclusive of written assertions by members that local management had shown little or no interest in the strife and that misappropriated funds and suspended three officers without trial.

Indications are that the case will be continued Wednesday.

Banner Lines

By Jack Banner

JUST as we intimated some weeks ago, the networks have finally decided not to release the trade press any more dollar billing figures. They will continue to issue stories with respect to account renewals, new business, etc., but no more in terms of dollars and cents. Networks attempted such a measure last year, but when the trade press succeeded in obtaining the dollar and cents figures each month despite the ban, they gave up the experiment.

June billings will be the final ones. Anton Bundsmann, the theatrical producer and motion picture man, has joined the television production staff of NBC. He produced “How Proud We Hail,” “Thunder On The Left,” “Haiti” on Broadway, and for two years was with Selznick International doing research and testing. Cal Swanison of the Walter Thompson agency off to Hollywood for a stay at least three weeks.

ED THORGREN, Movietone news sports commentator, has been signed to broadcast grid results during the season for Mutual. By the Robertson, the English actor-singer who arrived here the other day under RKO contract, made his network debut yesterday over NBC as soloist with the Leopold Spitalny orchestra. Gray Gordon’s orchestra making additional transmissions for NBC.

GABRIEL HEATTER has started his vacation, but before leaving he signed with Modern Industrial Bank for a series over WOR starting in October. A shakeup in the production department at CBS is impending.

Lou Rupple, CBS publicity chief, off on vacation. He’ll be on the search they tell, for Andy Brown, who is missing. Nila Mack will lecture on children’s programs at NYU this summer. Paul White, CBS director of news and programming, ousts this week to confer with the full compliment of the CBS European staff on plans for covering by radio the threatening European situation. Johnny Mack Brown, screen actor, with headline a new series, will report from the Coast.

Charles Laughton, Zaru Pitts and Charles Ruggles will appear in “Ruggles of Red Gap” on the season’s final Lux “Radio Theatre” program next Monday.

Madge Evans in town from Hollywood. Jack Flynn, recently manager for Russ Morgan, has joined the band department of the William Morris agency. Eddie Deutch has been signed for Victor Blue.

Hollywood Brevities

Hollywood, July 2.—United States Film Service, which made “The River” and “The Plow That Broke the Plains,” has leased space in Century-Fox’s service studios here to complete the narration and sound recording for the company’s foreign features in a studio which deals with maternal welfare and emphasizes improved obstetrical care. According to Pare Lorentz, USFS special agent, it is expected to make Hollywood its headquarters.

Nate Blumberg Saturday completed, via long distance, with Mae West a prematurely reported deal whereby she will make tell pictures for Universal. In her first film she will co-star with W. C. Fields, with Eddie Cline directing and Lester Covan producing.

Steven Lang Productions, which will produce “Dr. Christian” series for RKO release, announces leasing of space at General Service Studios commencing July 6 with first picture to start August 2.

The National Labor Relations Board will hear on July 6 an application of the Screen Cartoonists to have certification as exclusive bargaining agent with Loew’s, Leon Schlessinger, Walter Lantz and Raymond Lantz Studios.

Twentieth Century-Fox has signed Gene Autry to co-star with Jane Withers in “Jubilee.” Withers williams’ story which was once produced with Will Rogers in the lead.

Sol Halperin, who has been with Twentieth Century-Fox 22 years, has signed a new three-year contract as head of the process department.

James Roosevelt, vice-president of Blue Book, will address the National Educators’ Association convention in San Francisco on July 4.

Bill Forbids Double Features in Illinois

SPRINGFIELD, Ill., July 2—A few hours before adjournment sine die, the Illinois legislature Saturday gave final approval to the bill prohibiting exhibition of one or more pictures for a longer period than two hours and 15 minutes.

The bill, sent to the governor, in effect bans most double features in Illinois because most double shows would have been time limited for one hour. The bill does not affect vaudeville or forms of amusement other than those shown on screen.

Congress Dooms Federal Theatre

(Continued from page 1)

are certified as in need of relief for 90 days.

In New York City the Federal Theatre shows, “Pimocchio,” “Life and Death of an American” and “Sing for Your Supper” were closed, and nearly 5,000 persons thrown out of jobs as result of Congressional action.

According to the insistence of President Roosevelt and Administrator Francis C. Harrington that the Federal Theatre be cut down in size and some of the branches were forced to surrender to the house’s wish after repeated attacks upon the project. Many theatre projects canceled, but few had to be liquidated.

The bill will be considered by the Senate. Second place holder will be determined when the League renders its decision regarding a Consolidated and RKO game played Tuesday that ended in dispute.

Hutchinson Arrives In City Wednesday

Walter J. Hutchinson, 20th Century-Fox director of foreign distribution, is due Wednesday from Central America on the Northern Pacific after an extended absence during which he attended several conventions, in London, Paris, Buenos Aires and Trinidad.

Upon his return he will confer with his manager director in Sydney, Australia, regarding the new General Theatres setup. He is expected to sail next week.

Del Goodman, Far East supervisor for the company, is now on the coast with Mrs. Goodman and is expected to arrive in the next two or three weeks.

K. Matsner, manager in Japan, is also due in New York to confer with Hutchinson. In Tokyo, managing director in Japan, has arrived in England after a New York visit and will proceed from there to his Tokyo headquarters.

Columbia First Half Ball League Winner

Columbia’s baseball team is the champion of the first half ball league. Second place holder will be determined when the League renders its decision regarding a Consolidated and RKO game played Tuesday that ended in dispute.

‘Heaven’ Hits Denver Lead With $14,000

DENVER, July 2—“East Side of Heaven,” aided by an all-agriculture show, packed the Denver for a take-up of $14,000. “Tarzan Finds a Son” won the second place honors at $10,000. Orpheum drew $6,500.

Estimated takings for the week ending June 26:

-James W. F. (1,400) (25-40) 7 days, $4,500 (Average $600) (W. B.).

-Aladdin (2,600) (25-36-60) 7 days, $4,500 (Average $650) (RKO).

-“Invitation to Happiness” (Parr)
-10th F (2,650) (25-36-60) 2 days, $2,500 (Average $1,250) (Panel).”

-Tarzan of Escapade of Heaven” (Univ.)
-Venice (2,600) (25-36-60) 7 days, $4,000 (Average $571) (W. B.).

-The Kid from Konedo (W. B.)
-Our Gang’s “Murder by the Book” (2,300) (25-40) 7 days, $4,500 (Average $650) (RKO).

-“It Could Happen to You” (2,100) (25-36-60) 7 days, “Only One Life” (2,000) (25-36-60) 7 days, “Own Two Lives,” (2,100) 7 days, “Heaven and Earth” (2,200) 7 days, $7,000 (Average $1,075) (W. B.).
New Product Brings Boom To Broadway

NED CANTOR SETS PACE AT LOEWE'S STATE

The holiday weekend provided an unusual boost for Broadway's box offices. Except for the weather, which was in the main hot and summary for three days, the long queues outside the houses and the crowded lobbies inside gave Broadway the appearance of the Easter holidays.

A large portion of the patronage was apparently from out of town and school children just starting their summer recess helped swell the houses. Consensus of opinion among managers of first run houses was that the summer months and new product would provide a considerable upswing.

Stage appearance of Eddie Cantor, with "It's a Wonderful World" on the screen, drew large crowds to Loew's State and it grossed an estimated $23,000 for Saturday, Sunday and Monday. It is expected to do $50,000 for the week which ends today. "Man About Town" drew an estimated $61,000 in its first week at the Paramount. Aided by Gene Krupa and his band on the stage, the picture grossed an estimated $7,500 for Saturday, Sunday and Monday. Thus proved to be the biggest grossing week tale at the Paramount since September.

At the Music Hall, "Bachelors Mother" grossed an estimated $38,000 for the first three days of the week-end, with $95,000 indicated for the week ending today. First four days of "Second Fiddle" at the Astor produced an estimated $0,000. An extended run is certain.

"Daughters Courageous," in its second week at the Strand, attracted an estimated $7,000 for Saturday, Sunday and Monday. It will be held over for a fourth week. "Goodbye, Mr. Chips" continued to draw at the Astor and grossed an estimated $5,000 for its seventh week.

Big UA Deal Closed By Spyros Skouras

United Artists has closed with National Theatres and five subsidiary circuits headed by Spyros Skouras for all of the distributor's 1939-40 product.

The deal was consummated by L. J. Schlaifer, United Artists vice-president, with J. J. Sullivan, William T. Powers and Aubrey Schenck of National Theatres. Deal was described by the distributor as one of the largest in the company's history.

New Season's Film Deals Show Marked Increase In Midwest and Far West

By SHERWIN A. KANE

New season film deals registered marked increases during the past week in the midwest and far west, which had been lagging behind the east and south in early selling activity, according to reports received by home office distribution executives over the holiday weekend.

Circuit deals are progressing smoothly in most of the important situations throughout the country, sales offices in many areas already are at work on subsequent run accounts. Higher percentage terms are being sought for an increased number of pictures everywhere, it is learned, as a result of higher production budgets at virtually every important studio.

Domestic sales quotas for the new season are running 10 per cent to 20 per cent ahead of a year ago, while production budgets will run from 10 per cent to 40 per cent higher. Foreign sales quotas are eight to 15 per cent higher than last year.

While percentage terms asked are generally higher throughout the industry, sales officials emphasize that provisions for adjustments are more liberal than they have been in the past. This fact is credited in some distribution quarters with the speed-up in new season selling activities, and particularly that involving subsequent run accounts.

New season license agreements reveal very few innovations or changes. Most agreements retain a 15 and 10-cent minimum admission clause; some weekly payment plans for short subjects, accompanied by advertising accessories, and a provision reserving the right to the distributor to require licensees to be shown on single feature programs.

Most contracts contain the distributor's warranty that no advertising matter for which compensation is received has been included in the pictures licensed. Provisions are also made in most new agreements for release of a lesser number of pictures during the entire season than the number announced at the outset and specifies that announcements of production plans are not warranties that all pictures so referred to will be released during the season.

New license agreements omit reference to a score charge. However, calculation provisions on the basis of the new industry trade practice code and warranties as to the non-forcing of shorts with features are not included. The old 10 per cent cancellation clause, conditioned upon the status of the individual in most of the new season agreements.

These, of course, will be amended by the addition of the new trade practice provisions if and when legal means of making the code effective have been determined.

Bill Limiting Film Program Disturbs Illinois Showmen

By WILLIAM CROUCH

CHICAGO, July 4.—Exhibitors here and in the rest of Illinois are in a state of indecision regarding the measure, now awaiting Governor Horner's signature, which would limit all film programs to two hours and 15 minutes. The bill was introduced in an effort to stop double programs.

Most theatremen seem bewildered as to what good the measure will do. John Danahon of Balaham & Katz voiced the opinion of exhibitors generally when he said such regulation by the state Government is only another burden on the film industry. He saw as a result that theatre patrons would suffer by having such strict rulings govern the presentation of the theatre programs.

Edward Silverman of the Baseness Circuit said, "This legislation affecting picture theatres is the most beneficial ever passed for any industry."

He said if the bill didn't stop duals it would result in long pictures being cut, a move he thought beneficial for the industry, expressing the opinion that most films are much too long. He indicated that if distributors did not cut pictures to suit the Illinois requirements, exhibitors could and would.

CBS and NBC June Billings Hit New Highs

CBS Gross $2,860,180, NBC, $3,382,404

Sinking all traces of Summer slumps, CBS and NBC billings for the month of June reached record-breaking proportions.

June billings for CBS were up 34.8 per cent over the billings for last June. The total for the month this year amounted to $2,860,180. The June 1938 billings amounted to $2,121,495.

The six-month cumulative total amounted to $16,918,818, an increase of 8.6 per cent compared to the cumulative total for the corresponding months in 1938, which amounted to $14,462,574.

NBC billings for June amounted to $3,382,404, of which the Red network accounted for $2,024,657, and the Blue, $1,357,747. The June, 1939, billings are up 5.7 per cent over the billings of the previous June, which amounted to $3,200,569.

The six-month total amounts to $22,986,037, an increase of 7.5 per cent over the six-month total for the corresponding period last year, which was $21,023,674.

Five Boro Workers Discuss New Pact

Meeting of 72 employees of Five Boro Circuit has been called for tonight at the Capitol Hotel to consider terms of a contract now being negotiated by Theatrical Managers, Agents and Treasurers Union and Entertainment Exhibitors and Exposition Employes National Union. Final negotiations will be held today and if they are successful, the contract will be submitted for ratification tonight.

Of the 45 clauses originally submitted, 15 have been accepted, seven stricken out by consent and three being negotiated. The remaining clauses deal with pay scale, term of contract and retroactive provisions.

The seven clauses which have been withdrawn dealt with general provisions covering all independent houses in the metropolitan area. At the start of negotiations, it was believed that the contract would be used as a model for future negotiations with independent houses. Although this may still be the case, it was decided to drop general clauses which did not apply directly to the Five Boro situation.
**Import Duties Are Approved By Parliament**

LONDON, July 4.—The House of Commons has approved Sir John Si- mon’s budget proposals readjusting the import duties on exposed and un- exposed films.

The revised schedule provides for an import duty of one-third penny per foot on all categories of unexposed film and five pence per foot on first copies. The duty on each subsequent copy of exposed film is one penny per foot.

Exceptions are made in four film categories. They are newsreels, which will pay one penny per foot; standard width films, single sound tracks and special films designed for limited exhibitions, each of which will pay one penny per foot.

Sir John also refused to amend the provision for taxing first copies five pence per foot, claiming it was necessary for the protection of the home market.

---

**Artists on ‘Maxwell’ Ads**

Nationally prominent illustrators have been engaged by 20th Century- Fox to do the art work for the adver- tising campaign on “Elsa Maxwell’s Hotel for Women,” one of the company’s early new season releases. Contrib- uting to the campaign will be Bradshaw Crandall, George Petty, Mc Clelland Barclay and John La- Gatta.

---

**Extend Ohio Tax Action to July 15**

COLUMBUS, July 4.—Filing of a denouement by Aubrey Wendt, defense attorney, in lieu of a formal answer to the warrant and prohibition, the Franklin County Court of Appeals has granted extension to July 15 for filing answer in the two suits of John V. Bostwick, a taxpayer, against Ohio Tax Com- mission, challenging authority to ex- empt film rentals from the state sales tax, and imposing a collection of $1,250,000 claimed due the state for taxes since inception of the law.

The Ohio Tax Commission recently was abolished in favor of a tax board supervised by a commissioner. This will necessitate naming the new organ- ization as defendant.

---

**German Film Censors 36 Reels in June**

COLUMBUS, July 4.—Ohio censors reviewed a total of 900 reels and de- terred 36 eliminations in June. Six reels were rejected for the week end- ing June 16, and the same number for the week ending June 23. This com- pares with 641 reels reviewed, 33 eliminations ordered and seven re- jected.

---

**MEXICO NOTES**

MEXICO CITY, July 4.—Censorship is annoying Mexican producers. They complain that the board, now com- posed of officials representing the Federal Government and one local government—is cutting too many scenes.

Producers charge that the board approves many scenes in European pictures that would be clipped out of domestic films.

The censors assert that the home producers should first take into con- sideration the customs and taboos before they produce pictures.

---

**Urbine Herrmann Dies**

CHICAGO, July 4.—Urbine J. Herr- mann, 62, well-known theatre owner and sportsman, died here to- day from injuries sustained in an auto- mobile accident.
Philadelphia Gives $18,500 To ‘Susannah’

PHILADELPHIA, July 4.—“Susannah of the Mounties” took $18,500 at the Fox. “Captain Fury” drew $15,500—same date and $14,000 taken the previous week.

Estimated takings for the week ending June 29:

“It’s a Wonderful World” (M-G-M) $14,000.


“6,000 Enemies” (M-G-M) (Para.) $1,500.

BOYD—(4,400) (35c-5c-5c) 7 days, 2nd run. Gross: $1,450. “Sons of the Desert” (25c-35c-40c-55c) 7 days, Average: $2,800.

“Motion to Happiness” (Para.) $6,000. “Susannah of the Mounties” (20th-Fox) (Para.) $18,500.

“Kid From Kokomo” (W. B.) $4,000. “Barnum and Bailey” (W. B.) 7 days, Average: $6,000. “High Society” (M-G-M) $9,000. “The Cradle Dancer” (M-G-M) $4,000.

“Kid From Kokomo” (W. B.) $5,000. “Captain Fury” (U. A.) $6,000. “The Yellow Kid” (20th-Fox) $5,000. “Jubal” (W. B.) $4,000. “Stage Door” (20th-Fox) $5,000. “Ah, Wilderness!” (Para.) 21 days. Gross: $5,500. Average: $7,000.

Men’s Stage Show $7,000, Milwaukee

MILWAUKEE, July 4.—Riverside, with “Street of Missing Men” on the screen and “The Big Crazy” on the stage, drew its best grosser with $7,000. Only other house to connect was Fox’s Palace where “Man About Town” and “The Gracie Allen Murder Case” drew $4,400.

Estimated takings for the week ending June 29:

“Motion to Happiness” (Para.) $6,000. “Undercover Doctor” (Para.) $8,000. “Roads About Town” (20th-Fox) $8,000. “The Gracie Allen Murder Case” (Para.) $8,000.

PALACE—(1,004) (25c-35c-50c) 6 days, Average: $7,000. “Street of Missing Men” (Rep.) $8,000.

RIVERSIDE—(3,400) (25c-35c-50c) 7 days, Stage: The Big Crazy Show. Gross: $7,000. Average: $800.

“Suspahah of the Mounties” (20th-Fox) (Rep.) $8,000. “Only Angels Have Wings” (20th-Fox) $5,000. STRAND—(1,400) (25c-35c-50c) 7 days, Average: $2,000.


“Susannah of the Mounties” (20th-Fox) $1,500. “Kid From Kokomo” (W. B.) $1,500. “Hermitage of the Desert” (Para.) $1,500. Average: $1,500.

Boston, July 4.—“Children of God” received $10,000 at the bénéfice of its author, Mr. Leigh, whose novel, “The Big Smile,” signed to write the film, “Brian Young,” Louis Bromfield, signed to write the screenplay, one of the judges of the novel contest.

Two Hub Houses Clear $31,500 ‘Fury’ Gross

Cleveland, July 4.—“Captain Fury” grossing $31,500 at both Loew’s State and Orpheum, cleared a total of $11,500, $14,000 and $17,500 respectively.

“Mikado” in the second week with “For Love or Money,” did well at the Marysville making $4,000.

Estimated takings for the week ending June 28:

“Spirit of Culver” (Univ.) (3 days) $3,000. “Roochie Cup” (RKO) (3 days) $3,000. “Man of Conquest” (Rep.) (2 days) $2,000. “Service of the Air” (W. B.) (2 days) $2,000. “Dodge City” (W. B.) (2 days) $2,000. “Adventures of Jane Arden” (W. B.) (2 days) $2,000.


“Daughters’ Pulls” $4,000, Cleveland

Cleveland, July 4.—“Missing Daughters” drew $4,000 at the Allen. “Kiddies” has been bought by 20th Century-Fox and came through with $3,500, and “Susannah of the Mounties” at Warner’s RKO house made $3,000. The weather was hot.

Estimated takings for the week ending June 28:


Buy Winning Novel

Hollywood, July 4.—“Children of God,” which won the Harper Prize for its author, Mr. Leigh, whose novel, “The Big Smile,” signed to write the film, “Brian Young,” Lewis Bromfield, signed to write the screenplay, one of the judges of the novel contest.
TROPICAL

weather has no threat for M-G-M showmen who will play ROBERT TAYLOR, HEDY LAMARR in "LADY OF THE TROPICS"! M-G-M again to the rescue this summer as always!

Screen Play by Ben Hecht. Directed by Jack Conway. Produced by Sam Zimbalist
Chicago, July 4.—Business was excellent at the Apollo, where "Goodbye Mr. Chips" did $13,100. "Winner Take All," at the State-Lake, plus Bill Carlson and band, took $12,600. The weather was fair and warm.

Estimated takings for the week ending June 28-July 1:

"Goodbye Mr. Chips" (M-G-M)
A POLIO—(3,400) (35c-55c-75c) 7 days.
Gross: $12,100. (Average, $6,500)

"Invitation to Happiness" (Para.)
CHICAGO—(6,000) (35c-55c-75c) 7 days.
Stage; Phil Spitalny & Band. Gross: $32,600. (Average, $4,600)

"Three Smart Girls Grow Up" (Univ.)
HOUND OF THE BASKERVILLES (20th-Fox)
ORIENTAL—(4,800) (20c-35c-45c) 7 days.
Stage; Vaudville Revue. Gross: $12,600. (Average, $1,800)

"The Sun Never Sets" (Univ.)
PALACE—(2,200) (35c-55c-75c) 7 days.
Stage; Frank Fay and Revue. Gross: $15,000. (Average, $2,100)

"Only Angels Have Wings" (Col.)
ROOSEVELT—11,000 (35c-55c-75c) 7 days.
Gross: $9,200. (Average, $1,300)

"Winner Take All" (RKO)
STATE-LAKE—(2,900) (20c-35c-45c) 7 days.
Stage; Vaudville Revue. Gross: $12,600. (Average, $1,800)

Texas Company Formed

LAREDO, Tex., July 4.—Pan American Broadcasting Co., this city, has been formed, with capital of $15,000, to operate a broadcasting business.

BANNER LINES
By Jack Banner

A.F.R.A. VS. PALEY... Fourth of July is out of the way but a firecracker may yet pop off. If it does, that'll be the radio actors' union, A.F.R.A., in a strike declaration affecting CBS stations in St. Louis, Chicago, Cincinnati and Los Angeles. The union is merely awaiting a "strategic moment" before it issues a strike call.

A.F.R.A. members working for CBS in those cities already have indicated their readiness to walk out at a signal from the national board. Just the other day Mrs. Emily Holt, head of the union, held a conference with William S. Paley, and since nothing came of the meeting it is believed that the signal to strike may be given any day. All of the principals involved have been out of the city during the holiday and as a consequence the details of the dispute are not known.

Presumably, however, this is part of the general drive to obtain A.F.R.A. contracts at various local stations throughout the country. After the CBS detail is settled A.F.R.A., of course, will go after the NBC and independent stations in those cities, as well as stations everywhere. In New York City A.F.R.A. is currently conferring with the management of WMCN, WHN and WNEW.

KIGGINS PROMOTED... Keith Kiggins, manager of the station relations department of NBC, has been made director of the Blue network. In his new post, Kiggins will coordinate and supervise all activities of the Blue network, ranging from station relations and publicity service to sales, promotion, etc.

PERSONALS... Neal Weed, manager of the Chicago office of Weed & Co., arrives in New York today for a week's stay prior to attending the NAB convention next week. Frank R. Scadden marries Florence Oppenheimer of WOR's guest relations department next week. Charlie Kenny and his bride have just returned from a western honeymoon.

AFTER MORE THAN 21 YEARS... There's an "Order of Adventurers" program on NBC. Monday evening Private Abe Krotoshinsky made an appearance in the show. He is the only member of a group of 20 runners who managed to get through the German lines in the Argonne Forest to notify the whereabouts of the Lost Battalion.

Supporting Krotoshinsky in the dramatic skit of that adventure was NBC actor Milton Herman. He is the first man with whom Krotoshinsky talked after he crawled through the barbed wire into the American trenches. The two had not seen each other since that night on the battlefield.

Seek Fair Broadcasts

SAN FRANCISCO, July 4.—Representatives of local radio stations have opened discussions with American Federation of Musicians, Local 6, to obtain permission to broadcast regular studio programs from the exposition, without payment of a special rate. If the concession is obtained, many programs will be moved to the island for the summer.

WBNX Power Raised

An increase in power has been granted WBIX, New York. The present operating power of 1,000 watts day and night is changed to 5,000 watts day and 1,000 watts night. The transmitter site will be changed from Cliffside, N. J., to Carlstadt, N. J. Construction at the new site will start immediately.

Kokomo' Hits Fine $18,500, Minneapolis

MINNEAPOLIS, July 4.—"The Kid from Kokomo" at the Orpheum did $18,500 with the assistance of Bob Baskervilles. "Kid from Kokomo" did a satisfactory $8,200 at the State.

In St. Paul, "Susannah," helped by a Major Bowes stage unit, did $8,500 at the Orpheum.

Estimated takings for the week ending June 29:

Minneapolis:
Hotel Imperial" (Para.)
"James Family in Hollywood" (20th-Fox)
"Girl and the Gambler" (RKO)
"Nancy Drew, Truth Seeker" (Col.)
"Mountain Maids" (RKO)
"Baskervilles" (20th-Fox)
"Kid from Kokomo" (W.B.)
"The Big Country" (Para.)
"Little Big Man" (M-G-M)
"Wife of the Jury" (Warning)

St. Paul:
"Sunsunm of the Mountains" (20th-Fox)
"The San Francisco Streetcar" (Col.)
"Brother Adam" (Kotz & Co.)
"The Salute" (20th-Fox)
"A Woman of the West" (Para.)

Two CBS Renewals

CBS has received one year renewals for two Lever Bros. programs, "Big Sister," and "Aunt Jennie's Stories," both serial scripts. The renewals are effective starting next week. "Big Sister" is broadcast over 66 and "Aunt Jenny" over 59 stations.

Ayer Farnsworth Agency

Farnsworth Radio and Television Corp. has appointed the N. W. Ayer & Son agency to handle advertising and public relations. The account will be serviced through the Chicago office of the agency.

For Better Box Office, Install Better Sound

THE NEW RCA PHOTOPHONE MAGIC VOICE OF THE SCREEN
with Rotary Stabilizer—plus SHOCK-PROOF DRIVE
Better sound means better box office—and RCA tunes mean better sound
RCA Manufacturing Co., Inc.
Camden, New Jersey • A Service of the Radio Corporation of America
Games Spotty
In Wisconsin
After Decision

MILWAUKEE, July 4.—The theatre game situation in Wisconsin continues spotty as a result of the recent State Supreme Court decision holding Bank Night a lottery.

In various spots, in response to requests from district attorneys, exhibitors have dismantled Bank Night. Such towns include Milwaukee, Madison, Janesville, Stevens Point and Sheboygan.

In Antigo and Wausau, however, games are being continued and no action has been taken. At Beloit, District Attorney John H. Matheson has filed action against T. M. Ellis, Jr. and G. A. Turner, co-partners in the Wisconsin Theatre Enterprise, charging authorization of a lottery, gift enterprise, game or scheme of chance called Shekels in the three Beloit motion-picture theatres. Matheson has been granted permission by the court to prosecute as a private citizen in the name of the state.

In Milwaukee, where the Warner-Saxe houses agree to discontinue Hollywood, the district attorney refused to issue warrants against the circuit's Parkway and Savoy for holding guessing contests on the night of the Louis-Galento fight.

At Madison, where exhibitors have voluntarily agreed to drop the games, agitation has been started against other organizations staging games.

Seattle's Blue Law
Not to Be Enforced

SEATTLE, July 4.—Local authorities will not take action against theatres here if they refuse to comply with Prosecuting Attorney B. Gray Warner's order invoking a 1909 "blue law" ordinance.

After meeting with the prosecutor, Mayor Arthur B. Langlie and Sheriff William B. Severnies, theatre operators were advised that Sunday operation would be overlooked. The Sheriff, likewise, announced that he would refuse to act against the house by race operators at Longacres track, which is outside the city limits but within King County and thus under Warner's jurisdiction.

Bank Night Seizure
Is Halted in Troy, O.

TROY, O., July 4.—Common Pleas Judge Paul H. Klopp has granted a temporary injunction preventing seizure of Bank Night equipment in the suit of the City against Attorney C. F. Pfister, head of Troy Equipment Co., charging violation of the Ohio lottery law in operation of Bank Night at the Saoyer for more than three years.

Plaintiff is enjoined from filing further affidavits for search warrants, and his attorney is restrained from advising, encouraging or instituting search warrant affidavits.

Theatre, Personnel Notes

Manages Tennessee House
MOUNTAIN CITY, Tenn., July 4.—V. B. Combs is the new manager of the Strand here.

Sproule Takes 4 Houses
KANSAS CITY, July 4.—Lee Sproule, who formerly operated a large group of houses in Kansas, has reentered the business, resuming operation of the Lincoln, Clay Center, Kan.; Rialto, Marysville, Kan.; Rex, Newton, Kan., and Ritz, Winfield, Kan.

Remodels Iowa Theatre
W. W. Bennett, in charge, and E. T. Pratt, owner of the State, has started an extensive remodeling program in the theatre. A new acoustical ceiling to replace the one recently destroyed by fire is planned.

Is Spartanburg Manager
SPARTANBURG, S. C., July 4.—Dave Garvin is the new manager of the Strand here. He was formerly manager of the Carolina in High Point.

Tri-States Building
DES MOINES, July 4.—Contracts are to be let soon for construction of the building that will house the new Tri-States theatre in Des Moines. The circuit is remodeling the front of the Rialto in Missouri Valley, Ia.

Standard Names Norton
KENOSHA, Wis., July 4.—William Eaton has resigned as manager of Standard's Kenosha here and has been succeeded by Foster Norton, who will manage the circuit's Kenosha and Vogue jointly.

Walker M-G-M Booker
KANSAS CITY, July 4.—M-G-M has named W. W. Walker a booker in the local exchange, replacing Leon Abraham, now with RKO, and has promoted Harlan Everett to manager of ad sales.

Open Narragansett Casino
NARRAGANSETT, R. I., July 4.—The Casino has opened here for the summer season under the management of Myer Stanzer. The house was considerably damaged in the September hurricane, but has been repaired and 550 new seats on the orchestra floor installed.

Interstate Opens House
SAN ANTONIO, July 4.—The Broadway has been opened here by Interstate Circuit.

Reopens in Cleveland
CLEVELAND, July 4.—Paul Gursanovich has reopened the Corlett two days a week. The house closed early in June.

Seattle Prices Cut
SEATTLE, July 4.—Summer bargain matinee rates of 25 cents until 1 P.M. have been instituted by all Hamrick circuit theatres here. After 1 P.M. the regular 30 cent admission will prevail until 5 P.M.

Sells Two in Cleveland
Cleveland, April 9.—Meyer Kaplan has sold the Savoy and Superior to Ben Cohen of Pittsfield, Mass., and the Crown. Kaplan will continue to buy and book for the two houses which he sold.

Form Chicago Company
CHICAGO, July 4.—S. M. Glick and R. Kaplan have formed the Crown Amusement Corp. for the purchase and operation theatres and other amusement enterprises.

To Add 300 Seats
ARCON, O., July 4.—Robert Menches, owner of the Liberty plans the addition of 300 seats to his present seating capacity, making a total of approximately 1,000 seats.

Closes in Mt. Pelier, O.
Mr. Pellet, O., July 4—Glen Kaufman has closed the Paramount, planning to reopen it Sept. 1.

Takes Colorado House
DENVER, July 4.—Annabelle Hogue has taken over the Eaton at Eaton, Colo., and will operate it. She owns the building the house.

Duals in Columbus
COLUMBUS, O., July 4.—Locw's Ohio has switched to a dual policy. Locw's Broad inaugurated double features about 10 days ago, following a similar move by the RKO Palace and Grand. This is the first time that all first run houses have played double features.

Takes Nebraska Theatre
KANSAS CITY, July 4.—Griffith-Dickinson Theatres, Inc., has taken over the Auburn, Auburn, Neb., from Olin Bennet. The circuit recently took over the Booth in Auburn.

Cincinnati Leader

CINCINNATI, July 4.—"Naughty But Nice," which gave Keith's $6,100, was the only picture to go above average in a week marked by competition from hot weather, baseball games and opening of summer opera seasons.

Estimated takings for the week ending June 28-July 1:

- "The Kid From Kokomo" (W. B.)
  RKO ALIHEE—$3,000 (35-60) 7 days.
  Gross: $1,000. (Average, $1,000)
- "Goodbye, Mr. Chips" (M-G-M)
  RKO PALACE—$2,700 (35-60) 7 days.
  2nd week: Gross: $7,500. (Average, $1,000)
- "Chancers" (W. B.)
  RKO CAPITAL—$2,000 (35-60) 7 days.
  3rd week: Gross: $3,000. (Average, $6,500)
- "The Sun Never Sets" (Univ.)
  RKO LYRIC—$1,400 (35-60) 7 days.
  Gross: $5,100. (Average, $1,500)
- "Young Mr. Lincoln" (20th-Fox)
  RKO GRAND—$2,000 (35-60) 7 days.
  2nd week: Gross: $2,500. (Average, $2,250)
- "Matinee on the Ehimeura" (Big Feature Rights) (2 days)
  "Charlie Chan at Reno" (20th-Fox) (3 days)
- "Winer Take All" (20th-Fox)
  RKO FAMILY—$1,000 (35-60c), Gross: $1,100. (Average, $1,400)
- "Naughty But Nice" (W. B.)
  RKO THEATRE—$1,500 (35-60c) 7 days.
  Gross: $6,600. (Average, $600)

End Seattle Picketing

SEATTLE, July 4.—Picketing of the Center at White Center by Motion Picture Operators' Union Local 154 was ended by an agreement between the union and W. T. Coy and Ernest Gopen, theatre owners. The theatre's suit against the union's demand that union operators be employed will be continued.

"Baba SANDY diddum ga goon goo SANDY glub google goo stalled"

(Translation) "Baby Sandy rocketed to fame on first appearance," said the N.Y. News. Sez Sandy: "That rocket was fixed up with a superspecial in my new picture."
A Timely Question

Answered with Facts

Ask your dealer’s salesman to show you this book

Your plans for summer improvements should include High Intensity Projection if not already installed.

You need it to meet the competition of the theaters that have it.

Study this interesting analysis of the Cost, Economies and Profit Possibilities of modern motion picture projection. Your dealer’s salesman will leave a copy with you if you ask him.

2 1/3 per cent of average theater investment covers cost of projection light equipment.

Simplified High Intensity Projection is a Profit-making, self-liquidating investment.

2 1/5 per cent of average operating expense covers cost of producing projection light.

Simplified High Intensity Projection

With National "Suprex" carbons.

National Carbon Company, Inc.

Unit of Union Carbide and Carbon Corporation

Carbon Sales Division, Cleveland, Ohio

General Offices: 30 East 42nd Street, New York, N. Y.

Branch Sales Offices: New York, Pittsburgh, Chicago, San Francisco.

The words "National" and "Suprex" are trade-marks of National Carbon Company, Inc.
Best Foreign Sales Record For 20th-Fox

The best foreign business in the history of the company is being recorded currently by 20th Century-Fox. For the first time in the company's history, its foreign operations are showing a profit. The company's foreign branch, headed by Sidney R. Kent, has been responsible for this success. Kent was appointed to the position last year.

Await Legal Opinion On Illinois Duals Act

Chicago, July 5—Attorney General Edward W. Cassidy is preparing an opinion to be submitted to Governor Horner regarding the act to bar double features by limiting performances to two hours and fifteen minutes. Cassidy expects to have his opinion by the end of the week.

Opponents of the bill contend it is an unwarranted restriction as much as if the legislature limited the amount of goods that might be sold by merchants to customers.

U.S. Acts To Set Trial In October

Knox to Get Federal Plea

For Preferred Place

On Court Calendar

The Government will apply to Federal Judge John C. Knox, senior district judge in charge of the trial calendar, for a preference for its anti-trust suit against the majors, which was adjourned last week. Knox is expected to fix the trial some time in October, it was learned in reliable sources yesterday.

Special Assistant Attorney General Paul Williams, who conferred with Judge Knox yesterday, will return late this month from Washington to make the application. Under Federal court rules, no date can be fixed until the 20 days allowed for amending the answers have expired, it was said.

Because of the crowded court calendar, it may be difficult for Williams to obtain a trial this year, court sources indicated, in which event the trial could be expedited only by a Government application for the appointment of a referee, whose findings would be passed upon by a statutory three-judge court.

Brandt Has Washington Date July 18; Tupper To N. Y. Again

WASHINGTON, July 5—Two to three months more will be required for completion of the Department of Commerce Study of the motion picture industry, it was disclosed today by department officials.

Aside from an engagement for July 9 with Harry Brandt of the New York I.T.O.A., no dates have been fixed for further meetings with any representatives of the industry, although arrangements for a conference with representatives of Allied States are expected to be made in the near future.

Ernest Tupper, chief statistician of the Bureau of Foreign and Domestic Commerce, plans another discussion this week or next with J. H. Hazen of Warner, who is supplying information which department officials asked for a month ago, but was unable to say whether the work has progressed to a point where a general meeting with the group is advisable.

RKO Readies Self for New Organization

Final papers for the organization of the new RKO company are being prepared in anticipation of court decisions which may permit closing of the RKO reorganization before the end of the summer.

While there is no definite indication yet whether the windup will come in one month or four, proponents of the reorganization plan are not to be caught napping and plan to have all organization details ready in the event of early favorable court action.

Preparing New Stock

The work now under way includes incorporation of the new company, by-laws of the new company and the new stock certificates. Work is being done by Simpson, Thacher & Bartlett, counsel for Atlas Corp.

Despite an early decision from the U. S. Court of Appeals on appeals of RKO creditors from the order confirming the reorganization plan, the actual emergence of the company from court supervision might be further delayed by creditors' appeals to the U. S. Supreme Court, in the event they were overruled in the Circuit Court.

Issue of $1,500,000

There then would be a question as to whether or not proponents could afford to proceed with consummation of the plan while applications for certiorari were pending in the Supreme Court.

Meanwhile, final arrangements for underwriting the $1,500,000 issue to provide working capital for the new company are being held in abeyance pending the Circuit Court decision on the appeal.

Likewise, first meeting of the board of the new company, and election of officers, is being deferred for the same reason.

Circuits Undecided Upon Games Policy

No immediate elimination of chance games is contemplated by circuits operating in Brooklyn, a survey revealed yesterday.

Century, which eliminated games Friday, because of the Atlantic Theatre decision, has found that there has been no unfavorable audience reaction. Similarly, the effect on business in the midtown area because of the suspension of games which went into effect Monday cannot be judged. Circuit heads still have the whole question under consideration, however.

Interboro experimented last week by withdrawing games for one night at the Williamsburg and College Point Theatres, but decided to reinstate them.

'Bosh,' Replies AFA As 4A's Serve Bill

R. O. Farrell testified as government witnesses today. The two Joneses testified regarding the theatre setup in the Loon while Farrell gave information regarding Oriental theatre deals. Other exhibitors may be summoned to give additional testimony on the stand tomorrow.

U.S. to Close Case Today Against B-K

CHICAGO, July 5—The Federal government expects to finish its side of the contempt case against Balaban and Katz and the majors tomorrow or Friday.

It reliably reported that the trial will then be adjourned until next month.

Aaron Jones, Sr., John Jones and

Tri-National Deal With Alliance Off

Discussions looking to a merger of Alliance Films and Tri-National Pictures, under way for several weeks past, have been discontinued without an agreement having been reached, principals in the discussions said yesterday.

Object of the negotiations was the formation of a new company to represent leading foreign producers in this market. Budd Rogers is head of Alliance and John E. Otterson of Tri-National.
Ascap Fights New Florida, Dakota Laws

Continuing its policy of fighting legislation adverse to its regional operations, Ascap has filed another substantial bill of complaint and a motion for a injunction at Gainesville, Fla., today to restrain state officials from putting the new anti-Ascap law there into effect.

In addition, Ascap has taken the position that North Dakota's anti-Ascap law has made it impracticable for the society to do business in that state and, since no commercial users of music will be licensed in North Dakota, none of the music in the Ascap catalogue may be used for public performance for profit within the state. In line with this decision, Ascap has directed radio networks to cease playing from networks' supply of programs and records, which the "broadcasters stood by and watched as their institutional efforts go on," Ascap officials said yesterday. "Now they must be made to realize that they, too, are affected by laws which prohibit us from operating in any section of the country."

Two suits to restrain North Dakota music users from performing Ascap music were started in Fargo last week.

Forms Softball League

Teams representing seven film companies last week organized the Motion Picture Softball League, M-G-M, 20th Century-Fox, Vitagraph, United Artists, Republic, Warners and Monogram comprise the league.

JAMES ROOSEVELT is scheduled to arrive in New York from the coast on Tuesday, preparatory to sailing for Europe in connection with London and Paris openings of Sinclair Goldwyn's "Music Hall."  

RALPH RICHARDSON won the award for the best male performance in a British film during 1938 for his work in "South Riding," in a poll conducted among readers by Film Weekly, English Film magazine.

YVETTE DURBAN, daughter of Mabel Durbin, of the 20th Century-Fox publicity department, will be married Sunday to Julian D. SHEAR at the Franklin Towers, New York.

WERNER JANSEN has been signed by Walter Wanger as musical director on "Eternally Yours." He has just completed the musical score of Wanger's "Winter Carnival."

WILLIAM F. ROGERS, Tom CONNORS, E. K. O'SHEA, Harry BRANDT, Sophie TUCKER, Earl Carroll at Nick's Hunting Room in the Astor for lunch yesterday.

WILLIAM G. CLARK, manager of the Ascap, Pine Bluff, Ark., office of a boy, William OLIVERs, weighing in at 75 pounds, born to Mrs. Clark late last week.


MARY MARTIN, star in the Broadway musical. "Leave It to Me," has arrived in Hollywood to begin work in Paramount's "Victor Herbert."

JAMES ELLISON, RKO player, and his wife, arrived in New York from the coast yesterday for a three-week vacation. It is its first visit here.

HARRY MORRISON is the new film editor of the Indianapolis Times, succeeding James D. Thrasher, transferred to the city staff.

BILLY HERBERT, Murphy McHenry, Walter Hutchins, Sam SHAIN, Les WHELAN, at the Plaza for lunch yesterday.

BUNNY GILBERT's original, "Legion of the Lawless," has been purchased by RKO as a vehicle for George O'BRIEN.

MORGAN PARDELFORD of Technicolor's color control department left for England on the Queen Mary yesterday.

EDITH ELSFORD of the Walter Reade home office is vacationing in Pennsylvania.

BETTY GOLDSMITH, secretary to James MULVEY, is on her vacation.

BEN WASHER returned yesterday from a trip to Bermuda.

For Lunch, Dinner or Supper

LAHFF'S TAVERN

The Industry's Meeting and Eating Place

156 W. 48th St. Tel. CHic 4-1200

ROBERT GILLIAM, Paramount advertising and publicity director, returned to New York yesterday from a brief vacation which was preceded by a studio visit.

HERBERT WILCOCK, British producer, BUNNY ROGERS and his wife, Mary PINKFORD, ARTHUR HORNBY and his wife, MYRNA LOY, and ELSA LANCHESTER, wife of Charles LAUGHTON, left England on the Normandie yesterday and are due in New York on Monday. Miss PIFCOFF and DOUGLAS FARRERES, Sr., visited the Alexander Korda studios while in London.

C. A. GOEBEL, Cameo and Columbia Theatres, Bristol, Va.; J. B. REISH, Warner Bros. Theatre, York, Pa., and BERNARD F. SMITH, Butterfield Circuit, Detroit, were recent visitors at the RKO lounge.

SAUL TRAUBER, assistant sales head at Columbia National, has left for a two-week vacation. E. A. HELIOUS, office manager, returned yesterday after a few weeks upstate.

MORRIS GOODMAN, vice-president in charge of foreign distribution for Republic, returns today after 14 weeks visiting South and Central America by air.

EDWIN NOLAN, manager of the City, Manhattan, and LAURA FERRARI of the Cinema Circuit will be married Sunday.

JIMMY BOYLE of RKO's publicity staff leaves the end of this week for a two-week vacation.

Fare by Height

Cincinnati, July 5.—Exhibitors might get an idea on children's fares from the method employed by the Ohio Bus Lines, operating between here and Hamilton. Children's fares are determined according to height. If under 46 inches, the child rides free and if over 55 inches, half fare is charged, while full fare is collected for over 55 inches. A color区别 system, using both heights is located just inside the bus door.

Toronto Clearance

Problem Up Today

TORONTO, July 5.—Major film distributors of Toronto will be represented at a meeting tomorrow of the new Conciliation Board of Nova Scotia and the result will be to reorganize the clearance situation in the province. The meeting follows a general meeting at Halifax yesterday of the American Federation of Nova Scotia, at which proposals were drawn up for the consideration of the Conciliation Board.

The whole trade situation in Nova Scotia is being studied with the intention of adopting measures which will make it easier for Government control of film bookings unnecessary.

INTERFERENCE ISSUE

Delay FCC Actions

WASHINGTON, July 5.—Final action on FCC's recommendation for time compression on regional frequencies was today suspended by the Federal Communications Commission pending investigations to determine whether interference will result when the maximum night power on such channels is increased from 50 to 150 watts on August 1.

Nine applications for new stations are included among those which will be held up, it was said. Fifteen of the applications have been heard and new hearings will be necessary to determine the question of interference.

Marx on Talent Hunt

SAM MARX, Columbia story editor, arrived in New York from the Coast yesterday to spend several weeks looking at new talent material and talent presented by Summer stock companies in the East.

UNITED TO CHICAGO

Only 4 hrs. 35 min.

shortest
AIR ROUTE

tallest
AVERAGE SERVICE

famous
MAINLINERS

NON-STOPS:

the '12:15' the '3:15' the '5:15'

Call United, travel agents, hotels (EST)

UNITED

AIR LINES

58 E. 42nd St. MU-7-3000

Thursday, July 6, 1939

MOTION PICTURE DAILY
New Haven's Films Suffer Gross Slump

NEW HAVEN, July 5.—"Young Mr. Lincoln" and "Susannah of the Mount" took $7,000 at the Loew-Film. Toll week of "Tarzan Finds a Son!" and "Bridal Suite" drew $2,100 at the Loew-College.

Estimates for the weekend ending June 30:
"Tarzan Finds a Son!" (M-G-M)
Bridal Suite (United)
COLLEGE (0.499) (3c-90c, 7 days, 2nd week. Good, $2,470)
"Young Mr. Lincoln" (20th-Fox)
"Susannah of the Mount" (20th-Fox)
LOEW-FILM (4c-90c) (3c-90c) (5c-56c) 7 days, Good, $7,000. (Average, $6,000)
"Invitation to Happiness" (Para)
"Woman Doctor" (Republic)
PARAMOUNT (2.240) (3c-90c) 6 days. 2nd week. Good, $2,440, (Average, $4,000)
"Of Human Bondage" (RKO)
"Kid from Kokomo" (W. B.)
SCREENING (0c-39c) 7 days. Gross, $3,600. (Average, $4,700)

Plan Projection Day At N.Y. World's Fair
Joseph Besson, president of New York Projectorsists Local 300 has appointed a committee to arrange arrangements for Projectionists' Day at the New York World's Fair in September.

The arrangements committee, of which P. A. McGuire of International Projector Corp., is chairman, includes G. Edwards, C. Eichhorn, and O. Kahn. A date for the event and committees to handle the affair will be announced shortly.

Republic Planning More Costly Films
Hollywood, July 5.—Details of Republic's program of more expensive pictures for the next year are being announced now in New York by Herbert J. Yates, Sol C. Siegel and other officials. Productions will be divided into full before Yates departs with Gene Autry July 15 for England. Autry leaves here for New York tomorrow. Armand Scharper, Republic associate producer, leaves tomorrow for Chicago to plan a picture based on Station WLS national barn dance.

Must Recognize CIO
WASHINGTON, July 5.—N.L.R.B. to day directed Universal's Philadelphia exchange to bargain, upon request, with 7th United Office and Professional Workers of America (C.I.O.) as bargaining representative of the branch's office workers. Universal's home office employees were organized by the union last winter.

Heads NBC Press
William Kostka of the NBC publicity department, yesterday was appointed manager of the press division, effective at once. He succeeds Wayne Randall, who recently resigned. Edward Conlan continues as news editor.

Golden Leaves "U"
Hollywood, July 6.—Max Golden, who produced and directed for both pictures in the past year at Universal, left today upon expiration of his contract and will take a vacation before announcing his new affiliation.

"Bosh,' Replies AFA as 4A's Cite Charges

‘Boosh,' Replies AFA as 4As Cite Charges

(Continued from page 1)
rial which is scheduled to start Monday.

Details of the charge that the A. F. A. was not democratically controlled were contained in the bill. This charge included that the A. F. A. governing body is not composed of members elected by the craft in good standing; that there were practically no membership meetings; that the better class of the membership is so disgusted that they declined to attend, and that for reasons called on unimportant issues or to ratify acts already completed; that the question of raising dues was not submitted to a vote; that copies of the constitution and by-laws were not furnished to the membership, and that meetings of the membership was out of town.

It was also alleged that both the S. A. G. and the American Federation of Radio Artists frequently offered cooperation in organizational drives, but that the aid was refused.

A delegation from the "Ferrets," A. F. A. opposition group, called on Turner yesterday to request permission to be heard at the trial.

Push Negotiations In 5-Boro Dispute

Negotiations between the Five Boro Circuit, Theatre Managers, Agents and Treasurers Union and Employment Exposition Employers National Union continued until a late hour last night but no agreement was reached. Further conferences will be held tomorrow.

A scheduled ratification meeting of 72 Five Boro employes was postponed.

A truce was declared in the ATMA strike at the Jewel Poultry Brooklyn.

A strike was declared three weeks ago because of the discharge of an assistant manager who was alleged to have made racist remarks.

There will be no picketing, pending negotiations which start tomorrow.

New Date Decided For ITOA's Outing

Outing of Independent Theatre Owners Association, scheduled for July 27, has been postponed until July 27 because the former date falls on a Jewish holiday. The same program will prevail with the party going to island to visit the Alexander Hamilton. Preparations for the annual baseball game between the exhibitors and film salesmen have begun.

"Yoked Boy" Opens

Only legitimate stage production scheduled to open this month is "Yoked Boy," a musical by Lew Brown, which bows in at the Strand tonight. Lew Brown produced as well as contributor of several songs with Charles Tobias and Sam Svet. Gordon Wiles directed and Walter Jagemann designed the scenery. Included in the cast are Buddy Ebsen, Dixie Dunbar, Judy, Ann and Zeke Carnegie, Jackie Keller, Lois January and Phil Silver.
Notice Again!

Daughters

JOHN GARFIELD
CLAUDE RAINS
JEFFREY LYNN • FAY BAINTER • DONALD CRISP
MAY ROBSON • Frank McHugh • Dick Foran
and THE 'FOUR DAUGHTERS'

PRISCILLA LANE • ROSEMARY LANE
LOLA LANE • GALE PAGE

Directed by MICHAEL CURTIZ

Original Screen Play by Julia J. and Phillip G. Epstein • Suggested by a Play by Dorothy Bennett and Irving Wahe • Music by Max Steiner • A First National Picture

Jack L. Warner Hal B. Wallis Henry Blanke
In Charge of Production Executive Producer Associate Producer
Against Any and All Attractions Now Offered by Every Company, the No. 1 Property, Again and Incontestably, is the One You Get From

WARNER BROS.

Courageous

"DAUGHTERS COURAGEOUS IS SUPERIOR TO 'FOUR DAUGHTERS'!"
Walter Winchell

"WILL TRUMP 'FOUR DAUGHTERS' FOR A B. O. SLAM! A LOLLAPALOOZA!"
Film Daily

"WARNER BROS.' FOLLOW-UP TO 'FOUR DAUGHTERS'- AND BETTER!"
Jimmy Fidler

"IT WILL DO EVEN BETTER BUSINESS THAN 'FOUR DAUGHTERS'!"
Daily Variety

"DESERVES A NICHE ALL ITS OWN! SAME APPEAL AS '4 DAUGHTERS'!"
Motion Picture Daily

"IT'S A FACT! THIS IS A BETTER PICTURE THAN '4 DAUGHTERS'!"
Motion Picture Herald

First date (N.Y.) hits top 2-week gross of past 6 months!!!
Hollywood Preview

"Chips" with $9,800

Hollywood, July 5.—Without the news about this film most important to showmen is that it’s as solid and screenworthy as it needs to be to make good the extensive exploitation given it over the past week by L. Lasky. The story is told with suitable pictures by Lasky’s radio enterprise and now known as Alice Eden and John Archer, live up to any reasonable expectations in their first film appearance and they are surrounded by players of seasoned ability and definite name value.

Brevities

Barbara Stanwyck replaced by Eileen Dale, Samuel S. Hinds and Janet Beecher carry the principal roles and make them extremely realistic. Anne Shirley is pleasantly occupied and to Leon Errol and Raymond Hutton fall fat comedy parts in which they humorously demonstrate the effects of drug store liquor of the variety dished out in 1931 in these United States. The young leads are attractive. John Archer seems to have taken the pictures and Alice Eden is at least as good as many a young actress who got into the films elsewise than by contest procedure.

Build in Vancouver

Vancouver, July 5.—West Coast Theatre enthusiasts start on construction of a new 700-seat house in the West Point Grey residential section here. College Theatre, as it will be known, is expected to be open by Sept. 15. Total cost is expected to be $30,000.

Buffalo Takes Skid; ‘Sun’ Draws $6,100

Buffalo, July 5.—Grosses were off here in hot, dry weather. Not a downtown house touched normal, with the “Neptune the Devourer” Sets and “White Room” earning $6,100.

Buffalo Films Show Weak Takes

Buffalo, July 5.—“Jugarez” earned $5,600 in its second week at Loew’s, while “Secrets” grossed $3,400 in a full week. “Young Mr. Lincoln” registered $6,800 at the Palace.

Estimated takings for the week ending July 1:

*G* denotes general classification.

Providence: ‘Susannah’ $6,800

Providence, July 5.—Although cool weather over the weekend helped somewhat, the downtown theatre business here fell below normal. The best comparative gross went to the Majestic’s dual, “McGregor of the Counties” and “It Could Happen to You,” with $6,800. Estimated takings for the week ending June 28:

Eickelberg Promoted

San Francisco, July 5.—Williard Eickelberg, KFRC manager for the last 15 years, has been promoted to general sales manager of all of Don Lee network, with headquarters at KJH, Los Angeles, effective immediately, Bill Palast will succeed Eickelberg as station manager here.
'Good Girls Go To Paris'...and good crowds have been pouring into the Radio City Music Hall!

Watch them flock to your house when you play this swell comedy about the simple miss from Minnesota who made four boy friends fight for the privilege of taking her to Paree!

GOOD GIRLS GO TO PARIS

MELVYN DOUGLAS ★ BLONDELL

WALTER CONNOLLY ★ ALAN CURTIS ★ JOAN PERRY

SCREEN PLAY BY GLADYS LEHMAN AND KEN ENGLUND
DIRECTED BY ALEXANDER HALL
PRODUCED BY WILLIAM PERLBERG

A COLUMBIA PICTURE
On your mark...get set...GOO!

And did Baby Sandy go! In "East Side of Heaven" with Bing Crosby he won every critic in the country! He's next to the heart of everyone! More arms ache to hold him, more people want to see him, than any other new star in the business. And it's your "Business" in "Unexpected Father!"

The New Universal presents
BABY SANDY
"UNEXPECTED FATHER"

SHIRLEY ROSS • DENNIS O'KEEFE • MISCHA AUER

JOY HODGES • DONALD BRIGGS • ANNE NAGEL • DOROTHY ARNOLD

Screenplay by CHARLES GRAYSON & LEONARD SPIEGELGASS • Original story by Leonard Spiegelgass

Directed by CHARLES LAMONT • Associate Producer: KEN GOLDSMITH
Delay Facing New Changes On Copyrights

Action by Next Congress Called Probable

Congressional action on the proposed new copyright law which has been in preparation for the past year by a council for interested industries in the past year is expected to be deferred until the next session of Congress as dropping of objections to the measure, scheduled for the first of August, has been announced.

In the conference, recommendations of the joint committee on the subject will be considered, and the committee will be asked to report a bill to Congress.

IATSE in Two New Jurisdiction Fights

HOLLYWOOD, July 6—The American Federation of Musicians and the American Federation of Actors have been involved in two more jurisdictional disputes today when they demanded return of control over cinematographers on major lots and because the right of approval before the N. L. R. B. by the United Studio Technicians Guild of North America, which claimed the support of the majority of the 12,000 members in L. A. ranks here.

Demand by Photographers Union, Local 639, L. A. T. S. C., for return of jurisdiction over cinematographers, or first cameramen, reopened an old quarrel with the American Society of Cinematographers. The A. S. C. recently obtained a five-year renewal of its contract which was first obtained in 1924, and Local 639 included this demand in a formal petition to Pat Casey, producers' labor representative, and also asked for new wage scales and working conditions.

The Guild, whose membership and officers are being kept secret, in its L. R. B. petition requested the

Networks Gross $68,123,525

WASHINGTON, July 6—Time sales of NBC, Columbia and Mutual broadcasting networks last year amounted, after trade discounts, at $34,903,692, which was increased to $81,123,525 by sales of $13,184,646 of the 23 stations operated by NBC and Columbia, it was reported today by the Federal Communications Commission.

Against this the nets made payments to others for broadcast service of $19,483,692, and paid commissions of $7,268,228, leaving a net revenue of $44,629,536 of which $2,293,618 was assigned to the networks and $12,035,942 to the 23 stations.

Total broadcast expenses were $29,006,238 for the networks and $6,568,221 for the stations, a total of $30,574,456; and direct expenses brought the aggregate to $35,532,852, leaving a net revenue from broadcast service of $9,970,735.

With other income of $17,751, the group had a gross income of $9,483,692 against which deductions of $85,950 and income taxes of $1,473,796 to the federal government and $19,900 to the states were charged, leaving a net income for 1938 of $7,003,700.

SAN FRANCISCO, July 6.—Distribution of school films selected from the vaults of member companies of M.P.P.D.A. will be supervised by a newly-incorporated organization known as Teaching Film Custodians, the National Education Association, in convention here, was told tonight by Will H. Hays, M.P.P.D.A. president.

Incorporation of the new company signals- ing agreement and movement of plans for a national system of exchanges operated jointly by participating companies for distribution of the school films.

Teaching Film Custodians will have headquarters in the same building in New York which houses the Hays offices and it will issue the licensing agreements to schools, conduct promotional and sales activities, handle the bookkeeping and collections and pay the distributor as it is billed by the company.

Physical distribution of the films will be by individual companies which will ship their films in order from their own laboratories. All rentals will be for spot cash. However, it is stated that during an initial three-year experimental period no profits will be realized by the distributing companies. The profits will begin as a non-profit activity conducted by educators.

Trustees of Teaching Film Custodians are Willard E. Givens, executive secretary of N.E.A.; Dr. James A. Harkness, president emeritus of Yale; and Carl E. Milliken, M.P.P.D.A. secretary.

The initial school film library, probably the largest ever to be turned over to schools at one time, consists of 500 non-current theatrical short subjects, the original production cost of which was $10,000,000, Hays said. Selections were made from the 15,000 non-current subjects in the vaults of member companies of the M.P.P.D.A. which have been made available to the educators' advisory committee.

Studios in Non-Profit Deal To Let Schools Use Films, Will Hays Tells Educators

Hays Will Address Broadcasters July 12

An address by Will Hays to the convention of the National Association of Broadcasters will be broadcast by CBS and NBC July 12. Hays will speak from his office in Hollywood and the address will be piped to convention headquarters in the Hotel Ambassador, Atlantic City. Hays' subject will be "The Three Mirrors of America" (motion pictures, press and radio). Hays will speak at 11:45 P.M.

Senate Vote On Neely Bill Is Due Today

Measure Up After Many Washington Delays

WASHINGTON, July 6.—Senator Neely of West Virginia today, after several days of debate on the Neely bill, which passed the chamber over the objection raised by the Senate today. The measure, which would prohibit block booking and selling of films, among others, was passed by the Senate today after the Senate had adjourned last year.

That was the first time in the history of Congress, in one form or another, that a bill for several years, was passed by the Senate.

Quebec's Closed Houses to Reopen

QUEBEC, July 6—Early reopening of Quebec's picture houses seemed assured tonight as Premier Maurice Duplessis announced that the "government is ready to take necessary steps to reopen the theaters." Quebec's cinemas have been closed since June 2 when city authorities refused to abolish a new tax increase of 10 per cent on advertisements, raising the total taxation on theatres to almost 40 per cent of the gross income.

Reports indicate that the house may reopen next Monday, but President T. E. Bragg, Toronto, of Auditorium Ltd., said that no definite statement could be made by theatre owners until Mayor Borne had been contacted.

Premier Duplessis said he had asked Mayor Borne to recognize the government's intention to intervene in the situation.
WASHINGTON, July 6.—Legislation limiting the period within which a patent may be run through the patent office and providing for a court of appeals to handle infringement cases was ordered favorably reported to the Senate today by the Senate Patents Committee.

A bill introduced by Senator Bone of Washington at the request of the patent office limits the life of patents to seventeen years and the overall protection afforded by the filing of a patent application to 20 years, as a means of preventing patentees from posting an effective date of a patent by filing innumerable amendments to string out patent proceedings.

Another bill provided that infringement suits may be tried in the proposed special court, from which appeal could be taken direct to the Supreme Court. The special court would rule on infringement cases in several jurisdictions where conflicting decisions might be secured.

The measures are the outgrowth of the joint Senate-Executive branch National Economic Committee, which found that one patentee had presented 444 suits in the Special Court, and had harassed rivals by bringing numerous suits based on the same issues.

Executives Attend 'Movies March On'

In conjunction with the latest issue of March of Time, "Movies March On," a special film and a cocktail party were held at the Museum of Modern Art yesterday. "Movies March On" opened at the Music Hall yesterday.

In addition to press representatives those present included S. Barrett McCormick, president of the RKO; Fred Neptine, vice-president of RKO; Cresson E. Smith, Western and Southern division head of the RKO; Gus Eysell, secretary and assistant director of the Music Hall; Jules Levy, RKO general sales manager; and Arthur Mayer, operator of the Rialto.

Also Nelson Rockefeller, Roy Larsen, Herbert and Alan Brand, his wife and Mrs. Jimmy Ellison, Lilian Gish, May Robson, Raymond Massey, and Mrs. Lela Rogers, mother of Ginger Rogers.

Frohman Rites Today

Funeral services are to be held today for Mrs. Marie Hubert Frohman, stage and film actress, and widow of Gustave Frohman, theatrical producer, at the Christ Church, Bronxville. Mrs. Frohman died Tuesday. Following her retirement from the stage, Mrs. Frohman wrote plays and motion picture scenarios under the pen name of Louis de Conci.

Kershaw Wins Promotion

Toronto, July 6.—Frank Kershaw, district manager at Winnipeg for Famous Players Canadian Corp., has been promoted to vice-president and general manager of Western Theatres Ltd., a subsidiary circuit of 23 theatres in special railway centers. His headquarters will be at Winnipeg.

Motion Picture Daily

The Day's Headlines

Senate Acts Upon Patent Law Abuses

HERMAN WOBBER, 20th Century-Fox general sales manager, arrived in New York from the coast yesterday by plane.

JAMES MOSKOWITZ, Jules Levy, James Mulvey, Robert Savin, Jack Cormick, Sam Citron, Harry Gold among those lunching at Bob Goldenstein's Tavern yesterday. Also present were: Lazarus Jr., Jack Gold, Joe Malcolm, Mort Spring and Martin Stark.

BERNARD R. GOODMAN, sales manager of Warner Bros. advertising accessories sales department, is the man for the coast tomorrow.

MICHAEL BURN, English actor, who is also the seventh Earl of Warwick, arrived in Quebec from England on the Empress of Britain yesterday for a 100-day tour in the South and Central American trip.

HAL B. WALLIS and Mrs. WALLIS, (Louise Fazenda) arrive in New York Monday on the Normandie from a European visit and a call at the company's British studio at Teddington.

CHARLES COHEN, of the M-G-M publicity department, is back at his desk after a short vacation. Sidney Kaufman, of the same office, left Wednesday for a six-week trip.

PEDRO SAENZ, president of Cia. Cubana de Peliculas, S. A., has left for his Havana headquarters after attending the RKO sales convention here.

HARRY NACE, Paramount theatre associate, is in New York for office conferences and new product deals.

LILLIAN GISH. secretary to WILLIAM BRANDT, returns Monday from a two-week visit at Schroon Lake.

CLIFF LEWIS, Paramount studio advertising manager, leaves for the coast today after a brief visit at the home office.

BASIL RATHBONE has been signed to a chief supporting role in RKO's The Hunchback of Notre Dame.

ARTHUR KREM, of Phillips & Nizer, left early this week for a trip through England and France.

WILLIAM E. RAYNOR is now manning the Drive-In Movies, Valley Stream, L. I.

ANNE SHIRLEY and Lucille Ball have had their options taken up by RKO.

S. A. LYNCH is visiting in New York for a few days.

SYPROS SKOURAS, Earl Carroll, Dave Weinberg, Basil Ruydsdale, David Weinstein at Nick's Hunting Room in the Astor for lunch yesterday.

SAM HAKER, former assistant to Morris Goodman, vice-president in charge of Republic foreign sales, before that in charge of the contract department for Republic and Columbia, has joined the firm of Henry H. Ackerman & Co., public accountants, and will specialize in film accounts.

ROBERT AND DONALD, twin sons of STANLEY C. JACQUES, RKO Cincinnati branch manager, are studying motion picture technique at the University of Southern California.

MAX MARCOURLES, Cincinnati branch manager for Republic, who has been suffering from arthritis, has gone to Johns Hopkins Hospital, Baltimore, for observation.

FRANK DEAN, RKO supervisor for the American and Panama market of Argentina, is comfortably in the Croydon following an operation at the Fifth Avenue Hospital.

CONSTANCE BENNETT is in town at the Waldorf-Astoria from the coast, prior to sailing for Europe on the Normandie next Wednesday.

Studio Staff Slashed By Grand National

HOLLYWOOD, July 6.—PENDING settlement of a financial dispute, it was reported at Grand National that all except a skeleton staff of employees was removed from the payroll at Grand National today.

The maintenance crew and rental office personnel are the only ones retained as studio officials here awaited the final ratification of the new bargaining deal being negotiated in New York.

Included in those affected by the layoff at the Western illustrated division, and department head, and Ted Richmond, publicity and advertising director.

Chicago Realty Men Talk at B. & K. Trial

CHICAGO, July 6.—The government will finish its side of the case tomorrow in its suit against Balaban and Katz and the majors. R. O. Farrell and Harold Costello, real estate agents, were on the witness stand today, explaining the rent of the Oriental theatre, Jack and John Jones also testified briefly. The government wound up today's session by filing 94 documents identified. The trial will be postponed until Sept. 5 following a short session tomorrow morning.

Hold Seattle Tourney

SEATTLE, July 6.—One hundred and three theatricals participated in the Northwest Film Club's fourth annual golf tournament at Glendale Golf Club, and more than 160 guests attended the dinner dance and floor show that followed. Bill Shartin, Jack Rosenberg, Roy Peacock, Ed Lamb and Morris Segel were the committee in charge.

Copyright

Not all of the industries concerned, however, are opposed to our provision, however.

The State Department is championing the Berne phase of the proposals. In its present form this provision would become effective one year after enactment by Congress, thus providing ample time for revising the domestic law so as to conform with the international law.

Among the principal proposals on which most of the industries concerned are in agreement are the minimum damage, divisibility and copyright on creation provisions.

Minimum damages for copyright violation is limited to $250 to $1,000 to be assessed in the case of a single violation, for example.

The divisibility provisions recognize the fact that much of the various commercial uses to which an author's creation may be put, such as on television, the dramatic right, television rights, and make a provision for all rights, including, for example, the case of music, performing, recording, and other rights.

The provisions may be sold separately and actions may be brought on behalf of any one of the rights without joining possessors of any of the other rights.

The provision for copyright on creation recognizes an author's or commercial enterprise the personal property for which copyright protection is automatic. It requires no registration nor filing of two copies of a work, as is now the case. This provision is a requisite of the Berne Convention.

The new provisions would extend the life of a copyright from the present 28 years to 50 years, which would include the lifetime of the author and for 50 years after his death.

Cincinnati Golf Set

CINCINNATI, July 6.—Variety Club's annual golf tournament is tentatively set for next week. Assistant division manager of RKO Midwest, is general chairman.

MOTION PICTURE DAILY

Those who are about to play M-G-M's "Goodbye Mr. Chips" will be interested in the early extended run record of this superb picture and will wish to adjust their booking schedules to allow for additional time. Extended engagements thus far:

New York . . . 8th week
Los Angeles . . . 7th week
Cleveland . . . 4 weeks
Dayton . . . 2 weeks
Cincinnati . . . 2 weeks
Columbus . . . 2 weeks
Pittsburgh . . . 2 weeks
Toledo . . . 2 weeks
Indianapolis . . 2 weeks
New Orleans . . 2 weeks
Chicago . Indefinite run
San Francisco . Indefinite run
Seattle . . Indefinite run
Worcester . . 2 weeks
Boston . . . 4 weeks
(Playing day-and-date at State & Orpheum; held over 2nd week in both spots)

THE FRIENDLY COMPANY
UP TO THE $100,000-A-WEEK MUSIC HALL’S SIZZLING

Read the Raves!

"ONE OF THE SEASON’S GAYEST SHOWS."
—N. Y. TIMES

"VASTLY SATISFYING ENTERTAINMENT ... GINGER AN UTTER DELIGHT."
—N. Y. HERALD-TRIBUNE

"GAY COMEDY ... GINGER AT HER BEST."
—N. Y. DAILY NEWS

"ONE OF THE HIGH SPOTS OF THE SUMMER SEASON."
—N. Y. JOURNAL & AMERICAN

"ONE OF THE MOST AMUSING SCREEN FROLICS OF THE YEAR."
—N. Y. WORLD-TELEGRAM

"TEN TO ONE ... THE BEST SCREEN COMEDY OF 1939."
—N. Y. POST

"WILL KEEP YOU MIGHTY AMUSED."
—N. Y. SUN

"A DELIGHTFUL FARCE ... SUITABLE FOR FAMILY AND SMART SET."
—N. Y. DAILY MIRROR
EEK CLASS SHOOTS THE SUMMER SENSATION! . . .

RECORD BUSINESS IN JULY! . . . during the year’s longest and biggest OUTDOOR holiday, with the season’s finest OUTDOOR weather . . . and with the World’s Fair only ten cents and ten minutes away! . . . NATURALLY, HELD OVER! . . . IT’S A WORLD-BEAVER!

GINGER Rogers
DAVID NIVEN

"Bachelor Mother"

WITH
CHARLES COBURN · FRANK ALBERTSON
E. E. CLIVE · DIRECTED BY GARSON KANIN · PRODUCED BY B. G. DESYLYA
PANDRO S. BERMAN IN CHARGE OF PRODUCTION
SCREEN PLAY BY NORMAN KRASNA
STORY BY FELIX JACKSON
RKO to Speed Plans Despite Fresh Appeal

Proponents of the RKO reorganization plan will proceed with its consummation despite any appeal to the U. S. Supreme Court, which might be taken following a U. S. Circuit Court of Appeals decision upholding the order confirming the plan. Hamilton C. Rickaby of Atlas Corp. counsel said yesterday.

Question as to whether or not further appeals by RKO creditors would result in a delay in consummation of the plan was raised in a Motion Picture Daily story yesterday which reported current efforts being made to hasten the end of the reorganization.

Rickaby added, however, that an appeal to the Supreme Court might delay submission of the $1,500,000 underlying agreement, which is now in preparation, to the Federal court for its approval. This would have the effect of delaying the company’s final discharge from court supervision despite consummation of the reorganization plan.

Heads on the reorganization scheduled for yesterday before Federal Judge William Bondy was postponed to July 20 to await the Circuit Court decisions on the pending appeals of creditors.

IATSE in Two New Jurisdiction Fights

(Continued from page 1)

nation as exclusive bargaining agency for the 12,000 craft workers now in the I. A. and sought an election to determine which group has a majority. The Guild is not divided into craft locals and seeks to present a vertical union front here.

Demands were also made to Casey by Sound Technicians Union, Local 695, and Laboratory Technicians Union, Local 683, and by officers of the five new locals created from the former Studio Technicians Union, Local 37. Action on the latter five may be deferred until after disposition of the Guild’s case.

I. A. officials asserted that the Guild represents only a small group while the Guild claimed a majority of prop makers, electricians, technicians, lamp operators, cameramen, sound men, laboratory workers and grips. The Guild is represented by Charles J. Katz.

Broadway Reports Uptown in Gross

Aided by the extended holiday weekend business, Broadway grosses showed a gain over last week’s figures in the week. "Second Fiddle" grossed an estimated $47,000 in its first week at the Roxy. "Bachelor Born," at the Music Hall, grossed an estimated $98,000 and is also held.

In its second week at the Strand, "Daughters Courageous" attracted an estimated $35,000 and continues for a third week. "Stronger Than Desire" drew an estimated $9,500 at the Capitol, "Minstrel, the Kid" opened at the Criterion Wednesday.

Insider’s Outlook

By SAM SHAIN

FRED STORM, United Press correspondent, in Washington, is joining the Samuel Goldwyn company (United Artists). According to Hollywood^ad^vices, James Roosevelt, vice-president of the Goldwyn company, will announce it next week in New York. It is believed Storm will be named head of the advertising and publicity end on the Coast. Jock Lawrence, it is understood, will become more fully available for executive production work.

Ben Washer is eastern advertising and publicity production head.

There are distributors and advertising men in the trade who are still grappling with the problem of co-operative advertising. From where the distributors sit, the angle which worries them most is that the greater part of such participating money which is spent goes to first-run key spots and subsequent runs are asking for similar cooperation.

And there is some apprehension that the participating advertising done by the companies may become a matter of inquiry to Government anti-trust investigators.

The top executive of a film company who decided that $27.50 was too much to pay for a prize fight seat, dropped into Dinty Moore’s with a friend for dinner the night of the Galento-Louis fight. At an adjoining table was the sales manager of a rival company and several friends who invited him to have dinner with them, and then asked them to go along to the fight.

They accepted the invitation, and when the dinner check came, the executive who was invited insisted on paying on the ground that if the sales manager furnished $27.50 tickets, he ought to buy the corset beef and carbohydrate.

"But," explained the sales manager, "these tickets were sent to me by your Theatre Department."

FROM Abram Myers in Washington comes the following in reply to our inquiry on the recent William Rodgers code statement:

Think there has been too much controversy, and for the time being will await the report of the new board. Careful notes made during the negotiations, report of Allied’s negotiating committee and wax records of the proceedings at Minneapolis.

"If Allied directors think Rodgers statement should be answered, it will be, but in better temper and better taste than has been displayed by Rodgers."

ELY OBERSTEIN of the U. S. Record company informs us that there must be room for his firm in the record business and gives us the following figures, which are very interesting: In 1919, 22 manufacturers sold 107,000,000 records. That year was tops. In 1939, three manufacturers, he estimates, will sell over 100,000,000 records.

LOCAL studios in Mexico are idle owing to difficulties in obtaining adequate financing. It appears that Mexico may fall far short in production this year. Technicians and other studio people are considering leaving the country. Venezuela appears anxious to employ many of these people.

BECAUSE of a date elsewhere for luncheon we were unable to attend that party given at the Luncheon Club, in Radio City by Lynn Farrell for William Hebert and Murphy McHenry. Hebert is advertising and publicity director for Selznick-International, and McHenry occupies a similar post with the EdWald Small organization. The boys are here from the Coast on business.

Among Farnol’s guests at the luncheon were Monroe Greenthal, E. J. Churchill (Donahue & Co.), Virginia Morris, Dee Lowrance, Red Kann, Albert Margolies, Abel Green and Terry Ramsay.

RAV LEWIS will open her new theatre, the Pylon, on College Avenue, in Toronto, on Oct. 1, the date of her silver jubilee in the industry. The theatre will seat 750 and will be one of the first to have staggered seating, giving each seat clear vision to the screen.

Contract Talk Today

Studio Mechanics Union, Local 52, will meet with eastern producers’ representatives today for final discussions of a new contract. If an agreement is reached, terms will be submitted for ratification to a union membership meeting Tuesday.

Heads Quebec Censors

MONTRÉAL, July 6—Premier Maurice Duplessis of Quebec has appointed Pierre Gauthier, temporary head of the Province of Quebec film censor board, replacing Arthur Laramee, who was recently named a judge of Juvenile Court.

‘Lincoln’ Nets Denver Lead With $10,000

DENVER, July 6—"Young Mr. Lincoln" turned in a strong week at the Denver, grossing $10,000. In spite of the long wait, Arthur had to be taken, as most first runs were above average. Estimated taking for the week ending July 6 and 13 was $8,500.

"East Side of Heaven" (Univ.) ALADDIN—(1,800) (25c-60c) 7 days. 2nd week, Gross: $4,000. (Average, $560)

"Hotel Imperial" (Para.) DENHAM—(1,750) (25c-55c-40c) 7 days. Gross: $4,000. (Average, $560)

"Young Mr. Lincoln" (Para.) DENVER—(2,25) (25c-55c-40c) 7 days. Gross: $4,000. (Average, $560)

"Maidie" (M-G-M) STERLING—(1,80) (25c-55c-40c) 7 days. Gross: $4,000. (Average, $560)

"Stronger Than Desire" (M-G-M) HARRIET—(1,800) (25c-55c-40c) 7 days. Gross: $3,000. (Average, $450)

"Zeonita" (U.A.) DALLAS—(2,200) (25c-40c) 7 days. Gross: $3,000. (Average, $450)

"Sweepstakes Winner" (W.B.) RIALTO—(950) (25c-40c) 7 days, "Jaures" 3rd week. Gross: $2,000. (Average, $270)

School Films Deal Revealed By Hays

(Continued from page 1)

committee, headed by Dr. Mark A. May of Yale.

That the initial list of subjects may be increased materially is apparent from the fact that 154 films have been selected for review from the 15,000 thus far.

Rentals for the films will be based on one that includes a one-half year or a full year’s, whichever is greater, for a school year to three school years. Prices are $10 per subject for a half-year, $15 for one year, $25 for two years and $30 for three years. All prints will be 16mm., with sound and some in color.

The first order at least one year old and no features have been made available yet. Prints will go only to schools in the United States and shipping will be by Coast to Coast.

Seven Companies Participate

Participating companies are Columbia, Walt Disney, Educational, Loew’s, RKO, 20th Century-Fox and Warners. New participating are Paramount, United Artists, Universal, Monogram, Republic and Grand National.

The distributors reserve the right to withdraw any picture in small use in "protection of their contractual relationships," presumably referring to school film trade. Other safeguards of the exhibitors’ business rights include assurances from the supervising educators that all films placed at their disposal will be used exclusively for bona fide classroom purposes during school hours and that no copies be made.

A 320-page "Catalogue of Films for Classroom Use" is being mailed to school superintendents all over the country, compiled by Teaching Film Coordinators. There are an estimated $5,000 sound projectors in American schools.

UA Makes Changes

COLUMBUS, O., July 6—James Hende, United Artist salesman, has been transferred here from Toledo. He replaces George Jeffries, who has gone with Universal at Albany, N. Y.
**Frisco Gives 'Chips’ Good $8,500 Gross**

SAN FRANCISCO, July 6—Combination of “Big Town Czar” and Kay Kyser's orchestra at the Golden Gate brought a $8,500 daily to “Mr. Chips” drew a good $8,500 at the St. Francis, and “Maisie” paired with “You Can't Get Away With Murder” drew $8,500 at the Warfield.

Estimated takings for the week ending July 6:

- **“Big Town Czar”** (Univ.)
  - GOLDEN GATE—(2,850) 7 days, Stage: $12,000. Gross: $13,000. (Average, $1,857)
  - LABARR—(2,850) 7 days, Stage: $12,000. Gross: $13,000. (Average, $1,857)

- **Kay Kyser** (M-G-M)
  - ST. FRANCIS—(1,000) 7 days, Stage: $5,000. Gross: $5,000. (Average, $700)
  - TARZAN FINDS A SON—(M-G-M)
    - **Jones Family in Hollywood** (20th-Fox)
      - TARZAN FINDS A SON—(M-G-M)
        - FRAZER & DUMAS (2,000) 7 days. Stage: $7,000. Gross: $7,000. (Average, $1,000)

- **“Majesty” (M-G-M)**
  - **Naughty But Nice** (W, B)
    - Undercover (Buck) Par.
      - FOXX—(5,000) 7 days. Stage: $15,000. Gross: $15,000. (Average, $2,143)

- **“Good Girls Go To Paris” (Col.)**
  - **Outside Those Walls** (Col.)
    - ORPHEUM—(2,840) 7 days. Stage: $5,000. Gross: $5,000. (Average, $700)

- **“The Puritan” (Lenart-Int)**
  - LARKIN—(3,000) 7 days. Stage: $1,000. Gross: $1,000. (Average, $143)

- **‘Angels’ at $3,500 In Kansas City Lull**

  KANSAS CITY, July 6—"Only Angels Have Wings" took $3,500 at the Esquire. "Tarzan Finds a Son" and "Missing Daughters" at the Midland went for $10,000. The weather was warm.

Estimated takings for the week ending July 6:

- **"Only Angels Have Wings" (Col.)**
  - ESQUIRE—(800) 7 days. Stage: $4,000. Gross: $4,000. (Average, $571)

- **"Tarzan Finds a Son (M-G-M)**
  - MIDLAND—(800) 7 days. Stage: $4,000. Gross: $4,000. (Average, $571)

- **"Invitation to Happiness" (Para.)**
  - NEWMAN—(1,000) 7 days. Stage: $3,000. Gross: $3,000. (Average, $428)

- **"Charlie Chan in Singapore" (20th-Fox)**
  - FAY FRIER But No Fun—(20th-Fox)
    - UPTOWN—(2,000) 7 days. Stage: $1,000. Gross: $1,000. (Average, $143)

**Dubinsky’s Mother Dies**

KANSAS CITY, July 6—Mrs. Sarah Dubinsky, 63, mother of the Dubinsky brothers, who operate the Dubinsky circuit, died in the hospital here. All four sons are associated with the circuit: Edward Dubinsky, Durwood, Kansas; Alfred, St. Louis; William Dubinsky, St. Joseph, Mo.; and Irving Dubinsky, Leavenworth, Kans. Mrs. Maurice Schneider, wife of the former, who served as a manager at St. Louis, is a daughter.

**Indiana Outing Held**

LAKE WAUSAUE, Ind., July 6—Associated Thieves of Indiana are holding their annual outing here today and tomorrow, according to Don R. Rossiter, executive secretary.

**Previews of Films**

**They All Come Out**

(M-G-M)

Hollywood, July 6—Chief point of interest in “They All Come Out” and its primary commercial exploitation value is that the picture proves the Department of Justice’s contention that after sufficient education, training and humane discipline in various institutions, federal prisoners come out regenerated, reformed and useful members of the social order. If they remain incorrigible, they go to Alcatraz to yell their heads off while guards indulge in target practice with machine guns.

Made in cooperation with the Federal Bureau of Prisons, its purpose explained in a prologue conversation between ex-Attorney General Cummings and Prison Director James V. Bennett, the picture was produced by Jack Chertock, who with writer John V. Higgins, director Jacques Tourneur and cameraman Clyde De Vinna visited the various prisons shown.

As the corrective methods practised by the Government in several institutions are graphically pictured, youthful mobsters Rita Johnson and Tom Neal prove they have reformed, after release, by preventing a crime and reporting it to the police. Edward Gargan also reforms to reign his wife and family while moral detective John Gallaudet is cured. Unreformable Bernard Nedell, however, goes to Alcatraz.

Basically an illustrated lecture of how the Government tries to salvage hardened criminals and educate and train potential bad men, the picture nevertheless is legitimate melodramatic entertainment and one which should suggest the adaptation of fresh, new and interest-creating exploitation ideas.

Running time, 70 minutes. "G.**

G. McC.

**Second Bureau**

(Film Alliance of U. S.)

A spy drama, produced in England by John Stafford and distributed in this country by the recently formed Film Alliance of the United States, “Second Bureau” is mildly entertaining, without pretension of any sort.

The cast is unknown in this country, and therefore, the selling of the film will have to be confined to the melodramatic nature of the plot, however routine it is. The French spy who has succeeded in several brilliant coups against the Germans is trailed by a beautiful German girl, a spy for the German war office.

She is not clever enough for him, he learns her identity, but falls in love with her despite himself. Their plan to resign from the service and marry is frustrated by a second German agent, who plans a trap which shall result in the death of the French captain. To save him, the girl gives the alarm, and in the climactic capture of the German, she is killed.

W. Victor Hanbury directed from an original story by Charles Roberts and screenplay by Reginald Long. Marta Labarr plays the German spy, and Charles Oliver the French officer.

Running time, 60 minutes. "G.**

CHARLES S. AARONSON

**Typhoon Treasure**

(Ace Pictures Corp.)

The surging, typhoon-ridden China Seas provide the background for "Typhoon Treasure," and exciting background it is. The tropics affords excellent scenic opportunities for the camera, and the men behind the clan have taken full advantage of what nature provides. It is with the actors, the dialogue writer, and the others of the technical staff that fault may be found. The film was produced by Commonwealth Productions in Australia.

Campbell Copelin, Gwen Munro and Joe Vaili have the principal roles, their performances, individually and collectively, do not rate with Hollywood standards. Joe Vaili, as "Scotty McCleod," gives a performance that stands out.

Story deals with a young pearler who has lost his ship in a typhoon, and a villainous crew conducting a trading post. The pearler is rescued by the men at the trading post. A pact is made for the salvaging of the lost pearls, but there is an attempted double cross. Jean Roberts, a nurse at the post and the niece of the trader, is suspected of being in league with them by the young pearler, but of course all comes out well in the end.

Running time, 68 minutes. "G."**

JACK BANNER

**‘Good Girls’ $16,300 in 2 L.A. Houses**

LOS ANGELES, July 6—“Good Girls Go to Paris” and “Trapped in the Sky” led here with $16,300 at two houses July 5 at the Hillstreet and the $8,200 at the Paramount. The holiday exodus affected grosses adversely.

“Goodbye, Mr. Chips” continued strong with $6,500, in the seventh week at the 4 Star.

Estimated takings for the week ending July 6:

- **"Sussannah of the Mounties"** (20th-Fox)
  - **The Gorilla** (20th-Fox)
    - WARNER'S STATE—(4,000) 7 days. Stage: $16,000. Gross: $16,000. (Average, $2,357)
    - **"Who Done It?"** (20th-Fox)
      - WARNER'S STATE—(4,000) 7 days. Stage: $16,000. Gross: $16,000. (Average, $2,357)
    - **"The Gorilla" (20th-Fox)
      - WARNER’S STATE—(4,000) 7 days. Stage: $16,000. Gross: $16,000. (Average, $2,357)

**‘Sun’ Garners Fair $7,000, Washington**

WASHINGTON, July 6—The “Sun News” grossed $7,000 at RKO Keith’s, “Sun News at Winslow Square,” in a return engagement at Loew’s Columbia, took a good $4,900.

Estimated takings for the week ending June 29:

- **“Sussannah of the Mounties” (20th-Fox)**
  - **The Gorilla (20th-Fox)**
    - LOEW’S COLUMBIA—(1,400) 7 days. Stage: $1,400. Gross: $1,400. (Average, $200)
    - **“The Sun Never Sets” (Univ.)**
      - BN’S-FISH & CHIPS (500) 7 days. Stage: $700. Gross: $700. (Average, $100)

**Big Increase Made By Mutual Billings**

Mutual network billings for June amounted to $228,186, an increase of 1.27 per cent over the billing total for May, according to last June.

The June, 1939, billings are the highest for the month in the history of the network. They mark also the 44th consecutive month that Mutual billings have shown an increase over the corresponding month of the year before.

The cumulative total for the year amounts to $1,624,235, up 21 per cent. The billings for the corresponding six months in 1938 amounted to $1,342,179.
WE TOLD YOU SO!
Paramount's
"MAN ABOUT TOWN"
first week records:

New York . . . . . 150%
Memphis . . . . . 147%
Omaha . . . . . 141%
Detroit . . . . . 136%
Buffalo . . . . . 136%
Rochester . . . . 130%
Salt Lake City . . 129%
Springfield . . . 129%
Wilkes Barre . . . 125%

IT'S PERCENTAGE THAT COUNTS!

Paramount's
"MAN ABOUT TOWN"

SAN FRANCISCO beats record-making "Union Pacific"!
OAKLAND beats "Union Pacific"!
SEATTLE way out in front of "Sing You Sinners" and "If I Were King"!
PORTLAND, Oregon beats "Union Pacific" record!
SAN DIEGO ahead of "Union Pacific" record!
INDIANAPOLIS ahead of "If I Were King"!
LOUISVILLE ahead of "Union Pacific"!
TULSA ahead of "Union Pacific"!
MIAMI smashing way out ahead of "Union Pacific"!
LITTLE ROCK better business than "Union Pacific"!

"MAN ABOUT TOWN" record openings in Kansas City, Charlotte, New Haven, Hartford, Phoenix
"The Magnificent Fraud" "Our Leading Citizen", "The Star Maker" are on the way
<table>
<thead>
<tr>
<th></th>
<th>COLUMBIA</th>
<th>M-G-M</th>
<th>PARA.</th>
<th>REPUBLIC</th>
<th>RKO RADIO</th>
<th>20TH-FOX</th>
<th>U. A.</th>
<th>UNIVERSAL</th>
<th>WARNERS</th>
<th>MONOGRAM</th>
</tr>
</thead>
<tbody>
<tr>
<td>June 2</td>
<td>Lost Horizon (reissue)</td>
<td>Trapped In The Sky</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Across the Plains Mother</td>
</tr>
<tr>
<td>June 9</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Should a Girl Marry? Dave</td>
<td></td>
</tr>
<tr>
<td>June 16</td>
<td>A Woman Is the Judge</td>
<td></td>
<td>White Goddess</td>
<td></td>
<td>The Girl From Mexico</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Nancy Drew</td>
</tr>
<tr>
<td>June 23</td>
<td>Clouds Over Europe</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Waterfront</td>
</tr>
<tr>
<td>June 30</td>
<td>Parents on Trial</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Exile Express</td>
</tr>
<tr>
<td>July 7</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Singing Cowgirl</td>
</tr>
<tr>
<td>July 14</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Cowboy Quarterback</td>
</tr>
<tr>
<td>July 21</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Impersonator</td>
</tr>
<tr>
<td>July 28</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Impersonator</td>
</tr>
<tr>
<td>Aug. 4</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Impersonator</td>
</tr>
</tbody>
</table>

*Dates Are Based Upon National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After the *Titles* Denote the Following: (A) Adult, (G) General, (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action*
NEW film emulsions are indispensable to motion picture progress, but only proved reliability and uniformity make them practicable. Eastman Plus-X, Super-XX, and Background-X have those priceless qualities—hence the everyday use they are enjoying throughout the industry. Eastman Kodak Company, Rochester, N.Y. (J. E. Brulatour, Inc., Distributors, Fort Lee, Chicago, Hollywood.)

EASTMAN

PLUS-X
for general studio use

SUPER-XX
for all difficult shots

BACKGROUND-X
for backgrounds and general exterior work
Newsreel Parade

French fleet in war maneuvers, President Roosevelt, fire in London and area's worst fire in 30 years, constitute the greater portion of the new issues. The reels and their contents follow:


Spain Makes First Reform Upon Films

BARCELONA, July 6.—The Spanish Film Board, an association of distributors, has agreed to interdict official syndicated service including all motion picture activities. This is the first step in the reorganization of the film industry under the Franco regime in Spain.

The group will be directly responsible to the chief of the syndical services, and its president will be appointed by him. The syndical services are labor organizations.

National president is Ulloa Vallescar, the former executive. Vice-president is Enrique Aguilar, managing director of Hispano-American Films. Vallescar's number one sub-syndicary, Vidal Batet of Paramount also has been named as an official of the new film organization.

Blumenstock Goes West for 3 Weeks

Mort Blumenstock, in charge of advertising and publicity in the East for Warner Bros., leaves for the coast today for conferences with Charles Einfeld, director of advertising and publicity. Mr. Blumenstock is busy preparing for forthcoming productions. Blumenstock will be away about three weeks.

Standard Offices Here

Standard Pictures Distributing Co., a subsidiary of Standard Pictures Productions, Inc., Hollywood, has opened two New York sales offices in the RKO Building. The general manager of the company is Mort Blumenstock who has been appointed George Trainor as general manager and secretary. The new branch office is the production in the Fall, with “20,000 Witnesses.”

 lynn, July 6.—L. L. Hut-
4A's Refuse Green Offer; Trial Today

AFA Repeats All Denials, Assails 'Persecution'

Offers by William Green, president of the American Federation of Labor, to appoint a mediation board for the hearing by the Associated Actors and Artists of America of charges against American Federation of Actors was refused Friday at a special meeting of the 4-A's international board.

Trial will start at 11 A.M. today at the Bar Building. The hearings will be closed to the public and press.

Fears Bad Precedent

A 14-page reply to the charges was submitted at the meeting by Abraham J. Halprin, A.F.A. attorney. They set forth in legal phraseology the answers, previously given by Sophie Tucker, A.F.A. president.

Frank Gillmore, 4-A president, stated Friday that the mediation offer has been turned down because it "would be a bad precedent," it would not be binding on both sides and that it would result in a loss of effort.

Calls Trial Improper

In reply, the A.F.A. declared that it had offered to accept the mediation effort as final and that the legality of such move had been approved by Paul N. Turner, counsel.

Halprin reiterated that in his opinion today's trial would be improper and that he would not abide by the result if it was unfavorable.

No estimate of the duration of the trial could be obtained but it was learned that Gillmore has hired the hearing room for morning and afternoon sessions for one week.

The A.F.A. reply to charges declared (Continued on page 6)

Swanson's Death Delays Neely Bill

WASHINGTON, July 9—Due to the death of Secretary of the Navy Swan- son, former senator from Virginia, the Senate Friday adjourned after a 15-minute session, again delaying consideration of the Neely bill.

The session of the Senate will be Monday, at which time, if any business is considered, it is expected that Senator Harrison will move to set the Neely bill aside to take up the social security legislation, thus making it probable that the bill measure will not come up for considera- tion before the middle of the week.

Trendle Resigns As United Detroit Theatres Leader

George W. Trendle resigned late last week as president and operating head of United Detroit Theatre Corp., following discontinuance of extended negotiations with Paramount over a renewal of his operating agreement with the circuit.

Barney Balahan, Paramount presi- dent, said that no successor to Trendle had been decided on yet. He said that no other officials of United Detroit are affected by the resignation and declared that the theatres would not be placed under operating direction of B. & K.

Trendle will devote his entire time to his growing radio interest in De- troit and throughout Michigan, the increasing importance of which is said to have influenced his decision to re- sign his theatre post.

He is president of Michigan Radio Network, which includes nine stations in principal cities in the state, and heads the King-Trendle Broadcasting Corp., operating Station WXYZ, De- troit.

In addition, his radio interests include ownership of The Lone Ranger and The Green Hornet programs.

Trendle is a veteran theatre opera- tor, having been an organizer and founder of the Kunsly-Trendle circuit in Detroit, which subsequently was sold to Paramount and became the present United Detroit Theatres.

It is understood that he will continue in charge of the theatre company's af- fairs until a successor has been named.

Chicago B-K Trial Postponed to Fall

Chicago, July 9.—Resump- tion of the government con- tempt suit against Balahan and Katz and the majors is scheduled for Sept. 5. The suit was adjourned Friday with presentation of doc- uments regarding film rentals and testimony on picture clas- sifications by Aaron Jones, Sr.

Connecticut Fights High Film Rentals

NEW HAVEN, July 9.—Connecticut M.P.T.O. and Allied Theatres of Connecticut have joined in launching a campaign against higher film ren- tals which they say are being asked for new contract period. The cam- paign includes a protest against sales- men's attempts to "force" exhibitors to take certain films at subjects with new sea- son's features.

Campaign will be launched with an advertisement in Monday's Morton Picture Daily reproducing a pro- test and resolution adopted at a joint meeting of the two exhibitor organiza- tions here last week.

Leaders of the protest campaign say that "while Connecticut exhibitors are not out for any blood, they feel that returns at the box-office for some time have been so poor as to necessi- tate reduced rentals to permit them to stay in business.

400 Broadcasters Attend Atlantic City Convention

ATLANTIC CITY, July 9—Annual convention of the National Associa- tion of Broadcasters opens tomorrow morning at the Ambassador Hotel here, with about 400 broadcasters ex- pected to attend the three-day session.

The morning session tomorrow will be devoted to meetings by the clear channel, regional and newspaper- owned groups.

Following a luncheon tendered by the Bureau of Radio Advertising Sales Managers Division, the after- noon sessions will begin with a meet- ing of the L.R.N.A. group. The Copy- Committee will meet during the evening.

Neville Miller, president of the N.A.B., will deliver his annual report at Tuesday's opening session. The afternoon will be devoted to a dis- cussion of the newly-formulated broadcasting code.

Wednesday, the convention will be addressed by Elmer Andrews of the Department of Labor, and during the evening by Will Hays, president of the M.P.F.D.A., who will address the convention from his office in Holly- wood via a special line "piped" to the convention headquarters. The speech will be broadcast.


Independent Code Stand By N.Y. Allied

Continues Negotiations For Pact in State

New York Allied at its meeting in Syracuse last week ignored the rejection of the industry trade practice code by its parent organiza- tion, national Al- lied States, and appointed a five- man committee to continue negoti- ations with distrib- utor representa- tives in an effort to obtain a fair trade practice code for the state of New York, "it was disclosed in a weekend state- ment from Max A. Cohen, presi- dent of New York Allied.

Whether or not the state unit's ac- tion in refusing to follow the lead of national Allied in the code implies or will lead to a complete break away from the parent organiza- tion was not immediately certain.

Cohen's Statement

Cohen refused to comment on this phase of the state organization's ac- tion, confining himself to his prepared statement, which follows.

"At a statewide meeting of New York Allied held at Syracuse, N. Y., July 6th, in view of the rejection of the proposed Fair Trade Practice Code by the national organization at Minneapolis, the members present re- affirmed the New York unit's oft-re-peated policy of doing all within its power to keep negotiations alive and thus endeavor to eventually bring about proper and adequate regulation of the industry from within.

Code Committee Authorized

"New York Allied feels this can- and should be done, and, therefore, meeting resolved and directed that a committee of five be appointed to con- fer with the Distributors' Committee for the purpose of evolving a Fair Trade Practice Code for the State of New York. This committee was au- thorized and empowered to conclude negotiations with the distributors in the event that a satisfactory doc- ument could be evolved which would embody with definite clarity the intent

(Continued on page 6)
**Insider’s Outlook**

*By SAM SHAIN*

**PASSES** and managerial courtesies often become a substitute for a reduced scale. Massachusetts exhibitors are now taking steps to correct it. Company sales managers have been urged to help.

Other exhibitors in other parts of the country might serve themselves well by taking similar action.

The Allied Theatres of Massachusetts, Inc., an affiliate of the M. P. T. O. A., has initiated the first of the organized complaints and has communicated with the companies about it.

Certain theatres in and around Boston, according to what we hear, as unbelievable as it may seem, actually permit free admissions, while others under the guise of service charges really operate on a 5 and 10-cent scale.

Some theatres distribute thousands of passes carrying only a service charge. Others use newstands and shop counters for distribution of passes.

Sample passes have been sent to the sales managers and among these is a so-called "introductory pass" by which the holder obtains free admission to the particular theatre until 5 p.m. After 5 p.m., a service fee of 10 cents is charged.

The entire situation is contrary to good showmanship, violates the practices of fair competition and is destructive to the basic merchandising rules.

**DAVID SELZNICK** has conceived a novel and practical way to popularize the title of his forthcoming picture, "Intermezzo," to be released by United Artists. In association with George Fisher, Hollywood radio commentator, there has been arranged a nationwide radio forum and contest on the film. Prizes will be awarded to create advance audience appeal by encouraging suggestions from the public. Fisher's broadcasts will be twice weekly, on Saturdays and on Wednesdays, over approximately 150 stations of the Mutual network.

**E. H. MAYER** says that the tendency in Cincinnati is away from chance games since the city imposed restraints on the store last November, and gives an idea of the inroads chance games have made on theatres. Figures released by the Cincinnati Police Department show that there were 1,089 games during the first six months of the year, playing to a total audience of 1,050,002. Total receipts were $898,612.07. Prize money totalled $195,213.30.

**DAN PARKER,** sports editor of the N. Y. Mirror has written to Tony Galento, heavyweight contender, the following letter: "Dear Tony: They're calling you 'The Man in the Iron Mask' since you took those walkoffs from Louis where you usually take your bear, namely in the mosh. Therefore, my bold fellow, please accept this iron mask which the United Artists Company, distributors of the picture, 'The Man in the Iron Mask,' has asked me to send you. If you have no use for the iron mosh, I understand, has just lost another decision. Sincerely, Dan Parker."

Incidentally, there will be an international short wave broadcast on behalf of "The Man in the Iron Mask," produced by Edward Small, on July 14.

**SAM SHAIN** at Nick's Hunting Room was in the Astor for lunch Friday, Mrs. Sidney Phillips, Ben Boyer, Harold Buckley, George Skouras, Edward Golden.

**M. B. Hostler,** Fox Capitol Theatre, Sacramento, Calif., was a visitor at the RKO lounge on Friday.

**May Robson,** after a two-week vacation at home, returns to Hollywood tomorrow.

**RKO Lounge Visitors**

The following out-of-town visitors were recent guests at RKO's executive lounge: Mr. and Mrs. Roy E. Harrold and daughters, Princess Carolina and Misses Mary and Elizabeth; Mr. and Mrs. William C. Kennedy, Kenworthy Theatre, Moscow, Idaho; Clement Lococo, Gran Teatro Obras, Buenos Aires, Argentina; and Guy P. Moreau, United Artists representative, Buenos Aires.

**Mrs. Dooley Rites Scheduled Today**

**PHILADELPHIA, July 9.—Funeral services will be held here tomorrow for Mrs. Mary Dougherty Dooley, 76, mother of the famous "Four Dooleys" of the stage, who died Friday at the home of a daughter, Mrs. George Vaughan, at Upper Darby, Philadel-
phia suburb.**

Mrs. Dooley was taken ill in Atlantic City last week. With her when she died was Ray Dooley, who is the wife of Eddie Dowling, actor-produ-
ducer. Dowling left left Friday night from Philadelphia via Cuba to Long Island. Mrs. Dooley was never on the stage herself, but the "Four Dooleys," Ray, Johnny, Gordon and William, were famous for years. The latter three died within a period of six years, and Ray and Mary, Mrs. Vaughan, are the only surviving children.
"AS GREAT AS ‘MONTE CRISTO’!" IS THE UNANIMOUS VERDICT OF THE PREVIEW CRITICS ON EDWARD SMALL’S PRODUCTION OF ALEXANDER DUMAS’ MASTERPIECE. WATCH FOR THE BOX-OFFICE’S CONFIRMATION AT THE WORLD PREMIERE ENGAGEMENT, THURSDAY, JULY 13th, AT RADIO CITY MUSIC HALL.

"Showmen who have been waiting for Small to give them another picture like ‘Monte Cristo’ needn’t wait any longer. This is it."
—Motion Picture Daily

"Highly entertaining. Substantial entertainment for general appeal."
—Variety

"For those who like roistering melodrama, it is just their meat."
—Louella Parsons, International News Service

"Appeal to a wide following indicates high expectations of its popularity at the box-office."
—Hollywood Reporter

"Box-office dynamite... one of the most impressive pictures of the year. Small who won distinction by making ‘Monte Cristo’ has lost none of his flair for bringing to the screen the immortal Dumas."
—Box-Office

“Small delivers a winner to U.A. in this stirring, splendid picture. Top-flight box-office entertainment for mass and class.”
—Daily Variety

“Romantic adventure accomplished in a dash- ing and engrossing manner. Rip-roaring ac- tion.”
—Los Angeles Times

EDWARD SMALL presents
The Alexander Dumas Classic

THE MAN in the IRON MASK
a James Whale Production starring

LOUIS HAYWARD and JOAN BENNETT
with Warren William • Joseph Schildkraut • Alan Hale
Directed by James Whale • Screenplay by George Bruce

RELEASED THRU UNITED ARTISTS
PHILADELPHIA, July 9.—Aided by a cool west breeze over the holiday period, the theatres did fair business. "Goodbye, Mr. Chips" was a real box-office winner at the Fox with $19,500. Estimated takings for the week ending July 6:

- "Only Angels Have Wings" (Col): Gross $19,000 (25c-30c-35c), 7 days.
- "Goodbye, Mr. Chips" (M-G-M): Gross $19,000 (30c-35c-40c), 7 days.
- "Naughty But Nice" (W.B.): RKO Palace, Philadelphia, $5,700 (days stage), 7 days. (6 days stage), Stage: Milt Britton Band, $1,000. (3,000), Average, $160. (Average, $160).
- "Invitation to Happiness" (Para): CARLTON—(1,000), (35c-40c-45c), 6 days. 2nd run, Gross $4,000, (4 days, $7,000, 4 days, $6,000). 4 days, $6,000, 4 days, $6,000.
- "Jupiter" (W.B.): PALACE—(2,200), (85c-90c), 9 days. 2nd run, Gross $4,000. (Average, $4,500).
- "Man From Nowhere" (R.K.O.): STANLEY—(1,700), (30c-35c-40c), 7 days. Gross $11,000, Average $1,571.
- "Captain Fury" (U. A.): PALACE—(1,000), (35c-40c-45c), 7 days. 2nd run, Gross $6,000, Average, $857.

CINCINNATI, July 9.—"Maisei" was the outstanding grosser, giving Keith's a big $6,600. "Naughty But Nice" had a good $3,100 second week at the RKO Grand, but other houses were below average. Estimated takings for the week ending July 6:

- "Tarzan Finds a Son" (M-G-M): RKO ALHENA—(1,000), (35c), 7 days. Gross $3,000, Average $428.
- "Invitation to Happiness" (Para): RKO ROYAL—(1,000), (35c), 7 days. Gross $3,000, Average $428.
- "Man From Nowhere" (R.K.O.): RKO CAPITOL—(2,000), (35c-40c), 7 days. 3rd week, Gross $3,100, Average, $650.
- "Five Weeks in a Balloon" (U. A.): PALACE—(1,000), (35c-40c), 7 days. 2nd run, Gross $1,100, Average $160.
- "Naughty But Nice" (W. B.): PALACE—(2,300), (35c-40c-45c), 7 days. 2nd run, Gross $1,100, Average $160.
- "Code of the Secret Service" (F.N.): PALACE—(2,000), (35c-40c), 7 days. 3rd week, Gross $1,100, Average, $650.
- "Maisei" (M-G-M): LITITE—(30c-40c), 5 days. Gross $6,000, Average, $1,200.

"Kokomo" and 'Drew" $7,200, Providence

PROVIDENCE, July 9.—The Majestic's dual, "The Kid From Kokomo" and "Nancy Drew, Trouble Shooter" took $7,200 for the best comparative gross. Fine product and the Barbra-Ling circus hurt business. Estimated takings for the week ending July 6:

- "The Kid From Kokomo" (W.B.): MAJESTIC—(2,300), (25c-30c-35c), 7 days. Gross $2,200, Average, $314.
- "Nancy Drew, Trouble Shooter" (W.B.): MAJESTIC—(2,500), (25c-30c-35c), 7 days. Gross $2,500, Average, $357.
- "Sitcom Life" (Para): STRAND—(1,000), (25c-30c-35c), 7 days. Gross, $1,100, Average, $160.
- "Stronger Than Desire" (M-G-M): LOEW'S STATE—(1,000), (25c-30c-35c), 7 days. Gross $2,200, Average, $314.
- "Sustained of the Mountains" (20th-Fox): CARLTON—(1,200), (25c-30c-35c), 7 days. 2nd week, Gross $2,300, Average, $333.

PREVIEWS OF FILMS

"Bulldog Drummond’s Bride" (Paramount)

HOLLYWOOD, July 9.—Climaxing the series of H. C. McNeil "Bulldog Drummond" stories which Paramount has been making, "Bulldog Drummond’s Bride" is an amusing combination of crime drama, comedy romance and farce-tinged action. It takes a surprising twist in the concluding sequences when Heather Angel (Phyllis) so fixes things that it is no longer possible for John Howard (Drummond) to defer marriage.

Directed by James Hogan, who made two previous pictures in the series, the McNeil story was adapted by Stuart Palmer and Garnett Weston, who individually or in collaboration, prepared most of the screenplays which featured the regular Howard, Angel, H. B. Warner, Reginald Denny, E. E. Clive and Elizabeth Patterson cast. Supporting players this time include Eduardo Ciannelli, Gerald Hamer, Adrienne D’Ambricourt, John Sutton and Louis Mercier.

Rounding a London bank, Ciannelli cleverly escapes capture and hides the loot in a radio in Howard’s apartment. Howard, who is eager to get to France to marry Miss Angel, has little enthusiasm for helping Scotland Yard Inspector Warner solve the case. The detective’s furniture is packed for shipment across the channel before Ciannelli can recover the money.

When action transfers to a little French town where the waiting Miss Angel is determined that Howard shall no longer postpone the wedding, the picture assumes a farce character. However, between Howard, Warner, Clive and squads of French police, Ciannelli is steadily being recovered. Miss Angel needs no help in leading Howard to the altar.

Running time, 55 minutes. “G”

G. McC.

"Wyoming Outlaw" (Republic)

Unusual in plot and treatment, “Wyoming Outlaw” is a western which packs a punch not found in every action film. Departing from the customary theme of cattle rustlers, the story depicts the plight of a family in the Dust Bowl which is unable to obtain employment because of the machinations of an unscrupulous politician and is also barred from the relief rolls because it owns worthless land. Exhibitors who do not usually show westerns might find in “Wyoming Outlaw” a novelty.

The Three Mesquittes, John Wayne, Ray Corrigan and Raymond Hatton, are ably supported by Donald Barry, the young outlaw. Barry, the son of the unfortunate Parker family, obtains food for the household by occasionally rustling a steer and poaching in the game preserves. The Mesquittes offer him a job, which he gratefully accepts, but the game wardens refuse to permit him to enter the grazing fields because of his previous record. Angered, Barry attempts to kill a doe but is arrested and jailed.

While in jail, he learns that LeRoy Mason, the politician, has assaulted the elder Parker when the latter offered to testify about the local graft. Barry escapes is shot down together with Mason after a long hunt by a posse. The State Senate takes action and the politicians are ousted. Interspersed are many chases, fist fights and gun battles.

William Berke was associate producer and George Sherman directed. Jack Nettleford wrote the original story and, with Betty Burbridge, the screenplay.

Running time, 57 minutes. “G”

Ed Greep

**“G” denotes general classification.**

ARGENTINE PICTURES

Gaining in Uruguay

MONTEVIDEO, Uruguay, July 9.—French and Argentine productions are becoming increasingly popular in this country. French films are notably successful in the big towns; while the Argentine films, in Spanish, are enjoying excellent business in the neighborhood houses. American films are no longer considered altogether necessary to the programs of the smaller theatres, and many of them show Spanish-speaking Argentine films exclusively.

For example, the 67 houses in this city, during the week showed 75 American films, 28 Argentine, 18 French and a scattering of other foreign products. The film patrons of this country also are coming to demand newsreels, which they cared little about before.

Several new theatres are planned here, notably the Trocadero, a 2,000-seat house to be built by the Grucks-mann circuit.

‘Town’ Gets $5,600, Leads in Milwaukee

MILWAUKEE, July 9.—Except for "Man About Town" and the "Gracie Allen Murder Case," which combination grossed $5,600 at Fox’s Palace, business was generally poor.

Estimated takings for the week ending July 6:

- "Man About Town" (Para):
  - "Gracie Allen Murder Case" (Para): PALACE—(400), (25c-35c-50c), 7 days. Gross, $4,300, Average, $614.

- "They Asked for It" (Univ):

- "The Sun Never Sets" (Univ): STRAND—(400), (25c-35c-50c), 7 days. Stage: Opera, Gross $800, Average, $114.

Seek Ouster of Fox Theatres Trustees

The Trust Co. of Georgia, 400,000 creditor of Fox Theatres Corp., asked Federal Judge Knox in an application filed in the District Court Friday, to restrain consummation of the plan of liquidation of Fox Theatres filed Friday by Milton Weisman and Kenneth Strenich as trustees pending hearings on objections to the accounting filed by Weisman.

The petition, which was signed by Robert Aronstein as attorney for the creditors, asked for the ap- pointment of a temporary receiver to replace the trustees. Judge Knox has indicated that he will appoint a ref- eree to conduct hearings on claims of mismanagement and waste raised by creditors to the final accounting as former receiver of the company.

Headliners Awards For Newsreel Shots

The National Headliners Club, at its convention at Atlantic City Friday, included the following in its list of awards for outstanding achievements:

To A. T. Hull, Jr., of Pathe News, for newsreel shots showing the bombing and capture of Canton by the Japanese, considered the best newsreel in the foreign field.

To Al Brick of Fox Movietone News for the domestic newsreel of the year—the fatal injury of Capt. A. L. Parke at a Monterey, Calif., polo match.

To Jack Knell of WEEI, Boston, for his account of the rescue of 27 survivors from the sunken aircraft, the best radio reporting of a news event.

New Cagney Contract

James Cagney has signed a new long-term contract, replacing his present one which expires next October, it was announced over the week end by Jack L. Warner, vice-presi- dent of Warners, who announced that John Paul Jones, Cagney's agent, will begin work today in "The Roaring Twenties" by Mark Hilleligner.
CONNECTICUT INDEPENDENT EXHIBITORS PROTEST!

The trend of falling grosses at the theatres and rising profits to distributors generally, as evidenced by a few among hundreds of headlines.

"U" Gross up $2,000—$10,000 in Last Year—M. P. Daily

"Film Biz Does Nose Dive; 1st March Slump in 5 Yrs."
—Variety

Para. Second Quarter Earnings Are Up—Box Office

B & K Receipts for Ist 14 Weeks New Year Show Drop of 41/2%—Film Daily

"Loew's 12 Week Net Above 1937"—M. P. Herald

Dog-Days and Summer Doldrums Again Find Circuits Worrying Over Flow of $5 Films—Box Office

CONNECTICUT INDEPENDENT EXHIBITORS ACT!

Whereas theatre grosses have been constantly falling for the past year and now dropped to an alarming degree, and

Whereas, the prices of film rentals have been constantly rising contrary to the business trend, and

Whereas, said film distributors are forcing the sale of shorts and newsreels, contrary to the spirit of the code they offer to the trade.

NOW THEREFORE, be it

RESOLVED, that we, the independent exhibitors of Connecticut, in meeting assembled this 27th day of June, 1939, at the Hof-Brau, New Haven, demand decreases in film rentals for the ensuing year, commensurate with the drop in grosses, and be it further resolved, that we will not be coerced, directly or indirectly, into the buying of shorts and newsreels.

IRVING C. JACOCKS, JR., Pres., M.P.T.O.

MAURICE SHULMAN, Pres., Allied
4A's Refuse Green Offer; Trial Today

(Continued from page 1) that benefit funds had been borrowed for general use, but that they had since been returned and set up in a special account. Purchase of a $1,700 car for Ralph Whitehead, executive secretary, was defended on the ground that the automobile was needed for union activity and that the 4-A's had no right to interfere in such internal matters. Commissions and expenses used by collectors out of dues payments was defended on the ground that union finances made it necessary and that it was frequently done for other unions, including 4-A members. The answer denied that Whitehead controlled the union and stated that Miss Tucker was its most active member. Union meetings were conducted democratically in accordance with by-laws approved by the 4-A's, and no member was ever refused the floor, it was said. Scattering of membership over the country made full membership and council meetings impossible. The investigation was limited to the question of larceny of Sunday and did not extend to other matters, it was asserted. Refusal to show books of the Los Angeles office to the investigating committee was an offer to show them to an "impartial accountant" was made.

Financial difficulties and trade organization of film houses with stage presentations impossible, but future success is expected, it was alleged. The trial began and ended by "prosecutor and judge," the answer said, and every member of the board will be called as a witness.

N.Y. Allied Standing Indepependent Code

(Continued from page 1) of the proposed code reached at Chi-

The committee appointed consists of Max A. Cohen, Chairman, Happ Merriman and S. Grossman of Syracuse, Mitchell Copsey of Rovers and Ray Pashley of Interlaken, with H. Laurence of Cattaraugus as alternate. "It was also resolved and ordered that membership books of the organization be officially closed as of Sep-

The meeting was highlighted by the unofficial visit of Fred Meyers of RKo and Meyer Shiner who dropped in for an informal greeting.

Seeks to End Writ In Ohio Game Suit

Troy, O., July 9—Andrew Atten-

weller, suing Troy Amusement Co., for alleged violation of the Ohio lottery law in the operation of Bank Night at the Mayflower, has filed a demurrer to the petition and a motion to dismiss it, according to Margaret Lindsay, former employee of the Bank, who seeks contributions for the home but treats the inmates with the utmost cruelty.

Stanley Fields, reformed racketeer, with a suspended sentence hang-

ing over him, takes over the home, with the help of Ronald Reagan, his nephew and attorneys, and Margaret Lindsay, former employee of the home who is rehired by Fields. With the connivance of a former henchman of Fields, the home's founder brings "ringers" into a hockey match between the boys' team and an orphanage, and when Fields gets into a fight, he automatically violates his parole.

The picture's dramatic highlight occurs when, after the death of a boy placed in a refrigerator as punishment, the boys capture the home's head, try him in a kangaroo court, and sentence him to death. Fields arrives in time to save the boys from their mistake, points them in the right direction, and leaves to serve his term.

Louis Seiler and Michael Curtiz directed from a screenplay by Crane Wilbur and Fred Niblo.

Running time, 81 minutes. "G.*"

Charles S. Aaronson

RKO Baseball Nine Wins Disputed Game

Motion Picture Baseball League has named RKO winner of the game with Consolidated which ended in dis-

pute, necessitating an elimination se-

ries to determine the holder of sec-

ond place for the first half season.

Games scheduled this week in-

clude today, RKO vs. M-G-M; Tues-

day, Rockefeller Center vs. Columbia; Friday, Consolidated vs. Paramount, and Saturday, Skouras vs. NBC.

Edwin Carewe Takes Rallies

Hollywood, July 9—Edwin Ca-

rewe, veteran director of silent-day films, is rallying from a heart attack which he suffered Wednesday.

Patent Suit Dismissed

Patent infringement suit of Virgil C. Critts against Warner Bros., Pic-

tures Corp., Radtree Patents Corp., United Research Corp., Albert A. Kradke, Leonard Day, and Thomas J. Martin was dismissed Friday by Fed-

eral Judge Mortimer W. Byers who ruled that no evidence of infringe-

ment had been produced at the trial.

Nicholls Sues Republic

Los Angeles, July 9—George Nicholls, Jr., film director, Friday filed in Superior Court a suit against Republic seeking $5,500 back pay al-

legedly due him under a contract which he claims was illegally termin-

ated by the company.

New York Review

"Hell's Kitchen" (Warners)

The "Dead End Kids" once again prove that they are individually capable actors and that, in unison, they are a remarkably cooperative group of young performers.

In "Hell's Kitchen," which is a competent blending of melodramatics, humor and occasional touches of straightforward drama, the boys are among the victims of the unscrupulous "founder" of a boys' home, who seeks contributions for the home but treats the inmates with the utmost cruelty.

Stanley Fields, reformed racketeer, with a suspended sentence hang-

ing over him, takes over the home, with the help of Ronald Reagan, his nephew and attorneys, and Margaret Lindsay, former employee of the home who is rehired by Fields. With the connivance of a former henchman of Fields, the home's founder brings "ringers" into a hockey match between the boys' team and an orphanage, and when Fields gets into a fight, he automatically violates his parole.

The picture's dramatic highlight occurs when, after the death of a boy placed in a refrigerator as punishment, the boys capture the home's head, try him in a kangaroo court, and sentence him to death. Fields arrives in time to save the boys from their mistake, points them in the right direction, and leaves to serve his term.

Louis Seiler and Michael Curtiz directed from a screenplay by Crane Wilbur and Fred Niblo.

Running time, 81 minutes. "G.*"

Charles S. Aaronson

"G.*" denotes general classification.
“Authority”

“I MUST EXPRESS THE HIGH REGARD WE HOLD FOR THE MOTION PICTURE HERALD, WITHOUT A DOUBT THE WORLD’S FINEST AUTHORITY ON MOTION PICTURE AFFAIRS”

H. P. DARBY
Manager

Motion Picture Herald, $5.00 a year Domestic, $10.00 Foreign; 52 issues with which is combined Better Theatres, 13 issues yearly.

TE AROHA AMUSEMENTS LTD.
TE AROHA, NEW ZEALAND

MOTION PICTURE HERALD
ROCKEFELLER CENTER
NEW YORK
The NATIONAL SCREEN TRAILER running in advance of your show is the only medium of advertising that gives you that double selling-punch!

For, while newspapers, magazines and posters MAY be seen by your customers—how can you tell how many?

And, though radio advertising MAY be heard by your customers—how can you tell how many?

But—with NATIONAL SCREEN TRAILERS on your screen—you are CERTAIN that your customers SEE and HEAR your sales message.

You KNOW because they are inside your theatre, watching your screen. A 100% audience every time you run the trailer.

That's what makes NATIONAL SCREEN TRAILERS the cheapest, most effective, most consistent advertising you can buy!
**MAXWELL OFFERS NEW BOOKING IDEA TO BRITISH TRADE**

**Capra-Riskin Team Likely To Join U.A.**

Hollywood, July 10—According to authoritative sources, Frank Capra and Robert Riskin may produce for United Artists release in the future.

Capra and Riskin today formed Frank Capra Productions as an independent enterprise to which they will devote their future.

Capra thus ends a 13-year affiliation with Columbia during which time he directed such successes as "It Happened One Night," "Lost Horizon" and "You Can't Take It With You."

The Capra-Riskin banner would be hoisted to the U. A. mast along with such producers as Alexander Korda, David Selznick, Samuel Goldwyn, Walter Wanger, Ernst Lubitsch, Edward Small, Sol Lesser, David Loew, Mary Pickford, Hal Roach and Charles Chaplin.

Riskin has been Samuel Goldwyn's major domo and Capra has been a...

**CEA to Act Upon Drastic Plan to Aid 1,000 Independents**

By AUBREY FLANAGAN

London, July 10—The general council of the Cinematograph Exhibitors' Association on Wednesday will consider for the first time a revolutionary production and booking scheme under which a group of independents, possibly totaling 1,000, would be assured a continuity of product, backed by John Maxwell.

Maxwell last June informally proposed the formation of a booking block interested in pictures offered in collaboration with the product of Associated British Pictures Corp. Maxwell's company. The latter is said to have offered to back the plan financially.

Presumably, a group of independents designated by the C.E.A. would receive preferential bookings with the A.B.C. circuit for films produced at Elstree, and either made by or guaranteed financially by Maxwell.

The plan, if made effective, would present such formidable opposition to...

**11 Quebec Theatres Reopen; Gross Fine**

Quebec, July 10—Despite counter attractions, arrival of three U. S. battleships and fine weather, most of Quebec's eleven theatres reported better than average matinee attendance as they reopened today after being closed five weeks ago.

The five weeks' dispute between municipal authorities and theatre owners was ended when Premier Dufresne intervened to recommend abolition of the ten per cent amusement tax increase imposed by the city.

The Capitol, Quebec's largest theatre, reported an "average" matinee, while all other houses said attendance was increased over the same date last year.

All theatres forecast a busy night with more than 2,000 naval men coming ashore.

Pictures of the royal visit and the Louis-Galante fight were particularly popular. French theatres ran double and triple bills.
Kilroe to Sail
On Copyright
Study Abroad

Edwin P. Kilroe, representing the M.P.P.F.D.A. copyright committee, will sail on the Normandie tomorrow to make a survey of European sentiment in connection with the proposed amendment of the Berne Convention on international copyright, of which the United States may become a member in the near future.

Changes in the Convention will be considered at a meeting in Brussels next spring. Amendments with which the film and other American industries interested in copyright are concerned include those limiting the re-rerights in the moral rights clause of the Berne Convention to give a producer the right to re-arrange, adapt and change stories and music, which is now involving international copyright in London and Budapest and Paris.

Kilroe will obtain the views of representatives of the leading European members of the Convention on the other changes. One, in accordance with American law, would make the producer of a film the author instead of accrediting authorship of this motion picture to many participating in its production, including the writer of the screen story.

As copyright adviser to 20th Century-Fox, Kilroe also will be concerned with two copyright cases involving the company which are in litigation in England and Holland, and will take testimony in two other actions involving international copyright in London and Budapest and Paris.

Fly NON-STOP to
CHICAGO
Two Flights—
4:00 P.M.
5:30 P.M.

SIX OTHER FLIGHTS TO CHICAGO ELEVEN FLIGHTS TO PITTSBURGH.

10% Discount on Round Trips
Schedule shown are Standard Time
Phone Travel Agent or at 66 6-1640

Tuesday, July 11, 1939

Motion Picture Daily
MAURICE RUBIN, president of the Associated Press Theatre Owners of India, and operator of four houses here, broke his ankle while playing baseball.

William C. Gehring, central division sales manager for 20th Century-Fox, left for Chicago yesterday to attend an S. R. Kent sales drive meeting and confer on a booking deal with Balaban & Katz. He will return early next week.

Sir Robert Vansittart, chief diplomatic adviser to the British Government, has been signed by Alexen-ders to write the lyrics and dialogue for the new color feature, "Thief of Bagdad."

EARL WINGARD of the publicity depart-ment of 20th Century-Fox, returned to his desk yesterday after a vacation spent on Long Island.

ROGER GARRETT, organist at Loew's Ohio, Columbus, is in New York on his first vacation in several years.

BERT Lahr is in New York from the coast for a visit.

S. A. G. Will Force
Talent Agent Issue

Master of licensing talent agents will be disposed of by agreement within a month on the Coast, no cooperation will be reached, Kenneth Thomson, executive vice-president of American Actors Guild, declared yesterday. Thomson is in town for the trial of charges against the American Federation of Actors.

The Guild is conducting negotia-tions with the agents for an agreement under which actors will be permitted to use accredited agents only, if no agreement is reached within a showdown meeting, the Guild and the Agency is prepared to fight the issue to a finish, Thomson said.

Bergman Returns
From Studio Trip

Maurice Bergman, Columbia advertising and publicity director, returned to New York from the coast yesterday after two weeks spent looking over new product at the studio. He viewed considerable footage on "Golden Boy" and Frank Capra's "Mr. Smith Goes to Washington," both of which are nearing comple-tion, for the purpose of planning cam-paigns for the two films.

First National Surrender

ALBANY, July 10—First National Pictures, Inc., has filed a surrender of authority to do business in New York with the Secretary of State here.

Ofices of Friedman, Bareford & Hainen, attorneys who filed the surren-der, said yesterday that Warner is dispensing with surplus cor-porations and that the move is rou-tine. First National is a Maryland corporation and its corporate exist-ence will be continued in the latter state.

Miss Pickford Returns Soon
to Producing

Mary Pickford may become an ac-tive producer for United Artists re-lease around the first of the year, in which event her first picture would be "The Love of Mike," of which she is in England, she reported May 31, but will arrive in New York by the Norm-andie following a European vacation.

Her first production probably would be "The Bat," which she owns. Commenting on reports that she may co-produce a picture with Berton of Haddon Hall," also owned by her, Miss Pickford said that because it would necessarily be a costly produc-tion she would not schedule it for her first. If made, she said it would be in color and added that she "visioned" Nelson Eddy and Jeanette MacDon-ald in the leading roles.

In reply to a question, Miss Pickford said there had been no recent contact with R. Stedman, a presi-dent of United Artists. She said if she were offered her she would donate it.

Miss Pickford was accompanied by her husband, Buddy Rogers, whom she reported Alexander Korda would be her producer. She was to meet at the pier by Murray Silver-stein, United Artists chief executive; Harry D. Buckley, vice-president, and Lynn Farnol, advertising and publicity director.

This trip will remain in New York until the end of the month when she plans to leave for the Coast to look over talent for her production venture.

Steffes to Balk New
Minneapolis Term

MINNEAPOLIS, July 10—Annual meeting of Northwestern Allied will be held at the Nicollet Hotel here to-morrow. W. A. Steffes, retiring president, says he will refuse another term if one is proffered him.

Honor Wilkinson Today

NEW HAVEN, July 10—More than 500 persons are ex-pected at the testimonial luncheon to-morrow for George H. Wilkinson, Connecticut exhibition pioneer, at the Racebrook Country Club.

MOTION PICTURE
DAILY

(Registered U. S. Patent Office)

He had a swell start. Born in the gutter, graduated to be a city savage! Life wore thin the way he lived it... his arms that reached for love embraced sudden death instead! HE HAD TO BE HARD!

THE NEW UNIVERSAL PRESENTS

"I STOLE A MILLION" starring

GEORGE RAFT • CLAIRE TREvor

with DICK FORAN • HENRY ARMETTA • VICTOR JORY

Directed by FRANK TUTTLE • Associate Produced by PETER KELLY

Released July 21st
Boston, July 10.—“Goodbye, Mr. Chips,” dueling with “Parents on Trial” at Loew’s Orpheum and State, grosses $4,000.

Estimated takings for the week ending July 5:

**Roger** (W. B.) (1 day) $1,000

**Adventures of Jane Arden** (W. B.) (1 day) $500

**They Made Him a Spy** (RKO) (1st run) $750

**My Wife’s Relatives** (Rep.) (2nd run) $500

**Big Town Czar** (Univ.) (1st run) $350

**The Girl from Mexico** (RKO) (1st run) $250

**RKO Keith-Boston** (2,348) (25c-35c-40c-50c) 7 days. Gross: $2,750. (Average, $393; Gross, $1,500.)

**The Sun Never Sets** (Univ.) $200

**Everybody’s Baby** (20th-Fox) (2,907) (25c-35c-40c-50c) 7 days. Gross: $2,000. (Average, $286; Gross, $286.)

**Invitation to Happiness** (Para.) $150

**Undercover Doctor** (Para.) $125

**Paramount** (25c-35c-40c-50c-65c) 7 days. Gross: $1,500. (Average, $214; Gross, $214.)

**Invitation to Happiness** (Para.) $100

**Undercover Doctor** (Para.) $75

**Paramount** (25c-35c-40c-50c-65c) 7 days. Gross: $1,500. (Average, $214; Gross, $214.)

**Want a Town?** (Para.) $50

**Grand Jury Secrets** (Para.) $40

**Metropolitan** (25c-60c) (50c) 7 days. Gross: $1,250. (Average, $179; Gross, $179.)

**Good Boys, Mr. Chips** (M-G-M) $300

**Parents on Trial** (Col.) $250

**Good Boys, Mr. Chips** (M-G-M) $200

**Parents on Trial** (Loew’s) $175

**Loco’s State** (M-G-M) $125

**Young Love** (Signature) $100

**Kid from Kokomo** (W. B.) $75

**Olley-Olley** (2,500) (25c-35c-40c-50c-65c) 6 days. 2nd run. Gross: $600. (Average, $100.)

**M’sie at $7,500
In New Haven Heat

New Haven, July 10.—Business was off in sweltering weather; the Loew’s-Poli with “M’sie” and “6,000 Enemies” took $7,500.

Estimated takings for the week ending July 7:

**Closed Over Europe** (Col.) $2,000

**Boy Friend** (20th-Fox) $1,000

**College Girl** (2,499) (35c-50c) 7 days. Gross: $1,000. (Average, $200; Gross, $200.)

**50 Miles to Paris** (M-G-M) $800

**6,000 Enemies** (M-G-M) $500

**Loew-Poli** (3,500) (35c-50c) 5 days. Gross: $400. (Average, $80; Gross, $80.)

**Stolen Life** (Para.) $350

**Change of Scene** (Univ.) $150

**Paramount** (3,340) (35c-50c-65c) 5 days. Gross: $300. (Average, $60; Gross, $60.)

**Came Back** (RKO) $250

**Naughty But Nice** (W. B.) $200

**Paramount** (35c-50c) 6 days. Gross: $350. (Average, $58.)

Auto Film Theatre
Open in Birmingham


Millions of auto-owners cars into the theatre, where attendants guide patrons, still seated in their machines, to individual parking stalls. Loud speakers are placed in each automobile, enabling patrons to hear the actors’ voices distinctly. The theatre area will accommodate from 75 to 100 cars.

**‘Chips’ Smash Hit in Boston With $40,500**

Hollywood, July 10.—Paramount has acquired Joseph Conrad’s “Victory” for $40,500, as a basis for a new play to reduce it to screenplay form.

Walter Brothers has bought film rights to George Broadhurst’s “Dawn of the Hour,” as a vehicle for Edward G. Robinson. — “Legion of the Lawless,” an original by Irene Gilder, has been purchased by RKO for use of George O’Brien.

Contracts—Hans Dreier, with Paramount since 1923 and art director since 1932, has signed a new long term contract. — Leo Gorcey and Jane Gilbert have new acting contracts with Warners. . . RKO has engaged John Cromwell to direct “Memory of Love,” a big one. . . Eddy Buzzell has signed a new directing contract with M-G-M. — Harry Sherman has given Lesley Selander a one-picture deal to direct “Medical Man.”

**Scribners—Barbara Worth and Bernard Straub have joined the M-G-M writing battalion. . . Garrett Winsted will adapt Cole Porter’s “Night and Day” for the theatre. — Keeping Henry — has been assigned to write “The Patent Leather Kid” for George Raft. . . The Maltese” was assigned to do “Freedom of the Press.”

Five‘ Does $4,000
In Cleveland Lull

Cleveland, July 10.—“Five Came Back,” with $4,000 at the Allen, took top place and was the only first run to average well. “Good Girls Go to Paris” at Warners’ Hippodrome was good for $900. The weather was hot.

Estimated takings for the week ending July 7:

**Five Came Back** (R-K-O) $1,250

**LL-Lyn** (3,000) (25c-35c-40c-50c-65c) 7 days. Gross: $900. (Average, $128; Gross, $128.)

**Good Girls Go to Paris** (Col.) $500

**Son of the Sun** (Col.) $400

**The Sun Never Sets** (Univ.) $350

**Loew’s State** (3,500) (35c-40c-50c) 7 days. Gross: $900. (Average, $128; Gross, $128.)

**Captive Fury** (U. A.) $250

**Loew’s Stillman** (3,000) (35c-40c-50c) 7 days. 2nd week. Gross: $400. (Average, $57; Gross, $57.)

FP Canadian Meet
‘Showmanship Show’

Toronto, July 10.—A feature of the annual managers’ convention of Famous Players-Lasky was getting underway when the General Brock Hotel, Niagara Falls, July 24-27, will be a “Showmanship Show” which will comprise shows on new and old products of all companies and exhibits of new equipment. . .

Important officials of producing companies in the United States are expected to be convention guests and will be on hand a part of the time to display their latest in specialities and hardware. A sports day in which managers from all parts of the Dominion will participate is being arranged by J. A. Troyer of Famous Players’ home office, who is chairman of the convention sports committee.

Mentone Dissolved

ALBANY, July 10.—Mentone Productions, Inc. (Milton E. Schwartzwal), which formerly produced short subjects for Universal has filed a certificate of dissolution with the Secretary of State here.

Colc, Brandt Go To Capital
Next Week

WASHINGTON, July 10.—Arrangements have been made by Department of Commerce for Colc, Brandt’s manager, and for a conference of representatives of National Allied on July 19, winding up a series of meetings with exhibitors in New York, in the interest of the M.P.T.O.A. to Washington last month and will bring Harry Brandt of the T.O.A. on July 18.

It is expected that Col. H. A. Colc, Allied president, and Abram F. Myers, general counsel, will attend the department conference, which is being conducted cooperatively by other officers of the organization.

Major subjects of consideration, it is understood, will be the effect of block booking on small exhibitors, cancellations and whether exhibitors have been in following the course of distributor practices. These are three of a number of subjects on which the distributors are compiling information for the department, as requested at the initial meeting on June 8.

New Code Revision
Meetings Started

Discussion of proposed changes in the arbitration provisions of the code was begun by sales managers conference with William F. Rodgers, chairman of the distributors’ negotiating committee, and yesterday with New York Allied’s request for separate negotiations on the code on behalf of members of the state organization. He said that while he knew the distributors’ committee was appointed to continue negotiations, he had not read the statement issued by Max Cohen, New York Allied head, and referred not to comment for this reason.

Capra-Riskin Team
Likely to Join U. A.

(Coimtinued from page 1)

bullywork of Columbus for a decade. In collaboration with Riskin as writer, he has finished “Mr. Smith Goes to Washington” for Columbia and will take a vacation in the High Sierras while a new film is going into production for New York, London, Sweden and Norway prior to starting his new partnership with Capra.

Form Television Firm

ALBANY, July 10.—Ford Marin, Telephone and Television Corp., has been licensed to engage in business, with $10,000 authorized capital. Directors are Gerald W. Ford, Ne-Rochelle, N. Y.; Wallace Capra, deputy district attorney, R. L. and Edward Maxwell, Greenwich, Conn.
Insider's Outlook
By SAM SHAIN

T'S a half holiday today for office home executives and others who may be privileged to get away to spend the afternoon at the All Elephant game at the Yankee Stadium. A substantial number of the bigwigs will be there.

YESTERDAY we enjoyed a visit from a friend of many years’ standing—Charlie Kurzman of Pittsburgh. Kurzman now manages Loew’s Penny Palace in that city. He is the first “outside” agent to be appointed by Loew’s in 12 years. That is certainly a distinction of which Kurzman can be proud. Charlie is the same affable, energetic, smiling person we knew when he operated the Roxy Theatre here, and was district manager for the old Fox Theatres company in Brooklyn.

HOLLYWOOD reports the shooting by Metro of a fashion show sequence in color for “The Women,” and which we understand will form the basis of a national exploitation campaign. This is new and apparently the studio is planning a surprise for exhibitors, as this color sequence was not announced hitherto.

Our weekend was spent at Fire Island, with the Al Margolies, a no more charming couple than it is our pleasure to know. Al, as you know, is publicity director of United Artists. With their two kiddies, Linda and Stephen, we enjoyed two delightfully interesting days at the shore.

There also we met the Herman Weulers and Cub Garfield, husband of Evelyn Gerstein who is now on the road for the Samuel Goldwyn film, “They Shall Have Music.”

TODAY Lynn Farnol, for United Artists, is host at a cocktail party to James Roosevelt, at which function, it is presumed, Roosevelt will announce the appointment of Fred Storm as head of the Samuel Goldwyn publicity division, on the coast.

It can’t happen here—but in Mexico. Jim Lockhart reports that labor organizations still censor broadcasting despite strong efforts by station operators to stop them.

The way it is done down there is to have the orchestras during a broadcast deliberately drown out remarks of the laborites, who do not like, by playing blaring music.

YESTERDAY, in Motion Picture Daily, there was an advertisement from the organized exhibitors of Connecticut. An impressive fact about the advertisement is the showmanship sense of the advertisers in saying what they had to say through paid copy in a trade paper.

At a time when the exhibitor seems to be drifting away, it is worth calling attention of the distributors to the manner in which showmen make their say-so.

Florida Houses Sign With Trades Council
PENSACOLA, Fla., July 10.—Agreement entered into by the building and contraction trades council of Pensacola and two independent theatres has been hailed by labor leaders as a step forward in clearing the muddled situation existing between theatres and the council.

Marion D. Lambert, president of the council, said his organization had signed agreements with Clinton Vuco- vitch, operator of the Gulf and Belmont theatres in West Florida. Under the agreement, the council is to remove these theatres from “we do not patronize” list and the theatres are to hire no employees not affiliated with the council. This agreement does not affect journeymen.

Bair’s Son Killed
INDIANAPOLIS, July 10.—William Roland Bair, 18, son of R. R. Bair, secretary of Olson Enterprises and former head of the Bair circuit here, was killed Sunday in an automobile collision near Petoskey, Mich. The young man was vacationing with his parents at their summer home in Bay View, Mich.

Mary Jane’s Ill
Sturt Fox and Starr West are sharing directory assignments at the Starlight Theatre, Ponanging, N. Y., in the absence of Mary Jane, managing director, who is in the Daubry Hospital recuperating from an operation.
**Theatre, Personnel Brevities**

**Plan House in Iowa**
BURLINGTON, Ia., July 10.—Central States Theatre Corp. plan a $40,000, 700-seat theatre here, according to Harry M. Warren, general manager of the circuit.

**Close Hartford Theatre**
HARTFORD, Conn., July 10.—Harris Brothers have closed the 4,000-seat theatre, except for weekend operatic season, for the summer. The house was open during last summer.

**Exton Takes Wis. House**
KENOSHA, Wis., July 10.—William Exton, recently resigned as manager of the Lincoln and Gateway circuits, has leased the local Roosevelt from Charles Collins, who has operated the house for several years. Exton will remodel the house and expects to reopen it July 15.

**To Reopen in Texas**
NACODOCHOES, Tex., July 10.—The Rita here will be reopened shortly by Donn Absher, district manager for East Texas Theatres.

**Plan Lubbock, Tex. House**
LUBBOCK, Tex., July 10.—Lindsey Theatres, Inc., plan a new $100,000 theatre here, with work scheduled to start shortly.

**Manages Texas Theatre**
SAN ANTONIO, Tex., July 10.—Joseph N. Brevitt, manager of the Odeon, has replaced Al Lavignier, who resigned as manager of the Rita, Chamberlain Theatres house, in Benavides, Tex.

**Theatre Name Changed**
BISSEY, Ia., July 10.—The name of the Three Ring theatre here has been changed to Rayola, a combination of the first names of the owners, Mr. and Mrs. Ray Baltzley. Mrs. Baltzley’s name is Lola.

**Florida Theatres to Build**
PAUL BEACH, Fla., July 10.—Florida Theatres, Inc., plan a new $75,000, 1,000-seat house at Lake Worth, near here. Construction will start shortly.

**Manages Danz House**
SEATTLE, July 10.—Frank Jenkins has been named manager of the Arabian suburb house operated by the John Dana Sterling circuit. He was formerly manager of the Montlake, foreign film house, which closed for the summer last month.

**Change Theatre Name**
CHIPLEY, Fla., July 10.—The Reva formerly known as the Manavista, has reopened here after remodeling.

**Plans Negro House**
PAHOEHOE, Fla., July 10.—Authority, permit for the erection of Negro theatre has been issued to Louis Golg.

**Close Union Agreement**
WISCONSIN RAPIDS, Wis., July 10.—Two men in a booth, a closed shop and an upward adjustment in wage scales is provided for in new contract signed by Mr. and Mrs.

---

**Hollywood Preview**

**“News Is Made at Night”**
(Twentieth-Century-Fox)

HOLLYWOOD, July 10.—There’s a lot of audience entertainment value as well as showmanship availability in this exciting yet comic newspaper-crime-busting story. While the theme follows a well blazed trail, the setting is unexpected and the theme is woven into the plot to generate attention at the start and hold interest to the finish. In line with the present trend in secondary picture production, “News Is Made at Night” frequently shows evidence of tendencies to disregard conventional photo-play construction and do something different now and then.

The fact that kept the preview audience alternating laughing boisterously and watching the experience to the quality of John Larkin’s original screenplay, Alfred Werker’s out-of-the-groove directing technique and the manner in which Preston Foster, Lynn Bari, Russell Gleason, George Barbier, Minor Watson, Eddie Collins and the support players made their characterizations natural and believable. Providing sensational circulation building news stories is not the least of editor Foster’s worries. Keeping ambitious girl reporter Miss Bari, who is determined to work for him, off the payroll gives him more trouble than he bargained for. Meanwhile Foster, convinced that Paul Guilfoyle, who has been sentenced to death, is innocent, encounters a series of funny and exciting adventures with Miss Bari, who always seems to be a step ahead of him. Eventually, through underworld tips and situations in which he and the girl find themselves, Foster’s suspicions concentrate on Watson, his best friend. But it’s Miss Bari who gets the evidence on Watson and Foster has to rescue her from peril before he nabs the real killer...Misses the condemned Guilfoyle.

Running time, 70 minutes. "G."

G. McC

**“Million Dollar Legs”**
(Paramount)

HOLLYWOOD, July 10.—“Million Dollar Legs” is a collegiate comedy that doesn't have anything at all to do with legs, but is the kind of spon- taneous amusing picture that sometimes results when writers, producers and director throw away the book of rules and some youthful cast enters into the spirit of things with frolickose enthusiasm.

As the picture unfolds, it is easy to believe that producer William Thomas gathered director Nick Grinde and writers Lewis R. Foster and Richard English about him and said, "We'll not fool and surprise them with this title, but we'll start with lots of other unexpected things." How well they succeed is evidenced by the fact that Peter Hayes, who bats seventh in the cast line-up, is really the show’s star. Then, when a lot of sure-fire, nonsensical make-them-laugh gags, including the founding of a racing shell, are run through, a horse race is introduced into the action and finally, after the basketball college is made crew minded, deposed coaxwan Hayes directs his clumsy oarsmen to victory via a traveling loud-speaker system.

Given farce material with which to work, “Million Dollar Legs” not only uncoors Hayes as a potentially popular personality, but permits such youngsters as Betty Grable, John Hartley, Jackie Coogan, Doronle O’Connor, Dorothea Kent, Joyce Matthews, Richard Dunning, Philip Warren, Ed Arnold, Jr., and William Tracy to act as young collegiates would when restrictions are not too tight, and their elders, Larry Crabbie, Thurston Hall and Roy Gordon, to be just as surprised at their antics as normal adults who watch the show undoubtedly will be.

Running time, 65 minutes. "G."

G. McC

---

**Short Subject Reviews**

**“Ghosts Is the Bunk”**
(Paramount)

Betty Boop, and Olive say they are not afraid of ghosts and that Bluto is a great idea. She sneaks into a new hotel and hotel and after making suitable preparations it opens its eyes and Olive into the place. He proceeds to scare the daylight out of some unsuspecting guests.

The tables are then turned, with Bluto finally becoming convinced that the house is really haunted. 7 minutes.

**“Farewell Vienna”**
(Paramount)

Patrons need not fear the charms of the city of Vienna are flashed on the screen, the sound track occupies itself with renditions of beautiful Viennese music as played by the National Philharmonic Orchestra of the United States under the baton of Frederick Fehr. 10 minutes.

**“Unusual Occupations”**
(Paramount)

Patrons should find this release an enjoyable one. In color, with narration of high caliber, the reel discloses a country doctor who travels to his patients by plane; a man who makes his living designing the grotesque balloons that float in the air during street parades; an armless American basket weaver; an artist who sews portraits with needle and thread; a Hawaiian boy who polishes toe nails. 10 minutes.

**“Rhythm on the Reservation”**
(Paramount)

Betty Boop in swing style. Betty, with a collection of band instruments from an Indian reservation, plays to purchase some trinkets, and the whites steal the instruments. The bass fiddle is used as a canoe, the slide trombone becomes a water pump and the accordion is turned into a bellows. The whites finally are straightened out by Betty whereupon they "swing out." 7 minutes.

**“The Barnyard Brat”**
(Paramount)

The brat is Spunky, baby mule, who raises havoc in the barnyard by frightening and bullying the livestock on the farm. The chickens, cows, pigs and other beasts stand as much as they can take, then they turn upon Spunky and give him a dose of his own medicine. 7 minutes.

**“Watch Your Step”**
(Paramount)

In West Point Rice “Sportlight” there is an analysis of the walking and running strides of human beings and animals, with the closeups always exchanged to be surprisingly entertaining despite this limitation. Some of the subjects are an old warship, a variety of track athletes, dogs, cats, whippets, a giant hippo, etc. 10 minutes.
Motion Picture Daily

Three Mexico Studios Close; Blame Unions

Mexico City, July 10.—About 5,000 persons, ranging in occupation from artists to laborers, all of them dependent upon the domestic film production industry for a living, are in a series of economic plight following the closing, of three of the four studios here.

The studios were closed by the producers until union workers agree to lower realistic salaries and working conditions.

Labor interests attribute the difficulty to the shutting off of credits in Central America to Mexican producers, as well as the virtual impossibility of Mexican producers raising money in Mexico. The loss of much South American business is also blamed.

Workers plan a meeting tomorrow in an effort to solve the problem.

Cardenas Offers Aid On ‘Cortez’ Picture

Hollywood, July 10.—President Lazaro Cardenas of Mexico yesterday in Tia Juana promised the full cooperation of the Mexican Government to Miguel C. Torres, producer, for the production of “Cortez and Montezuma,” to be made in both Spanish and English.

The Spanish version will be financed by the National Bank of Mexico, and the deal for the English version is now being worked out with a major studio here. Cardenas, according to Torres, will permit Hollywood equipment and technicians to go to Mexico for the work, and allow the army, Mexican Youth Association and the National Museum to participate in the production of the film.

Ralph Doyle Leaves After RKO Visit Here

Ralph R. Doyle, managing director for RKO in Australia, left New York for Los Angeles yesterday on the Century Flyer en route to his headquarters in Sydney. He was in town for the convention. Following conferences with studio officials, Doyle will sail from the coast July 19 on the Monterey.

A son, Ralph, Jr., was born to Mrs. Doyle June 25.

Theatre In Mexico 50 Ft. Underground

Mexico City, July 10.—Mexico’s first subterranean film theatre, the Cine Victoria, has been opened in Jalapa, capital of Vera Cruz State. The theatre is 50 feet underground. The exhibitor figures that what with bomb hideouts coming into fashion, the modern trend is for subterranean theatres.

The Jalapa public apparently likes the novelty.

Hollywood Previews

“My Andy Hardy Gets Spring Fever” (M-G-M)

Hollywood, July 10.—Hollywood’s greatest contribution to America — the Hardy family series — comes to the screen again in “Andy Hardy Gets Spring Fever,” a picture so wonderful that it will be acclaimed as the best of the series designation which will have the effect of calling the film better than perfect. Continuing on the same high plane of wholesome entertainment of its predecessors, “Andy Hardy Gets Spring Fever” tells the story of Andy’s first quasi-romantic mood over a woman older than himself.

It is an exquisitely faithful reproduction of the growing pains of a young boy in the title role. Mickey Rooney does a most competent job. With him are the “Hardy Family” members, Lewis Stone, Cecilia Parker, Fay Holden and Sara Haden. Others in the cast include Ann Rutherford, again as “Polly Benedict,” Helen Gilbert, John T. Murray, Terry Kilburn and George Breakston. Miss Gilbert, in her first screen role, makes a sensational debut as the pretty school teacher with whom “Andy” imagines himself in love. “Discovered!” while playing in an M-G-M recording orchestra, Miss Gilbert, judging from highly polished performance in this, bids fair to become one of the most promising of newer film players.

The versatile W. S. Van Dyke II directed the poignant screenplay by Kay Miller Ripins, based on the Statesport Orby Automa Rouver in situations which have their counterparts in the lives of millions of Americans, “Andy Hardy,” spurned by “Polly,” turns to other things. He is enamoured of a pretty dramatics class teacher, and with this inspiration writes the class play. He plays the leading role in it, opposite “Polly” and during the play’s presentation, discovers that the teacher Miss Gilbert is in love with “Polly.” Dave is chagrined and “Andy,” realizing fully that “today he is a man,” is his old self again.

Running time, 87 minutes. G.**

VANCE KING

*G* denotes general classification.

“They Shall Have Music” [Samuel Goldwyn—United Artists]

(Continued from page 1)

A.F.A. against its parent union in this battle of allegations, many of them being similar to those which the A.F.A. filed against the A.F.A. union.

Principal charge was that Actors Equity dominated the 4-A’s and influenced the board delegates from Screen Actors Guild and American Federation of Radio Artists.

As to the S.A.G., charge, it was put forward that the S.A.G. was acting under the aegis of the 4-A’s charter on condition that it name board members satisfactory to Equity.

Kenneth Thomson, S.A.G. executive secretary, declared at the trial in the morning, that the agreement under which this had been made necessary had been cancelled and that Equity had never, in the past, influenced the designations.

In connection with A.F.R.A., it was contended that when the Radio Artists membership unit from S.A.G. as a result and American Guild of Musical Artists, it was stipulated that A.F.R.A. delegates must be satisfactory to these three unions.

Influence of choice of A.F.R.A. delegates was denied by Emily Holt, executive secretary. Equity’s S.A.G. and A.G.M.A. also entered denials.

High Salaries Charged

Additionally, charges were made that the 4-A’s paid exorbitant salaries, refused to give financial statements, permitted Equity to collect half the dues paid by members of S.A.G., failed to respect democratic traditions, encouraged opposition groups within the A.F.A., failed to organize the acting profession and permitted Equity to dominate the 4-A board.

At the trial in the morning, Abraham J. Halprin, A.F.A. attorney, declared that Equity dominated the trial board and that the purpose of the trial was to distribute the A.F.A. membership control to the 4-A branches. He challenged the jurisdiction of the board and stated that the matter would be taken up with Green on another occasion.

Paul N. Turner, 4-A counsel, asserted that the explanation for withdrawal was a “sheer subterfuge” and pointed out that the 4-A’s dominated the board and repeatedly ratified the action of delegates now under attack.

Reis Only Witness

Bernard J. Reis, accountant, was the only witness yesterday. He testified that funds received from benefit performances were not paid out as relief and that such funds were mingled with other funds of the union.

He also testified that an injunction bond was given to Ralph Whitehead, executive secretary, at a time when the union was compelled to draw upon the relief fund for general strikes.

The trial will be resumed at 11 A.M. today.

Members of the “Ferrets,” A.F.A. opposition group asked for permission to reorganize the A.F.A. in the event the charges are sustained. Also they stated that an injunction bond would be sought if the A.F.A. sought to expend union funds for a court fight.

New Film and Theatre Companies Formed

ALBANY, July 10.—Film and theatre companies have been organized here including: Victory Theatre and Amusement Corp., Lackawanna, N. Y., by Oscar, Harris and Freda Williams; Senos Films, Inc., by Samuel Lent, Myron Slater and Lilian Schorr, New York; Dutchess Independent Amusement Operators, Inc., by Max and Benjamin Ginsberg, Beacon, N. Y., and James J. Thompson, Elizabeth, N. J., and DeMarco Corp., by Jack Nannenbacher, Leon Killman and G. Caplan, New York.

4A’s Violated AFL Charter, AFA Charges

(Continued from page 1)
ATLANTIC CITY, July 10.—Action will be taken tomorrow on the proposed code of standards of broadcasting at the 17th annual convention of the National Association of Broadcasters.

The code has been revised three times, and subjected to only one major change since it was prepared. The N.A.B. code committee acceded to tremendous pressure and removed a clause which would have prohibited radio stations from selling time for commercial religious broadcasts.

Code Hits Rev. Coughlin

The code committee went into session this morning, and there is no report of the code's language. The revisions follow complaints that the code as originally submitted is entirely too long and cumbersome.

The rule covering controversial subjects, one of the most important clauses in the code, may react unfavorably upon the code, according to Rev. Coughlin. The code bars all religious or racial attacks and speakers for a particular party must "wait in line" to get their share of broadcasting time.

500 Attending Parley

There are almost 500 registrations at the convention. Stephen Early, secretary to President Roosevelt, will address the broadcasters tomorrow. Neville Davis, N.A.B. president, and Ed Spence, secretary-treasurer, will submit their reports.

Tomorrow afternoon Carl E. Milliken, secretary of the Motion Picture Producers and Distributors Association of America, will speak. The proposed code will then be submitted to the members in a closed session.

Unconfirmed reports have Mutual on the verge of a deal with L. B. Wilson, whereby Wilson's Cincinnati station WCKY, will join MBS.

Maxwell Offers
New Booking Idea

The Gaumont British and Odeon circuits as they have never experienced before. This also would create an unprecedented situation and give Maxwell unequalled powers to create a new trading situation with American distributors.

It is expected the general council will receive the plan with mixed reactions. Obvious difficulties are point out, such as the possibility of similar schemes by other interests. However, general approval of the plan in principle is anticipated.

Radio Chiefs to London

With colour Murray, general manager of Canadian Broadcasting Corp., sailed today from Quebec on the Empress of Britain for two weeks of London conferences on Empire broadcasts with officials of the British Broadcasting Corp.

Offer in Canada Rejected
By Clearance Reformers

TORONTO, July 10.—Prime movers here in the fight for clearance reform for Canadian independents, represented in the campaign of the Anti-Protection League of Canada, have rejected the suggestion that the time is ripe for a discussion of the whole protection situation and consideration of concrete grievances with a view to the adoption of basic terms for a reorganization of the system.

An offer was announced whereby the situation would be dealt with by the present Conciliation Committee in Toronto, four of whose 10 members are independent exhibitors with four representing circuits and two the distributors.

This has been ignored, and, as a result, the claim is made no existing body of the film business in the Empire is in a position to act and enforce any clearance amendments.

The independents asked for an independent and neutral body of arbitration which would put punch in to its decisions. They claim that no organization in the Canadian trade can now do this—no board can take action about independent producers. Reporting back to its offices for confirmation of action, it is claimed.

First of all, the independents desire to become organized from coast to coast through the Anti-Protection League of Canada and already the Independent Theatres Association of Ontario, the British Columbia Independent Theatres Association, Manitoba Exhibitors Association and the Nova Scotia Independent Exhibitors Association are said to be behind the league, with the Quebec independents about to declare themselves. After complete organization, the league will call a conference to draw up a plan of action. Then, if headway cannot be made by arbitration, with the independents showing a solid front across Canada for the first time, the final step would be to depend upon a court or other body to make the decision for the Canadian government.

WB Planning Big Cost Films
At Teddington

WASHINGTON, July 10.—Lengthy debate on the propriety of the F.C.C. "censorship" order on international stations at the hearing which the commission has called for July 14 is foreseen in the list of appearances so far filed and announced by the commission today.

An interesting point of interest is the motion picture industry in view of the soon-to-be-inaugurated short-wave broadcasts of film news by the studios in a cooperative arrangement.

Time for argument has been requested by the National Association of Broadcasters, West Coast Electric and Manufacturing Co., CBS, Crosley Corp., General Electric Corp., Isle of Dreams Broadcasting Corp., July 17, WCAU, Philadelphia; the National Committee on Education by Radio and World Wide Broadcasting Corp.

FCC to Hear Censorship
Fight Friday

Warners may begin production of their pictures of England's British studio at Teddington in a change of foreign production policy now under consideration. Hal Wallis, executive producer for Warners, said yesterday on his arrival in New York on the Normandie. Warners produce about 20 quota pictures a year in England.

Wallis conferred with Sam Sax, head of the company's British advertisement, activities, while in England. He was abroad nine weeks with his family, primarily for a vacation, and left the coast for London last month.

Wallis reported that "Confessions of a Nazi Spy" was doing exceptional business in France, England and several other European countries. The picture will wind up with a profit, he said, and has encouraged Warners in making a second picture of similar theme.

Herbert Wilcox arrived from a brief visit in England during which he arranged to produce "Bonnie Prince Charlie" in Scotland, beginning late in August. Anna Neagle, who met him while in the U.S., will be starred and RKO will distribute, he said.

He leaves for the Coast by train today. Wilcox has recently completed Hollywood picture, "Nurse Edith Cavell."

Wilcox was greeted by the presence of, S. Herbert McCormick, RKO marketing and publicity director, and William Bohdel, film editor of the N. Y. Daily News, yesterday.

Arthur Hornblow, Paramount producer, arriving with his wife, Myrna Loy, M-G-M star, after a European vacation, said he was in a conference with the business which Warners' "Confessions of a Nazi Spy" is doing in France.

Hornblow and Miss Loy leave for the Coast by plane today. She is scheduled to begin work in a new "Thin Man" picture tomorrow and Hornblow will finish cutting "The Cat and the Canary" before starting next picture, "Triumph Over Pain."

He reported that French pictures are increasing in popularity in the Canadian circuits and there is a growing interest that they threaten to displace Hollywood's "B" product.

Olivia de Havilland, en route to Hollywood to join her husband, Charles Laughton, who is working in RKO's "The Hunchback of Notre Dame," said yesterday she left London last week by plane to England early in October to make "The Admirable Crichton" there for Para.

Governmental Rule Over All
Canada Radio

(Continued from page 1)

pen sense, it is promised, in program improvement which will add to the prestige of privately owned stations. This plan provided that no attempt will be made to collude or interfere with rates fixed for individual stations. The latter will be those that would be left at the disposal of a station, but there is a feeling that such independent time may be so restricted that independent broadcasters will have much opportunity for exclusive business of a local or national nature.

The new regulations will affect upwards of 30 stations across the Dominion which have been operated on an independent basis and these have already received notification of the CBC move. Already 26 private broadcasters are linked with the regular CBC chain programs, these studios being located in areas which are not considered to be directly served by the CBC network.

Under the new arrangement, commercial sponsors will be required to deal only with the CBC for bookings and to apply to the CBC for choice of private stations as in the past.

A joint committee composed of representatives of the CBC and private stations will consider and determine, it is announced, and prior to the establishment of the new system Horace Brooks, CBC vice president, will interview all independent station owners to explain details and discuss local problems.

In the meantime, private stations will not be permitted to negotiate with commercial sponsors for lengthy advertising contracts.

Dominion Permits
Royal Tour Films

OTTAWA, July 10—Authorization has been given by the Dominion Government to Capt. Frank Badgley, head of the Motion Picture Bureau, to proceed with the production of two features of the recent Royal tour, one in color and the other in black and white.

The black and white will be available for use in schools and theatres in Canada and all parts of the British Empire, while the color film will be used for special occasions. The British bureau and others about shot 80,000 feet, which will be cut to 6,000 feet.

Columbus Seeking To Merge 3 Suits

Columbus Pictures Corp., filed application yesterday in N. Y. Supreme Court to consolidate three stockholders' suits brought against it and 12 of its officers and directors for alleged waste and mismanagement.

Heads Cincinnati IEA

CINCINNATI, July 10.—F. Wesley Hiss, Jr., president of Associated Theatres, Inc., has been elected president of Greater Cincinnati Independent Exhibitors Association, replacing Harold Bernstein, who was elected secretary. A. A. Walter, manager, is vice-president, and Herman Bley, treasurer.
AFA Charged With Ignoring Film Houses

**MOTION PICTURE DAILY**

**NEW YORK, WEDNESDAY, JULY 12, 1939**

**TEN CENTS**

**VOL. 46. NO. 35**

**M.P.P.D.A. OF AMERICA,**

28 WEST 44TH ST.,

NEW YORK, N. Y.

(6 COPIES)

**Alert.**

**Industry.**

**TRADE TO MARK GOLDEN JUBILEE**

**Local Drives Scheduled October 1 to 7; Promotion Plans Completed**

Plans for observance of the industry's golden jubilee during a period beginning early in August and culminating in a 50th anniversary week celebration Oct 1 to 7 were completed yesterday at a meeting of major company advertising and publicity directors, foreign department publicity managers and M.P.P.D.A. officials.

The observance will be primarily in the form of local drives for increased theatre attendance aided by nationally coordinated publicity and promotional campaigns. There will be no paid staff handling the campaign and no drive for funds among either exhibitors or the company.

The observance will be entirely voluntary.

The national committee which will develop a wide variety of observance campaigns for exhibitor use is headed by Kenneth Clark, M. P. P. D. A. publicity manager.

Members of the committee, all of whom are volunteering their services, include Leslie Thompson of the Advertising Advisory Council of the M. P. P. D. A.; Joel Svensen of the M. P. P. D. A. press department; Harry Goldberg, Warners advertising manager; William Ferguson, M-G-M exploitation manager; Ben Grimm, RKO exploitation manager, and Lou Pollock, Universal eastern advertising and publicity director. The national press book for exhibitor use will be prepared under the supervision of Svensen with the several advertising.

**Code Is Accepted By Broadcasters**

**ATLANTIC CITY, July 11.—The National Association of Broadcasters, by a 128 to 24 vote, today accepted a code to govern program policies.**

The code is considerably less strict than in its original form as it is now subject to responsible opinion, it is not as strict as the code imposed by the networks on their own program standards.

Standards of business practice will be acted upon tomorrow afternoon and will undoubtedly be subjected to much more debate and argument than the code itself. These standards may possibly put more teeth in the code, although the strength of the code is mitigated because they are taking the form of a resolution and not a code.

The N.A.B. board of directors will

(Continued on page 8)

**400 WB Theatres**

In UA Picture Deal

A deal for the exhibition of all pictures released by United Artists for the next two years by the entire Warner Theatre circuit was completed yesterday between Harry Gold, vice-president of United Artists, and Clayton Bond and Edward Hinchy, executive film buyers for the Warner circuit of 400 theathers.

The completion of the deal was announced yesterday to the board of directors of United Artists by Murray Silverstone, chief of world wide operations, who described it as the largest ever concluded between the company and the Warner circuit.

Present at the U. A. board meeting were Mary Pickford, Silverstone, Charles Schwartz, representing Charles Chaplin, and Dennis O'Brien, representing Douglas Fairbanks; James Roosevelt, representing Samuel Goldwyn, and Emanuel Silverstone, representing Alexander Korda.

**RKO Demands $3,000,000 Tax Assessments Slash**

A $3,000,000 reduction in the assessed valuations of six RKO theatres in Manhattan was sought by the company from the tri-departmental city tax board yesterday.

The theatres were assessed by the city at $19,684,000. Houses involved were the 58th St., Alhambra, Coliseum, Colonial and 95th St.

Louis Nizer, attorney for RKO, based the plea for the reductions on the ground that the decline of vaudeville has made a large part of each theatre obsolete, such as the stage, dressing room, trap doors underneath the stage, ceiling equipment for changing sets and other portions of the buildings.

He pointed out that in the 58th St. alone there were 406,000 cubic feet of space in disuse since the house went on a straight film policy.

Nizer argued that the replacement costs of the buildings represented their true values and that these should be computed with allowance for the obsolete space.

Witnesses for the company included Leslie E. Thompson, A. N. Gitterman and A. Reoeh of the RKO theatre department, Thomas W. Lamb, architect, and Joseph W. Garry, con- tractor.

**Equity Will Accept Existing Minimums; Urges Code Reform**

Actors Equity will not ask for increased minimums from legitimate stage producers when negotiations open next month with the League of New York Theatres, it was authoritatively learned yesterday.

However, reforms in the working of the ticket brokers' code may be sought and unless they are granted, Equity will revert to its previous policy of making contracts with individual producers instead of with the league, it was further reported.

The present contract expires on Sept. 1 and Equity has been advised which provides that Equity would not seek more favorable working conditions if the producers made an honest effort to enforce the ticket code. Unless Equity is satisfied that the code will work better in the future, the contract will not be renewed in the Fall.

Alfred Harding, editor of Equity, has just completed a two-month survey of the ticket selling field and will present a detailed report to Philip Loeb, committee chairman, this week. Although the contents of the report have not been revealed, it is understood that several basic changes in the enforcement of the code will be recommended.

Equity regards the ticket price as a matter of concern to the union. Although box-office prices do not directly affect salaries, it is felt that if theatre-going is made easier, employment may increase.

Meanwhile, the league has had its preliminary meetings with the brokers and opposition is still strong from that source.

(Continued on page 7)

**First Short Wave Broadcast Monday**

Industry's short wave broadcasts to foreign countries will be established on both CBS and NBC beginning next Monday when the first regular broadcast over CBS is scheduled.

Experimental broadcasts in connection with an NBC short wave film program were initiated about two weeks ago and since have been made a regular feature of that network's short wave programs.

The programs will be of 15 minutes each and will change weekly. They will be repeated during each week in six different languages, namely, English, French, German, Italian, Spanish and Portuguese. Most will go on the air in the early afternoon so as to be received in European countries at convenient early evening hours.

Material for the programs will be put into script form by Kenneth Clark, M.P.P.D.A. publicity head, from information on individual pictures.

(Continued on page 7)

**Trial Hears That SAG's Aid Was Spurned**

Principals and chorus girls in film houses with stage presentations are, in the main, members of the Screen Actors Guild and could easily have been organized by American Federation of Artists, according to testimony of S.A.G. officials at the trial of the American Federation of Actors by Associated Actors and Artists of America, the parent body.

The A.F.A. has withdrawn from the hearings which may be concluded today.

**Offered Aid to AFA**

Florence Marston, eastern representative of the S.A.G., testified that she had offered her cooperation to Ralph Whitehead, A.F.A. executive secretary, but that no contracts had resulted.

Kenneth Thomson, S.A.G. executive secretary, testified about conditions on the West Coast where night clubs were organized by S.A.G. and contracts were obtained at the Earl Carroll in Hollywood after Thomson sent telegrams to all senior members of the union.
Industry Will Mark Golden Anniversary

(Continued from page 1)

publicity and exploitation men who are members of the working committee contributing. The cost of producing this manual will be borne by M. P. P. D. A. Distribution will probably be through exchanges following its completion early in August. The observance is based on the 50th anniversary of the completion of Thomas A. Edison’s kinescope, Oct. 6, 1898.

Activities will be begun immediately following an announcement of the observance to be made by Will H. Hays about Aug. 15. National publicity will go out to syndicates, magazines and newspapers at that time and, to be effective, local campaigns should be started at approximately the same time.

The cooperation of schools, libraries, better film clubs and similar organizations will be sought for the observance during September. Memorials and public tributes to Edison will figure in the campaign.

Paramount Planning Big Selling Stunts

Paramount plans a series of elaborate stunts in connection with the new season’s product, Robert M. Gillham, director of advertising and publicity, said yesterday.

For will be about 30 key city trade and press screenings of “Beau Geste,” starting July 18 in Los Angeles.

“Our Leading Citizen,” Bob Burns’ version, will be screened for the governors of all 48 states, followed by a coast-to-coast broadcast from Van Buren, Ark., and a lecture tour by Irvin S. Cobb.

Search for talented orphans will be tied up with “The Star Maker,” in which appears Linda Ware, 13-year-old orphan. A broadcast honoring Gus Edwards, whose life story forms the basis of the film, also is planned.

Similarly elaborate exploitation plans are being prepared for “Geronimo,” “Ruler of the Seas,” “Jamaica Inn,” “Are Husbands Necessary” and “Disputed Passage.”

MOTION PICTURE DAILY

Wednesday, July 12, 1939

Night Baseball Harming Utica, Troy Theatres

ALBANY, July 11.—Night baseball is proving a serious competitive factor in this city, as the Federal League’s game here to-night is drawing approximately 3,000 fans each night.

In New York and Albany, exhibitors complain that their business is affected seriously by the nightly baseball attendance of 3,000 to 5,000 as well as the radio broadcasts of the night ball games.

The Paramount, neighborhood house here, has reduced matinee prices from 15 to 10 cents.

Closed except for weekends are the Schine houses in Watertown and Ogdensburg, and closed entirely for the Summer are the Lincoln, Schenec- tady, recently taken over by Sid Drew, and the Colonnades in Bradley, Fort Edward; Rivoli, Troy, and Bright Spot, Rensselaer. A few theatres have opened for the vacation season, including Adirondack and Adirondack Mountain resort spots.

In this territory, Warners have closed the Temple, Wellsville; Winter Garden, Jamestown, and State, Olean.

NJ Allied Supports Rejection of Code

Allied Theatre Owners of New Jersey, at an annual meeting at the Berkeley-Carteret Hotel in Asbury Park, yesterday adopted a resolution endorsing the action of the national Allied organization at the recent Minneapolis convention, rejecting the trade practice code as proposed by the motion picture distributors.

The entire meeting, a regular semi-monthly session, was devoted to a general discussion of the Allied rejection of the Neely bill that the Neely bill would come in for a share of attention from the exhibitors, but nothing of a serious or feasible nature, was taken up.

Approximately 30 members were present. George Gold, president of the organization, presided. No change has been set for the next meeting.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

Published daily except Sunday, Saturday and holidays by Quigley Publishing Company, 148 East 46th Street, New York City. Telephone Circle 7-4300. Cable address “Quiggo老兵, New York.” Martin Quigley, Editor-in-Chief and Publisher; Colvin Brown, Vice-President and General Manager; Walter L. Rodhacker, Vice-President; Sam Skim, Editor; James A. Cross, Advertising Manager; Carl M. With, Circulation Manager; Arthur L. Caprario, Assistant Managing Editor; George Manhall, manager; Harry E. Adams, Building Superintendent; M. L. Bale, police officer.


Night Baseball Harming Utica, Troy Theatres

ALBANY, July 11.—Night baseball is proving a serious competitive factor in this city, as the Federal League’s game here to-night is drawing approximately 3,000 fans each night.

In New York and Albany, exhibitors complain that their business is affected seriously by the nightly baseball attendance of 3,000 to 5,000 as well as the radio broadcasts of the night ball games.

The Paramount, neighborhood house here, has reduced matinee prices from 15 to 10 cents.

Closed except for weekends are the Schine houses in Watertown and Ogdensburg, and closed entirely for the Summer are the Lincoln, Schenec- tady, recently taken over by Sid Drew, and the Colonnades in Bradley, Fort Edward; Rivoli, Troy, and Bright Spot, Rensselaer. A few theatres have opened for the vacation season, including Adirondack and Adirondack Mountain resort spots.

In this territory, Warners have closed the Temple, Wellsville; Winter Garden, Jamestown, and State, Olean.

NJ Allied Supports Rejection of Code

Allied Theatre Owners of New Jersey, at an annual meeting at the Berkeley-Carteret Hotel in Asbury Park, yesterday adopted a resolution endorsing the action of the national Allied organization at the recent Minneapolis convention, rejecting the trade practice code as proposed by the motion picture distributors.

The entire meeting, a regular semi-monthly session, was devoted to a general discussion of the Allied rejection of the Neely bill that the Neely bill would come in for a share of attention from the exhibitors, but nothing of a serious or feasible nature, was taken up.

Approximately 30 members were present. George Gold, president of the organization, presided. No change has been set for the next meeting.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

Published daily except Sunday, Saturday and holidays by Quigley Publishing Company, 148 East 46th Street, New York City. Telephone Circle 7-4300. Cable address “Quiggo老兵, New York.” Martin Quigley, Editor-in-Chief and Publisher; Colvin Brown, Vice-President and General Manager; Walter L. Rodhacker, Vice-President; Sam Skim, Editor; James A. Cross, Advertising Manager; Carl M. With, Circulation Manager; Arthur L. Caprario, Assistant Managing Editor; George Manhall, manager; Harry E. Adams, Building Superintendent; M. L. Bale, police officer.


Night Baseball Harming Utica, Troy Theatres

ALBANY, July 11.—Night baseball is proving a serious competitive factor in this city, as the Federal League’s game here to-night is drawing approximately 3,000 fans each night.

In New York and Albany, exhibitors complain that their business is affected seriously by the nightly baseball attendance of 3,000 to 5,000 as well as the radio broadcasts of the night ball games.

The Paramount, neighborhood house here, has reduced matinee prices from 15 to 10 cents.

Closed except for weekends are the Schine houses in Watertown and Ogdensburg, and closed entirely for the Summer are the Lincoln, Schenec- tady, recently taken over by Sid Drew, and the Colonnades in Bradley, Fort Edward; Rivoli, Troy, and Bright Spot, Rensselaer. A few theatres have opened for the vacation season, including Adirondack and Adirondack Mountain resort spots.

In this territory, Warners have closed the Temple, Wellsville; Winter Garden, Jamestown, and State, Olean.

NJ Allied Supports Rejection of Code

Allied Theatre Owners of New Jersey, at an annual meeting at the Berkeley-Carteret Hotel in Asbury Park, yesterday adopted a resolution endorsing the action of the national Allied organization at the recent Minneapolis convention, rejecting the trade practice code as proposed by the motion picture distributors.

The entire meeting, a regular semi-monthly session, was devoted to a general discussion of the Allied rejection of the Neely bill that the Neely bill would come in for a share of attention from the exhibitors, but nothing of a serious or feasible nature, was taken up.

Approximately 30 members were present. George Gold, president of the organization, presided. No change has been set for the next meeting.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

Published daily except Sunday, Saturday and holidays by Quigley Publishing Company, 148 East 46th Street, New York City. Telephone Circle 7-4300. Cable address “Quiggo老兵, New York.” Martin Quigley, Editor-in-Chief and Publisher; Colvin Brown, Vice-President and General Manager; Walter L. Rodhacker, Vice-President; Sam Skim, Editor; James A. Cross, Advertising Manager; Carl M. With, Circulation Manager; Arthur L. Caprario, Assistant Managing Editor; George Manhall, manager; Harry E. Adams, Building Superintendent; M. L. Bale, police officer.

"TARZAN" TIPS!

Successful Exploitation Ideas From Profitable Engagements!

(It's easy to duplicate the ideas and the PROFITS!)

LOUISVILLE, KY. A swimming contest was conducted to find Louisville’s Tarzan. City winner received a Tarzan Trophy and a trip to Indianapolis, Indiana, to compete in the Kentucky-Indiana State Finals. The State winner received a trip to the New York World’s Fair with all expenses paid.

JOHNSTOWN, PA. The Cambria Theatre, arranged with Cole Brothers and Art Mix Circus to have their elephants carry picture banners in the circus parade. A Tarzan Call Contest was exploited over the theatre’s PA system with winner receiving a cash prize of $10 and runners-up free movie tickets.

ROCHESTER, N. Y. Caged lion exhibit displayed in front of Loew’s Theatre for four days prior to and during picture opening. Jungle atmosphere prevailed with animal skins strung around marquee. “California Jack” was in charge of the exhibit and answered questions relating to his travels in the African wilds. Man in gorilla costume rode a bicycle on the streets for three days. Band paraded to theatre on opening day.

ASBURY PARK, N. J. The St. James Theatre sponsored the first major swim meet of the season, at this noted resort, for its engagement of “Tarzan Finds a Son!” Awards consisted of a gold trophy, a trip to the New York World’s Fair and 13 other prizes. The Tarzan Swim Meet was held at the Natatorium and was exploited by the Asbury Park Evening Press.

WASHINGTON, INDIANA. Through arrangement with the Indiana Theatre, and the Washington Democrat, a state-wide contest for a Tarzan type of swimmer was put over. The stunt had the cooperation of the mayor and the president of the local chamber of commerce. Voting coupons appeared in the paper and readers were urged to cast their votes for the young man they felt was best qualified to represent Washington in the Indianapolis finals. One of the prizes in this big promotion undertaking was a trip to the New York World’s Fair. The contest was widely published in many cities in the States of Indiana and Kentucky.

CLEVELAND, OHIO. Loew’s State Theatre prepared a big jungle float for its play dates. Mounted elephants, tigers and lions were shown together with a man dressed in animal skins, who gave the Tarzan Yell. Mounted animals were also displayed in the lobby and an atmospheric jungle front attracted plenty of attention.

BINGHAMTON, N. Y. The Strand Theatre exploited a Tarzan Camera Contest. Contestants were instructed to take pictures of children with any kind of an animal. Three fine cameras were awarded winners who bore the closest resemblance to Johnny Sheffield.

SEYMOUR AND FRANKLIN, INDIANA. The Vondee and Artcraft Theatres, respectively, tied in with the Washington (Indiana) state-wide Tarzan swim contest.

SOUTHAMPTON, L. I., N. Y. The spectacular Tarzan Float, which was seen by New York City’s millions who turned out to greet England’s King and Queen, and which ballyhooed New York City’s Capitol Theatre engagement, was a feature in American Legion’s Fourth of July parade. The Southampton Press publicized the presence of the Tarzan Float in front page stories.

HARRISBURG, SCRANTON AND WILKES-BARRE, PA. Due to promotion enterprise Harrisburg had a long line of standees waiting for the opening performance. M-G-M’s Tarzan Float covered part of Pennsylvania after its ballyhoo for the Capitol Theatre (N. Y.) engagement. Tarzana, the movie chimpanzee, was a feature of the animal float and attracted large crowds in Harrisburg, Scranton, Wilkes-Barre. Comerford Theatres played the picture in the last two cities. All newspapers cooperated with art and stories on Tarzana.

NEWARK, N. J. Loew’s State Theatre searched for a local “Tarzan, Jr.” on the basis of athletic development and resemblance to Johnny Sheffield. The winner and his mother were guests of Johnny Weissmuller at the World’s Fair and the stunt broke the city’s newspapers.

WATERBURY, CONN. Loew-Poli Theatre backed the engagement with one of the biggest campaigns ever seen on a jungle picture attaining coverage by using all ideas, missing no bets!

VANCOUVER, CANADA. The Vancouver Sun conducted a contest along the line of—“Have You a Little Tarzan in Your Home?” Youngsters who most closely resembled Johnny Sheffield, “Tarzan Jr.”, or who most closely approximated a set of physical measurements, were eligible to enter. Cash prizes and a free trip to the New York World’s Fair were the prizes. The Orpheum Theatre participated.

"TARZAN FINDS A SON!" with the one and only JOHNNY WEISSMULLER • Maureen O’Sullivan and John Sheffield, Ian Hunter, Henry Stephenson, Frieda Inescort, Henry Wilcoxon, Laraine Day • Screen Play by Cyril Hume • Based upon the Characters Created by Edgar Rice Burroughs • Directed by Richard Thorpe • Produced by Sam Zimbalist
'Maisie' Hits Fine $42,600 Loop Gross

Chicago, July 11.—"Maisie" gave the Chicago a $42,600 gross with the aid of Bob Hope and Jerry Calvonna on the stage. Business downtown was good over the holiday and the best grosses in weeks were the result, despite the week ending July 5:

Estimated takings for the week ending July 5-

"Goodbye, Mr. Chips" (M-G-M) Seven days. Stage: $4,260. Gross: $14,600. (Average, $2,150.)

"Chicago"—(35c-55c) Seven days. Stage: $15,000. Gross: $42,600. (Average, $6,000.)

"Invitation to Happiness" (Para.) Seven days. Stage: $3,100. Gross: $8,300. (Average, $1,200.)

"Tarzan Finds a Son" (M-G-M) Seven days. Stage: $2,800. Gross: $7,500. (Average, $1,000.)

"Great American Escape" (RKO) Seven days. Stage: $2,800. Gross: $7,500. (Average, $1,000.)

"Missing Girls" (Col.) Seven days. Stage: $2,200. Gross: $5,600. (Average, $800.)

"Five' Nets $8,500 Washington Gross

Washington, July 11.—"Five Came Back" and a repeat showing of "Juno" were the only downtown attractions to make a dent in the holiday. The former pulled $8,500 at RKO Keith's, and later $5,300 at Warners' Midtown.

Estimated takings for the week ending July 6-

"Maisy" (M-G-M) Seven days. Stage: $1,454. (25c-55c) 6 days. Gross: $3,880. (Average, $550.)

"It's a Wonderful World" (M-G-M) Seven days. Stage: $1,454. (25c-55c) 6 days. Gross: $3,880. (Average, $550.)

"Tarzan Finds a Son" (M-G-M) Seven days. Stage: $2,800. Gross: $7,500. (Average, $1,000.)

"Five Came Back" (RKO) Seven days. Stage: $2,800. Gross: $7,500. (Average, $1,000.)

"Good Girls Go To Paris" (Col.) Seven days. Stage: $2,200. Gross: $5,600. (Average, $800.)

"Warners' EARLE—(2,251) (25c-55c) 7 days. Stage: Fashion-Bow. Gross: $14,300. (Average, $2,050.)

"Maisy" (M-G-M) Seven days. Stage: $1,454. (25c-55c) 6 days. Gross: $3,880. (Average, $550.)

"Maisy" (M-G-M) Seven days. Stage: $1,454. (25c-55c) 6 days. Gross: $3,880. (Average, $550.)

"The Kid from Kokomo" (W. B.) Seven days. Stage: $2,800. Gross: $7,500. (Average, $1,000.)

"Lyrical" (2,200) Seven days. Stage: $2,200. Gross: $5,600. (Average, $800.)

"Ginger Rogers Fights the Century" (20th-Fox) Seven days. Stage: $2,200. Gross: $5,600. (Average, $800.)

"Swept Away by a Whirlpool" (25c-55c) 6 days. Stage: $1,454. Gross: $3,880. (Average, $550.)

"Thank You, Mr. Chips" (M-G-M) Seven days. Stage: $2,800. Gross: $7,500. (Average, $1,000.)

British Trade Fights Hotels As Competitor

London, July 11.—The Cinematograph Exhibitors’ Association is waging a vigorous fight against a proposed new source of competition—hotels. The London branch of the exhibitor organization is actively opposing the Savoy Hotel for a license to operate a newsreel theatre within the hotel. The application will be heard by the London County Council on Wednesday.

Four basic points feature the objection: (1) It will have the effect of increasing the overselling problem, already acute; (2) Hotels do not conform to film safety regulations; (3) It will set a precedent for other hotels, restaurants and saloons, and (4) The Savoy Hotel sells liquor.

Meanwhile, Edward J. Hinge and W. R. Fuller, for the C.E.A., and D. E. Griffith and Frank Hill, representing the Kinematograph Renters’ Society (distributors) met today and agreed in principle on new joint trade talks concerning various industry problems.

The C.E.A. general body will discuss the proposed negotiations Wednesday.

Negro Fight Films Ban Halts Pictures

Miami, Fla., July 11.—Miami police halted plans of film houses to show pictures of Negroes taking part in the last year’s Galento heavyweight title fight. They acted under an ordinance that bans pictures of fights in which a negro participates. The ordinance was passed in 1927. An initial run of films made in Havana, where Jess Willard fought the negro Jack Johnson.

Legion Approves 9 Of 10 New Pictures

National Legion of Decency for the current week has approved nine of the 10 new pictures reviewed and classified, five for general patronage and four for adults, and classed one as objectionable in part.

The new films and those previously approved are:

The Hottest Thing on Ice!

... the year’s standout star discovery ... in the screen’s gayest romance of youth hitting the high spots with the brakes off!

Ann Sheridan
Released July 28th...
PLAY IT WHILE IT’S HOT!

WALTER WANGER presents
Ann Sheridan
in The Season’s Gayest Picture
WINTER CARNIVAL
Actually photographed during the world-famous Dartmouth Winter Carnival

with RICHARD CARLSON
HELEN PARRISH • ROBERT ARMSTRONG • VIRGINIA GILMORE
Directed by CHARLES RIESNER • Released thru UNITED ARTISTS

Here comes Ann Sheridan... Oh, Boy!
He may be made of ice... but his heart’s on fire!
Hang on to your hat, Snowman... here you go!
Just a puddle... but pleasure!
Newsees

Parade

Floods in Kentucky, events pertinent to the crisis in Europe and an assortment of less important items comprise the new issues. The reels and their contents follow:

AFA Charged
With Ignoring
Film Houses

_form Yonkers

(Continued from page 1)

S.A.G. urging them to cancel reservation.

"Our only regret is that we were unable to convince the A.F.A. of the power of our cooperation," Thompson said.

A.F.A., offices stated last night that inability to obtain the aid of Projectionists' Union, Local 306, was the reason a walkout was not staged.

Affidavit of Fred Kentenich, A.F.A. president, read in which he declared that when the I.A.T.S.E. threatened to invade the jurisdiction of the guild, he was unable to obtain the aid of A.F.A.

Most of the testimony yesterday concerned itself with the complaints of the chorus of Billy Rose's Arena. Members told of unsatisfactory conditions in dressing rooms and pool and failure to obtain rehearsal pay. Other performers related how they were compelled to join the A.F.A. against their wishes, and being forced by agency practice to sign, even though they booked the acts themselves.

Appeal for a 4-A investigation by the A. F. of L. is "another attempt to confuse the issues and avoid answering the facts," said Paul N. Turner, 4-A counsel. Turner quoted from a previous letter to the A. F. of L. in which Whitehead stated that no power existed to investigate an international union.

Delay of Gaumont
Probe Report Told

LONDON, July 11.—Questioned in Commons tonight on reasons for the delay in issuing a report on the investigation of Gaumont British affairs, Sir Oliver Stanley said certain documents have not yet been placed at the disposal of the inspector. He remarked that company directors have not been as helpful in the investigation as they might be.

On further questioning, however, the Board of Trade president stated that the documents now in the hands of inspectors are presentable, if necessary, on court order.

Reopen Chicago House

CHICAGO, July 11.—With ample product for the house's needs in view, B & K will reopen the United Artists here July 22. House has been dark for several months because of a shortage of films. Mort Singer may operate the RKO Palace here if a deal reported to be under discussion now is consummated.

Uphold Ban on 'Birth'

ALBANY, July 11.—The Appellate Division of the N. Y. Supreme Court today upheld, three to two, the Board of Regents in its ban on the exhibition in the state of "The Birth of a Baby." Costs were assessed against the American Committee on Maternal Welfare, Inc., and Sam Citron.

Wants Film "Johnny-on-the-Spot?"

FIlms shot A.M., screened P.M. many miles away! Easy! Just ship 'em by AIR EXPRESS—3-miile-a-minute service with day and night delivery. Smart exhibits...

FREE booklet, "How to Profit with Air Express" tells how you can use Air Express for bigger profits, Write Dept. 7, Air Express Division, Railway Express Agency, 230 Park Avenue, New York, N. Y.
**Radio Chiefs Accept Code, Hear Milliken**

(Continued from page 1) establish machinery to administer and interpret the code.

Briefly, the code provides close guard with the important elements contrary to cleaning, respect for parents and law and order; no horror stuff; NAB is to cooperate with parent and child study groups to improve standards; time is to be sold for discussion of controversial issues, and responsible parties be given an opportunity to express their views.

The code also provides for furtherance of educational efforts, barn attacks on race or religion and establishes limits on the length of commercial sales talks. Close guard is to be maintained against the distortion of news or the use of news periods for propaganda.

**Radio and Films Compared**

Addresses by Carl E. Milliken of the Motion Pictures, Television and Radio Administration, early secretary to President Roosevelt, and reports by NAB President Neville Miller and Secretary-Treasurer Ed Speckman were highlights of Monday's meeting.

Milliken's talk was perfectly timed, coming as it did before the convention considered this same code. He first pointed out the similarities between radio and pictures, saying that both catered to the masses and both had the same kind of picture shows, that parents often do not identify the problem of radio in the same way that both industries need self-government, and that both had a problem of foreign audiences and acceptable material for them.

Milliken then commented on differences between the two fields. He noted that radio was free whereas pictures have an average admission price of 22 cents; that radio has, simultaneously, presentation through the network, direct and an almost completely separate group of listeners, with great varying intervals; that they have entirely different distribution methods; that radio is far more convenient to the audience, that picture audiences are less active, and finally, radio does not have to spend millions to advertise its attractions.

**Fears No Government Control**

Early reassured the broadcasters that there were no grounds for fears of governmental operation of radio. Federal regulations, he said, will be such that no one can be required to do anything, the only thing that can be said, means the "end of democracy."

Early said that he could see no reason why station owners should oppose periodic scrutiny by the F.C.C. to check up on their responsibility. "The F.C.C. is no ogre," he said.

What was interpreted as a hidden reference to Father Coughlin was contained in Early's statement that no individual seeking to arouse prejudice would be permitted to do so. Miller's report covered various fields of NAB activity, highlighted by the high standards and earnings of radio employees. The average was $4,250, highest in American industry.

The Federal Reserve report showed there are 419 active NAB stations, with 250 network affiliates and with the balance being independents.

**Urges Radio Super-Power Experiments**

Washington, July 11.—Power in excess of 50,000 watts is essential if areas not now adequately served are to have a desirable choice of broadcast programs, Representative William J. Larrabee of Indiana.

"While it is not inconceivable that the use of super-power by domestic stations while relying that international broadcasting does nothing for the average listener," he said. "The commission's so-called superpower report had been termed, as it should have been, 'report on means of improving rural and small-town radio reception,' an entirely different reaction to this report to that which might have been a reaction on the part of the commission itself.

"It is a strange paradox that the very people to whom radio can mean the most and whom radio offers most are the same people who receive its benefits least satisfactorily."

**Steffes Is Re-Elected By Northern Allied**

Minneapolis, July 11.—W. A. Steffes was re-elected president of the Northern Allied at its annual convention at the Nicollet Hotel here today. More than 50 exhibitors attended.

B. L. Peasley was named vice-president, Ben Asch secretary and Sidney Volle treasurer.

A resolution was adopted, but officers refused to disclose its nature until tomorrow.

**Six Stations Change Advertising Methods**

Washington, July 11.—Five western and one southern radio stations have entered into stipulations with the Federal Trade Commission to discontinue certain advertising practices in connection with sale of their facilities. The stations are KDYL, Salt Lake City; WJDX, Jackson, Miss.; KGVO, Missoula, Mont.; WOW, Omaha; KFRU, Columbia, Mo.; and WTCN, Minneapolis.

The stations have agreed to cease representing that their respective outlets have a certain power unless they actually do use them during the entire broadcast period; or unless it is clearly explained that such power has been available only during certain specified hours.

**New Job for Gaynor**

Leonard Gaynor, until recently with the 20th Century-Fox publicity department, will handle special public and exploitation for Columbia on "Golden Boy" and "Mr. Smith Goes to Washington."

**Hearing on July 21 for Fox Theatres**

Federal Judge John C. Knox has set hearing for July 21 at 10 a.m. on the application of the Trust Co. of Georgia to vacate the order of former Circuit Judge Martin T. Man ton, appointing Milton C. Weisman and Kenneth Steenreich as trustees of the Fox Theatres Corp., and substituting a temporary receiver in their place.

**BANNER RADIO LINES**

By Jack BANNER

TELEVISION . . . Starting Thursday, July 20 and weekly thereafter, NBC television viewers will see Andre LaVerre's "Screen Traveler" subjects, which are well-known to picture audiences. NBC also has acquired the television rights to the number of Noel Coward sketches for Fall production. Currently in rehearsal for a showing July 18 via the television camera is "Missouri Legend," which Guthrie McClintock produced on Broadway. "Legend" will be offered as an hour-length production, with Dean Jagger in the principal role.

SPITALNY BACK . . . Phil Spitalny's girl orchestra will be back on NBC. For this Fall again for the first time because he preferred not to remain on the air round-year he's lost his previous time, and on this cycle will try the Sunday 10 to 10:30 M. P. period on the Red. This is "graveyard" time and if the Spitalny show succeeds in holding its previous high ratings, he'll be in defiance of precedence, for most sponsored shows have died ignobly in this spot. The program starts Sept. 17.

P & G ADDS CANADA . . . The Maritime, Quebec, Ontario, Prairie and British Columbia regions of Canadian Broadcasting Corp. have been added by P & G for its serials, "Ma Perkins," "Mary Martin," "Pepper Young's Family" and "Guiding Light." 

BACKSTAGE HOLLYWOOD . . . Filmland reporter George McCall will present a new series, "Man About Hollywood," over CBS beginning Monday at 9 P. M. Hollywood's fledgling players will be boosted each week.

EDUCATION BY RADIO . . . In a Radio City restaurant. From the loudspeaker in the premises came the strains of Tchaikowsky's Fifth Symphony, "That's what's beautiful," said the woman to her escort. "Who composed it?" "The man who fled the Tchaikowsky," she replied. "Oh, yes. He's the man who married Lily Pons."

PERSONALS . . . Ben Pratt has re-joined the NBC press staff . . . Charles E. Green, CRA president, back in New York after three weeks visiting territorial offices . . . Margaret Anglin slipped in a Radio City studio and chipped a bone in her ankle . . . Martin Block deserts the WNEW record turntables July 14 for a California vacation . . . Ray Bell of WEAF is off on vacation . . . Edith Gros of WMCA has joined the production and announcing staffs at WOR . . . Arthur Godfrey, the Washington air chatterer, is now doing a column for the Washington News . . . Three additions have been made to the WABC program staff. They are Edwin M. Marshall, formerly a freelance writer, who will write local programs; Richard Goggin, formerly an apprentice at CBS, who will assist in production; Mary O'Keefe or WTHT, Hartford, who will run traffic operations.

"TEXT" PROGRAMS . . . Radio Workshops at 15 universities have selected a number of NBC programs to be used as texts of education by radio. Programs selected include Music Appreciation Hour, Science on the March, Ideas That Came True, Your Health, Stories Behind Headlines, Adventures in Reading, Lives of Great Men, America's Town Meetings, Great Plays, Youth Meets Government. NBC will provide lecturers from its staff for several of its courses.

CROSSLEY ON FIGHT . . . It doesn't sound quite believable, but the Crosley surveyouches that the audio audience rating for the recent Louis-Galento fight was higher than for any other one-network sports broadcast, at 53.2 per cent. Comparisons show that the Baer-Nova and Breschke-Farr fights, both broadcast over the Blue network, was as the network leaders, had audience ratings of 32.2 and 35.9 respectively. For two network broadcasts, the audience ratings were higher, of course. Broadcast over the Blue and Red, the Louis-Schmeling bout in 1936, had a rating of 57.6, the following year Louis and Braddock drew an audience of the same ranking, 57.6; Louis-Farr had an audience of 56.9, and the return between Louis and Schmeling drew an all-time high of 63.6 per cent.

RADIO NEWCOMER . . . Peter Zampieri, sales promotion manager of Red Book, comes to NBC in August to head up the sales promotion department of the Blue network.

FIRST entertainment series from the Fair will start over CBS next Sunday from 10 to 10:30 P. M., with John S. Young, Fair's director of radio, in charge of the program each week. Opening program will feature Bill Robinson and Morton Downey.
MOST ADVANCED TEXTBOOK ON SOUND REPRODUCTION AND PROJECTION

2nd Revision

F. H. Richardson's BLUEBOOK of PROJECTION

SIXTH EDITION—SUPPLEMENTED WITH SOUND TROUBLE CHARTS and ALPHABETICAL INDEX

Over 700 pages. The only practical guide to good projection and quick trouble-shooting.

ORDER TODAY • $7.25 POSTPAID

QUIGLEY BOOKSHOP
ROCKEFELLER CENTER • NEW YORK CITY
LOOPING THE LOOP WITH YOUR HEART . . . IT'S TAILSPIN TOMMY WITH NEW DAREDEVIL THRILLS

MACHINE GUNS BLAZE IN THE NO-MAN'S LAND OF THE AIR

TAILSPIN TOMMY

YOURS OF THE SKYWAYS

“STUNT PILOT”

with

JOHN TRENT as "TAILSPIN TOMMY"
MARJORIE REYNOLDS as "BETTY LOU"
MILBURN STONE as “SKEETER”

Produced by PAUL MALVERN • Directed by GEORGE WAGNER
Screenplay by SCOTT DARLING and JOSEPH WEST
Original Story by HAL FORREST

A MONOGRAM PICTURE

“Packed with air thrills and action” — Hollywood Reporter
“Thrills and chills, excitement for all” — Motion Picture Daily
“Climbs to high level as action melodrama” — Boxoffice
“Good bet for action fans” — National Boxoffice Digest
“Worthy sequel to the initial film” — Motion Picture Herald
Radio, Press, Films Draw Hays Praise

Goodwill Value Stressed Before Broadcasters

Atlantic City, July 12—Will H. Hays, president of the M. P. D. A., speaking tonight from the Philadelphia assembly of broadcasters attending the N. A. B. convention here, described the motion pictures, radio and the press as the “three mirrors” of the people, and said that each reflects a “composite, definite distillation of the character and the intelligence” of civilization.

Paying respect to radio, he said that the medium has been employed “appropriately” for good and that it has shown its determination and its “distinguished” ability to make itself an agency of “goodwill, of enlightenment, and of general public welfare.”

Of motion pictures, he said they are of vast benefit in that they contribute to the well-being and contentment of people everywhere in the world and are a tremendous influence in conditioning the thoughts of the people.

“Let your imagination conceive this country as being deprived of motion pictures,” he said to the broadcasters.

“Conjure all screens as being silent and lifeless, and then you will begin to see the true measure of the vast

(Continued on page 2)

British Exhibitors Study
Maxwell’s Booking Plans

London, July 12.—A subcommittee of the Cinematograph Exhibitors’ Association today was designated by the organization’s general council to examine and report on the booking combine scheme proposed by John Maxwell, after consideration of the plan by the council.

The subcommittee was instructed to interview Maxwell relative to complete details of the plan. Under the scheme, a group of approximately 10 companies would be formed to control booking and rentals of pictures, and a C.E.A. committee would be established to act as a mediator between the companies and the distributors.

Mr. Andy Hardy gets Spring Fever, opens, “Hell’s Kitchen” opens an estimated $40,000, but not going over $80,000, with the same. "Andy Hardy Gets Spring Fever," opens, "Hell's Kitchen," also held over at the Rialto.

AFA Trial Closes; Thomson Charges Attack Whitehead

Efforts to establish one office for all union actors in smaller cities were blocked by Ralph Whitehead, executive secretary of the American Federation of Actors, Kenneth Thomson, Screen Actors Guild executive secretary, testified at the A.F.A. trial yesterday.

Open hearings by Associated Actors and Artists of America on charges filed against the A.F.A. were concluded and the trial board will go into executive session tomorrow. No indication was given that testimony has been ended.

A.F.A., which withdrew from the trial, will answer the charges tomorrow in the form of a newspaper release.

Mentioning the Roxie specifically, Thomson declared that performers in the stage show there could have been organized by A.F.A., if it had accepted the cooperation of other 4-64 branches. He stated that he had proposed a joint council to be set up in New York, Los Angeles, San Francisco and other cities where several unions maintain branches, but the A.F.A. refused.

Thomson also pointed out that he had proposed to have an office set up in Detroit which was needed.

(Continued on page 8)

British Exhibitors Study
Maxwell’s Booking Plans

London, July 12.—A subcommittee of the Cinematograph Exhibitors’ Association today was designated by the organization’s general council to examine and report on the booking combine scheme proposed by John Maxwell, after consideration of the plan by the council.

The subcommittee was instructed to interview Maxwell relative to complete details of the plan. Under the scheme, a group of approximately 100 companies would be formed to control booking and rentals of pictures, and a C.E.A. committee would be established to act as a mediator between the companies and the distributors.

Mr. Andy Hardy gets Spring Fever, opens, “Hell’s Kitchen” opens an estimated $40,000, but not going over $80,000, with the same. “Andy Hardy Gets Spring Fever,” opens, “Hell’s Kitchen,” also held over at the Rialto.

AFA Trial Closes; Thomson Charges Attack Whitehead

Efforts to establish one office for all union actors in smaller cities were blocked by Ralph Whitehead, executive secretary of the American Federation of Actors, Kenneth Thomson, Screen Actors Guild executive secretary, testified at the A.F.A. trial yesterday.

Open hearings by Associated Actors and Artists of America on charges filed against the A.F.A. were concluded and the trial board will go into executive session tomorrow. No indication was given that testimony has been ended.

A.F.A., which withdrew from the trial, will answer the charges tomorrow in the form of a newspaper release.

Mentioning the Roxie specifically, Thomson declared that performers in the stage show there could have been organized by A.F.A., if it had accepted the cooperation of other 4-64 branches. He stated that he had proposed a joint council to be set up in New York, Los Angeles, San Francisco and other cities where several unions maintain branches, but the A.F.A. refused.

Thomson also pointed out that he had proposed to have an office set up in Detroit which was needed.

(Continued on page 8)

British Exhibitors Study
Maxwell’s Booking Plans

London, July 12.—A subcommittee of the Cinematograph Exhibitors’ Association today was designated by the organization’s general council to examine and report on the booking combine scheme proposed by John Maxwell, after consideration of the plan by the council.

The subcommittee was instructed to interview Maxwell relative to complete details of the plan. Under the scheme, a group of approximately 100 companies would be formed to control booking and rentals of pictures, and a C.E.A. committee would be established to act as a mediator between the companies and the distributors.

Mr. Andy Hardy gets Spring Fever, opens, “Hell’s Kitchen” opens an estimated $40,000, but not going over $80,000, with the same. “Andy Hardy Gets Spring Fever,” opens, “Hell’s Kitchen,” also held over at the Rialto.

AFA Trial Closes; Thomson Charges Attack Whitehead

Efforts to establish one office for all union actors in smaller cities were blocked by Ralph Whitehead, executive secretary of the American Federation of Actors, Kenneth Thomson, Screen Actors Guild executive secretary, testified at the A.F.A. trial yesterday.

Open hearings by Associated Actors and Artists of America on charges filed against the A.F.A. were concluded and the trial board will go into executive session tomorrow. No indication was given that testimony has been ended.

A.F.A., which withdrew from the trial, will answer the charges tomorrow in the form of a newspaper release.

Mentioning the Roxie specifically, Thomson declared that performers in the stage show there could have been organized by A.F.A., if it had accepted the cooperation of other 4-64 branches. He stated that he had proposed a joint council to be set up in New York, Los Angeles, San Francisco and other cities where several unions maintain branches, but the A.F.A. refused.

Thomson also pointed out that he had proposed to have an office set up in Detroit which was needed.

(Continued on page 8)

British Exhibitors Study
Maxwell’s Booking Plans

London, July 12.—A subcommittee of the Cinematograph Exhibitors’ Association today was designated by the organization’s general council to examine and report on the booking combine scheme proposed by John Maxwell, after consideration of the plan by the council.

The subcommittee was instructed to interview Maxwell relative to complete details of the plan. Under the scheme, a group of approximately 100 companies would be formed to control booking and rentals of pictures, and a C.E.A. committee would be established to act as a mediator between the companies and the distributors.

Mr. Andy Hardy gets Spring Fever, opens, “Hell’s Kitchen” opens an estimated $40,000, but not going over $80,000, with the same. “Andy Hardy Gets Spring Fever,” opens, “Hell’s Kitchen,” also held over at the Rialto.

AFA Trial Closes; Thomson Charges Attack Whitehead

Efforts to establish one office for all union actors in smaller cities were blocked by Ralph Whitehead, executive secretary of the American Federation of Actors, Kenneth Thomson, Screen Actors Guild executive secretary, testified at the A.F.A. trial yesterday.

Open hearings by Associated Actors and Artists of America on charges filed against the A.F.A. were concluded and the trial board will go into executive session tomorrow. No indication was given that testimony has been ended.

A.F.A., which withdrew from the trial, will answer the charges tomorrow in the form of a newspaper release.

Mentioning the Roxie specifically, Thomson declared that performers in the stage show there could have been organized by A.F.A., if it had accepted the cooperation of other 4-64 branches. He stated that he had proposed a joint council to be set up in New York, Los Angeles, San Francisco and other cities where several unions maintain branches, but the A.F.A. refused.

Thomson also pointed out that he had proposed to have an office set up in Detroit which was needed.

(Continued on page 8)

British Exhibitors Study
Maxwell’s Booking Plans

London, July 12.—A subcommittee of the Cinematograph Exhibitors’ Association today was designated by the organization’s general council to examine and report on the booking combine scheme proposed by John Maxwell, after consideration of the plan by the council.

The subcommittee was instructed to interview Maxwell relative to complete details of the plan. Under the scheme, a group of approximately 100 companies would be formed to control booking and rentals of pictures, and a C.E.A. committee would be established to act as a mediator between the companies and the distributors.

Mr. Andy Hardy gets Spring Fever, opens, “Hell’s Kitchen” opens an estimated $40,000, but not going over $80,000, with the same. “Andy Hardy Gets Spring Fever,” opens, “Hell’s Kitchen,” also held over at the Rialto.

AFA Trial Closes; Thomson Charges Attack Whitehead

Efforts to establish one office for all union actors in smaller cities were blocked by Ralph Whitehead, executive secretary of the American Federation of Actors, Kenneth Thomson, Screen Actors Guild executive secretary, testified at the A.F.A. trial yesterday.

Open hearings by Associated Actors and Artists of America on charges filed against the A.F.A. were concluded and the trial board will go into executive session tomorrow. No indication was given that testimony has been ended.

A.F.A., which withdrew from the trial, will answer the charges tomorrow in the form of a newspaper release.

Mentioning the Roxie specifically, Thomson declared that performers in the stage show there could have been organized by A.F.A., if it had accepted the cooperation of other 4-64 branches. He stated that he had proposed a joint council to be set up in New York, Los Angeles, San Francisco and other cities where several unions maintain branches, but the A.F.A. refused.

Thomson also pointed out that he had proposed to have an office set up in Detroit which was needed.

(Continued on page 8)
U.S. Lawyers Urge Changes On Copyrights

(Continued from page 1)
discussed the various international and domestic activities of the Committee for the Study of Copyright, popularly known as the Shotwell Committee, and with which the various copyright interests have been co-operating for many months, as well as the recent order of the U. S. Supreme Court making the new Federal Rules of Civil Procedure applicable to copyright suits after September 1, a matter which this committee urged in cooperation with similar committees of other bar associations.

UA Executives Fete 'Grandpa' Streamer

Moe Streamer, on the occasion of his becoming a grandfather Saturday, was honored at a luncheon at Bob Goldstein's Tavern yesterday by executives of United Artists. Those present included Clarence Eisenman, New York branch manager; Monroe Greenthal, advertising and publicity director; Thomas Walker, Jr., Roxy executive; Harry Buckley, vice-president; Arthur Kelly, vice-president in charge of foreign distribution; James Mulvey, Goldwyn executive; Samuel Fried; Murray Silverstone, chairman of the executive committee.

Also Harry Gold, Emanuel Silverstone, Lynn Farno, Harry Kosiner, Morris Helprin, Charles Stern and Al Margolis.

Purely Personal

WILLIAM A. SCULLY, Universal general sales manager, is due back from a business trip to Boston tomorrow.

MARTHA RAYE has signed for a week's personal appearance at the Golden Gate Theatre in San Francisco, beginning July 19. She will return to the Paramount studio the middle of August to appear in "The Farmer's Daughter."

ALFRED DAFF, Universal's Far East general manager, returns to New York next week from Montana where he is visiting relatives. He is in the United States from Japan spring, first home office visit since joining Universal.

HOWARD DIRTZ, director of advertising and publicity for M-G-M, left on the Dixie Clipper yesterday for England to join his wife. He will return in about two weeks.

JOSEPH SEIDELMAN, Universal foreign sales manager, sails from England Saturday on the Ile de France on his return from a two months trip abroad.

DAN CASEY, Universal's general sales manager for Australia, and HERK MCINTYRE, arrives in New York from the coast early next week.

OSCAR MORGAN, Paramount southern sales manager, is due back in New York from Atlanta on Monday.

Mr. and Mrs. SAM KOMM, of the Sam Komm Circuit, St. Louis, are in town to visit the World's Fair.

HARRY MANDEL, RKO Theatres publicity manager, is vacationing.

LOUIS PHILLIPS of the Paramount legal department is vacationing.

Betty May Warner
Marries Sperling

LOS ANGELES, July 12.—Betty May Warner, daughter of Mr. and Mrs. Harry M. Warner, tonight became the bride of Mr. and Mrs. Louis Sperling of Los Angeles, a Century-Fox film writer and son of Mrs. Betty Sperling, at a ceremony performed by Rabbi Maxwell Dubin at the Beverly Wilshire Hotel.

Seventy close friends of the couple attended the ceremony and approximately 500 were guests at the supper which followed. The bride's sister, Mrs. Mervyn LeRoy, was matron of honor and Lita Warner, cousin, was matron of honor. Frank Cohen was best man. Serving as usher were Jack Warner, Jr., Milton Charnin, William Goetz, Leonard Hoffman, Boris Ingster and Albert Manheimer. The father gave the bride away.

For their honeymoon the newlyweds will make an extended trip over the United States and Europe.

Radio, Press, Films Draw Hays Praise

(Continued from page 1)
and vital benefit of the motion picture industry.

Describing the motion picture as the "true child of democracy," he said that it "has no vested interest and must take upon itself the task of publicizing and publicizing the public's need for decency and good taste in entertainment." He congratulated the B.P.I. and the various committees and acknowledged its responsibilities.

"Freedom of the screen means opportunity to attend a theatre with the whole family, that the entertainment will not negate the influence of the school, church and home; that the picture bearing the seal of self-regulation will not violate the canons of common decency; that the screen's freedom from subversive propaganda will build patriotism," he stated.

Following passage of the N.A.B.C. code, attention was turned today to establishing standards of business practice and acting on the copyright problem.

At closed meetings, the N.A.B.C. passed two resolutions, one the designator for business and the other empowering a committee to negotiate with such independent producers as may include negotiations with Ascap for a contract to be recommended to the executive committee.

Business practices bar spirituals or other liquor accounts; any product the sale of which is illegal; fortune telling of any kind; and a manual of currency rates, track, dopester or tip sheet publications; all forms of speculative finance; cure marketing on a grossly exaggerated advertising claims; repulsion continuity in advertising; unfair attacks on competitors; misusing price announcements or comparisons; and schools offering untrue promises of employment.

CBS Makes WCKY Deal

ATLANTIC CITY, July 12—Columbia Broadcasting System has finished negotiations with L. B. Wilson, owner of WCKY, Covington, Ky., whereby the WCKY radio station which operates exclusively in the Cincinnati area for CBS. It is reported that CBS will sell WCKY, its station in Cincinnati to Wilson, subject to F.C.C. approval.

Encores!

Audience Goes Strong for 'Mikado' Songs

A publicity idea that came near working too well can be credited to Lou Pollock, Universal eastern advertising and publicity manager. The idea was originated recently to woo some publicity for "The Mikado" by preparing extra sound prints of some of the most popular rented and Sullivan airs in the operetta and having them ready for use as "encores" to the event audience applause warranted it. John J. O'Connell, RKO theatre head, approved the idea for a trial at the Palace at afternoon and evening performances.

A trailer explained the idea to the audience before the picture went on. The stunt was accepted enthusiastically—to the near embarrassment of its sponsors. Not only were encore demanded for the four songs for which sound prints had been prepared but consistent applause greeted four other "Mikado" songs for which there were no encore prints. No further "encores" will be scheduled pending the filling in of the gaps in Pollock's song repertoire.

FLY UNITED'S MAINLINERS TO LOS ANGELES


UNITED AIR LINES PHONE 58 E. 42nd St. 2-7300

For Lunch, Dinner or Supper

Lahiff's Tavern

The Industry's MEETING & EATING PLACE

156 W. 49th St. Tel. CHICAGO 4-2020

Motion Picture Daily  Thursday, July 13, 1939

The big idea in this business is to

KEEP PITCHING!

Nobody does it as well as

WARNER BROS!

NOW!

DAUGHTERS COURAGEOUS

JOHN GARFIELD
CLAUDE RAINS
FREY LYNN - FAY BAIINTER - DONALD CRISP - MAY ROBSON
Dick McHugh • Dick Foran • and THE "FOUR DAUGHTERS"
RISCILLA LANE • ROSEMARY LANE
LOLA LANE • GALE PAGE
Directed by MICHAEL CURTIZ

NEXT!

CAGNEY
AGAINST RAFT

in

EACH DAWN I DIE

JANE BRYAN
GEORGE BANCOFT
Directed by
WILLIAM KEIGHLEY
A First National Picture

Screen Play by Norman Reilly Raine and Warren Duff • From the Novel by Jerome Odlum
Jack L. Warner in Charge of Production • Hal B. Wallis Executive Producer

NOW!
### MOTION PICTURE DAILY'S BOOKING CHART

*Dates Are Based on National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After Titles Denote the Following: (A) Adult, (G) General, (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action*

<table>
<thead>
<tr>
<th>COLUMBIA</th>
<th>M-G-M</th>
<th>PARAMOUNT</th>
<th>REPUBLIC</th>
<th>RKO RADIO</th>
<th>20TH-FOX</th>
<th>U.A.</th>
<th>UNIVERSAL</th>
<th>WARNERS</th>
<th>MONOGRAM</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>June 9</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>6000 Enemies</td>
<td>Undercover Doctor</td>
<td>Mountain Rhythm</td>
<td>Young Mr.</td>
<td>The Sun</td>
<td>The Sun</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Walter Pidgeon</td>
<td>Lloyd Nolan</td>
<td>(O) Gene Antry</td>
<td>Lincoln</td>
<td>Never Sets</td>
<td>Never Sets</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Rita Johnson (G) (D)</td>
<td>J. Carroll, Naish</td>
<td></td>
<td>Ponda</td>
<td>Faithful</td>
<td>Faithful</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>June 16</strong></td>
<td>Awful Truth (reissue)</td>
<td>Invitation to</td>
<td>The Girl and</td>
<td>Charlie Chan</td>
<td>Should a Girl</td>
<td>Should a Girl</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Western Caravans (O)</td>
<td>Happiness</td>
<td>the Gambler</td>
<td>in Reno</td>
<td>Marry?</td>
<td>Marry?</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Dumme MacMurray</td>
<td>Stefi, Dina</td>
<td>Sidney Toler</td>
<td>Anne Nagel</td>
<td>Anne Nagel</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>(G) (D)</td>
<td>Carrillo</td>
<td>Ricardo Cortez</td>
<td>Warren Hull</td>
<td>Warren Hull</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>June 23</strong></td>
<td>Clouds Over Europe</td>
<td>Grand Jury</td>
<td>In Old Caliente</td>
<td>Susannah</td>
<td>Nancy Drew</td>
<td>Nancy Drew</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Olivier</td>
<td>Secrets</td>
<td>Caliente</td>
<td>of the</td>
<td>Trouble Shooter</td>
<td>Trouble Shooter</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Valerie Hobson (G) (D)</td>
<td>Heritgage of the</td>
<td>Mary Hart</td>
<td>Mountains</td>
<td>Bonita Granville</td>
<td>Bonita Granville</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Desert (O)</td>
<td></td>
<td>Shirley Temple</td>
<td>Frank Thomas</td>
<td>Frank Thomas</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>June 30</strong></td>
<td>Parents on Trial</td>
<td>Man About Time</td>
<td>Wyoming Outlaw</td>
<td>It Could</td>
<td>The Kid from</td>
<td>The Kid from</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Good Girls Go to Paris</td>
<td>Jack Benny</td>
<td>(O) John Wayne</td>
<td>Happen to You</td>
<td>Komoko O'Brien</td>
<td>Komoko O'Brien</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Dorothy Lamour</td>
<td></td>
<td>Gloria Stuart</td>
<td>Wayne Morris</td>
<td>Wayne Morris</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>July 7</strong></td>
<td>A Woman Is the Judge</td>
<td>On Borrowed</td>
<td>Mickey, the</td>
<td>Career</td>
<td>House of Fear</td>
<td>House of Fear</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Rochelle Hudson</td>
<td>Time Lionel</td>
<td>Kid Bruce Cabot</td>
<td>Anne Shirley</td>
<td>Wm. Cargan</td>
<td>Wm. Cargan</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Barrymore</td>
<td></td>
<td>Edward Ellis</td>
<td>Irene Hervey</td>
<td>Irene Hervey</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>July 14</strong></td>
<td>Blondie Takes a</td>
<td>They All Come Out</td>
<td>Million Dollar</td>
<td>Second Fiddle</td>
<td>Forgotten</td>
<td>Forgotten</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Vacation</td>
<td>Rita Johnson</td>
<td>Legs Jackie</td>
<td>Henie Parker</td>
<td>Woman</td>
<td>Woman</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Penny Singleton</td>
<td></td>
<td>Coogan (G) (C)</td>
<td>Powder valve</td>
<td>Sigrid Guru</td>
<td>Sigrid Guru</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>July 21</strong></td>
<td>Escape from Alcatraz</td>
<td>Andy Hardy</td>
<td>She Married</td>
<td>Of Human Bondage</td>
<td>Unexpected</td>
<td>Unexpected</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Jacqueline Wells</td>
<td>Spring Fling</td>
<td>a Cop Phil</td>
<td>The Lost</td>
<td>Father</td>
<td>Father</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Faye Rooney</td>
<td>Regan Jean</td>
<td>Squadron</td>
<td>Baby Sandy</td>
<td>Baby Sandy</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>July 28</strong></td>
<td>Hidden Power</td>
<td>Isidore St. John</td>
<td>Million Dollar</td>
<td>Million</td>
<td>daughters</td>
<td>Daughters</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Jack Holt</td>
<td>Lady of the Tropics</td>
<td>Legs Anna</td>
<td>Is Made at</td>
<td>Courageous</td>
<td>Courageous</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Gertrude Michael</td>
<td></td>
<td>May Wong Trux</td>
<td>Night at</td>
<td>John Garfield</td>
<td>John Garfield</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Blare</td>
<td>Macht</td>
<td>Priscilla Lane</td>
<td>Priscilla Lane</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Aug. 4</strong></td>
<td>Behind Prison Gates</td>
<td>Goodbye, Mr.</td>
<td>Island of</td>
<td>Frontier</td>
<td>Winter</td>
<td>Winter</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Brian Donlevy</td>
<td>Chips, Robert</td>
<td>Lost Men</td>
<td>Marshal</td>
<td>Carnival</td>
<td>Carnival</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Jacqueline Wells</td>
<td>Pigots, Jack</td>
<td>Anna May</td>
<td>Randolph Scott</td>
<td>Ann Sheridan</td>
<td>Ann Sheridan</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Wong</td>
<td>Binnie Barnes</td>
<td>Richard Carl</td>
<td>Richard Carl</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td><strong>Aug. 11</strong></td>
<td>These Glamour Girls</td>
<td>Lady of the</td>
<td>Colorado</td>
<td>Bachelor</td>
<td>Four Feathers</td>
<td>Four Feathers</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Brian Donlevy</td>
<td>Tropics Hedy</td>
<td>Sunset (O)</td>
<td>Mother</td>
<td>Ralph Richardson</td>
<td>Ralph Richardson</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Jacqueline Wells</td>
<td>Lamarr, Bob Taylor</td>
<td></td>
<td>Glide, Smiley</td>
<td>Marjorie Smith</td>
<td>Marjorie Smith</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Burnette</td>
<td>Rogers</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>David Nixon</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Our Leading Citizen</td>
<td>Night Work</td>
<td>New Frontier</td>
<td>Officiate</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Bob Burns</td>
<td>Mary Boland</td>
<td>(O) John Wayne</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Suzy Hayward</td>
<td>Charlie Ruggles</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Bad Lands</td>
<td>Chicken Wagon</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Robert Barrat</td>
<td>Barnaby Family</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Noah Beery, Jr.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>J. Winters</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
The Movies March On!

Last week The Movies March On was hailed by industry leaders and trade critics as "great entertainment" and as "a definite contribution to the industry."

And this week, from coast-to-coast, theatre managers and newspaper critics are unanimously re-echoing this enthusiasm. For overnight The Movies March On—with its 30 big stars appearing in the greatest moments of the greatest pictures ever produced—has become a stellar attraction.

SEE IT—and you'll know why it is already the most-discussed picture of the month.

THE MARCH OF TIME
PRODUCED BY THE EDITORS OF TIME
Steffes Keeps Post; $15,000 Salary Voted

MINNEAPOLIS, July 12.—Re-elected for a three-year term at an annual salary of $15,000 a year, W. "Al" Steffes today was busy pressing an extensive program of activity for the Allied Theatre Owners of the northwest as a consequence of the annual convention of the organization here Tuesday.

Steffes had refused re-election, but making the presidency a salaried position induced him to change his mind. The convention directed its officers to form a buying and booking combine, and a committee will be appointed to proceed with the organization.

The committee will have a report ready for presentation to Allied by September 1, and another convention of the organization will be held the first part of the same month.

A resolution was passed condemning the "cop-branded" bill and called for a national convention. Another resolution condemned the practice of furnishing consumer loans from the University of Minnesota. A committee was appointed to call on the board of regents of the University and make an effort to have the practice discontinued.

The convention also instructed its officers to see whether or not city commissions and police ordinances prohibiting beer taverns, dance halls and similar places from showing 16 mm films unless they had a theatre license.

Cod Stand Evaded

In Iowa, Nebraska

OMAHA, July 12.—Criticizing distributors because "some of them are not living up to the agreement," the M.P.T.O. of Nebraska and Western Iowa has decided to take no definite action on the trade practice code proposal. President C. E. Williams had called a special meeting to discuss the proposal.

The code probably will be voted upon when the exhibitor organization holds its annual convention here late in September. If adopted, it will go into effect the day after the convention.

General consensus favored the code "after some of the clauses are ironed out."

Taylor in 'Florion'

HOLLYWOOD, July 12.—No definite date has been set yet for the start of production on Winfield Sheean's production of "Florion." It is not expected to start for three or four weeks. It is reported that the film may star Robert Taylor.

Insider's Outlook

By SAM SHAIN

"FOUR FEATHERS," London reports, is breaking all box-office records in the United Kingdom. The latest advices are that this new Alexander Korda picture is heading for an all-time mark of approximately $1,300,000.

JAMES ROOSEVELT told an interesting story at the reception given for him by United Artists the other day. It is a story of the visit of the British King and Queen to the White House.

It seems that one day the Queen wanted to speak to her lady-in-waiting, and seeing a White House usher close by, requested him to summon the lady-in-waiting for her. The usher walked briskly towards the door, but when he reached the chamber of the lady-in-waiting he was timid about knocking on her door.

Then he noticed the Queen's maid going down the hall. He stopped her and asked if she wouldn't please rap on the door of the lady-in-waiting. The maid ignored him entirely and walked off without so much as acknowledging the usher's presence. The next thing the guests at the White House heard was the shrill voice of the usher, blaring through the building. "Oh, big shot, huh?"

ANOTHER story Roosevelt told was one about Fred Storm, the new studio publicity man hired by Samuel Goldwyn. Storm is a United Press correspondent in Washington and remains in that post until Saturday, when he joins the Goldwyn company (United Artists).

It seems that when Storm was asked to consider the post he expressed himself as surprised that anybody except a relative—a cousin, or nephew, or brother-in-law for instance—had been named to the post since he had heard that Hollywood producers employ only relatives.

"Father certainly would be surprised to learn that he might be Goldwyn's cousin," replied Roosevelt.

JUST stop and think of it for a moment. Samuel Goldwyn has a fellow named Storm to represent him.

ELSEWHERE in this issue you will read that after all, Al Steffes couldn't resist a contract for three years as paid president of the Northwest Allied at $15,000 a year. Perhaps Steffes didn't know that the contract was in store for him as he kept insisting until the last minute that he was through being an active officer and executive of Allied.

FOURTEEN reels of "Gone With the Wind" have been completed, and without exception the reports from people who have seen it, are that it is an extraordinary picture. According to Selznick himself, it is the greatest picture ever made. Nevertheless, the producer, in his amusing thoroughness, is going to reshoot several of the sequences. Selznick is aiming for a perfect picture. The performances of Clark Gable, Vivien Leigh, Leslie Howard and Olivia de Havilland are, according to projection room reports, their finest to date, and that's what you might call an unseen preview.

The film will be given a premiere at Atlanta on Thanksgiving Day and Metro probably will decide on distribution plans for the film this week.

ERNIE EMERLING sends a note to say that when a theatre takes paid space to advertise an attraction at an opposition house, that's news! Nobody, probably, will disagree with him. Emerling reports that the manager of the Senate Theatre in Harrisburg, Pa., tagged his current advertisement with the following: "A Bow To 'Mr. Chips'..."

No greater this year in the way of pictures, and the town is so anxious, moved us so greatly. We hope everyone in town will see it at Loew's while it is there. 'Goodbye, Mr. Chips' is the finest film of our memory."

THERE is still another good story about a Loew's Theatre manager whose name is Sam Pearlman and who operates the Apollo Theatre on New York's East Side. Pearlman is something of a horticulturist and is very fond of his vines and flowers, which are carefully tended to and doted upon. They cover the roof garden. These apparently weren't enough for Pearlman, because he also has tried his hand at agriculture, according to Emerling, and placed sweet potatoes in Mason jars filled with water. Now the spuds have sprouted, and it's time for the beetles.

NEITHER Floyd Odium nor the Atlas Corporation is interested in Monogram, and vice versa, despite published reports.

Hollywood Brevities

HOLLYWOOD, July 12.—While critical acclaim for Ginger Rogers' performance in the slightly pepless "Bachelor of the Plains" still echoes from the presses, RKO mentions Victoria Lincoln's "The Primrose Path," reported peppered, as purchased for the star by General I. V. Lloyd, now assigned to produce and direct. "Ludsey" Parsons' next production, "A Man With a Million," is a western-known, thus far, as "Okahoma Terror."... "Robert, Sike, who turned out "Career," will produce a new picture for Frank Blystone, a vehicle for the Charles Boyer and Irene Dunne of "Love Affair."

Playboy DOROTHY LAMOUR and Preston Foster, he of "Union Pacific," are to co-star for Paramount in the appropriate-sounding "Typhoon." RKO is driving for talent in castings nets Sir Cedric Hardwicke of "On Borrowed Time," for "The Hunchback of Notre Dame" and Tom Brown, Brian Donlevy and Eddie Quillan for "Allegany Frontier."... Rita Johnson, armed with her contract, is going into "The Return of the Thin Man," with William Powell and Myrna Loy, the enterprise going to the stages July 15 with W. S. Van Dyke II, who directed "The Thin Man," again in charge.

A E. Shaw, jitterbug god, takes his band into M-G-M's "The Dancing Co-Ed," which has Lana Turner butting for Eleanor Powell and Ann Sothern. The "Hardy Family" choirs to play a part... Paramount has opcioned Dorothy Lamour for its Golden Circle girls, because of her performance in "The World on Parade."

City of Cincinnati

To Buy Music Hall

CINCINNATI, July 12.—The city has approved the plan to take over for $27,500 the 1,500-seat Music Hall now in receivership.

Owners of first mortgage bonds have failed to operate it profitably because of the six per cent interest, plus amortization costs, they have been obliged to pay. The city's purchase will enable them better than 30 cents on the dollar.

Music Hall, with the largest auditorium here, is used sporadically for symphonies, speaking engagements, plays, and occasionally for pictures under private sponsorship.

'Cottage' for Ginger

HOLLYWOOD, July 12.—RKO has purchased "Enchanted Cottage," play by the late Sir Arthur Wing Pinero, as a vehicle for Ginger Rogers, the 1939-40 season, to follow "Primrose Path," her first for the new season.
Thermometer Takes Oklahoma City Toll

OKLAHOMA CITY, July 12—With the thermometer rocketing toward the 100 degree mark, gr osses uniformly suffered here. The largest loss was $4,000 for “Goodbye, My Mr. Chips” at the Criterion, but no theatre even reached average business on the week.

Estimated takings for the week ending July 6:

- Goodbye, My Mr. Chips (M-G-M) CRITERION—(3,400) 7 days. Gross: $4,000. (Average, $570.)
- Whisper of the City Kid (20th-Fox) TORONTO—(1,200) 7 days. Gross: $2,500. (Average, $357.)
- You Can't Take It With You (Col.) STATE—(1,200) 7 days. Gross: $2,200. (Average, $328.)
- It's a Wonderful World (M-G-M) TOWER—(1,000) 7 days. Gross: $2,200. (Average, $220.)

Lutheran Church May Review Films

OMAHA, July 12—A board of censorship to list “desirable” and “undesirable” films will be discussed by the United Lutheran Church in America when it meets here next month in Omaha, according to Dr. Frederick Knudel, president.

The organization has over 1,500,000 members. The board of “social missions” would be appointed to handle “improvement” of the films, he said, for guidance of the congregations.
Motion Picture Daily
Thursday, July 13, 1937

**Italy Product Shortage Aids Independents**

Independent producers and distributors gathering at a conference in the Italian market as the shortage of American films available for exhibition there grows acute, foreign managers recently returned from inspection trips abroad said yesterday. Independents customarily forwarded printed reports to Italy for acceptance on approval. This led to the storing of many of their films in Italian customs warehouses; because of the shortage of American film at time to product was needed in that market.

With the withdrawal of major distributors from Italy, these stores came into their own as the sole supply of American product on hand. They are being drawn on steadily by Italian authorities, according to reports. Income from this source since the withdrawal of the major companies is estimated to total about 20% of the netted income for 1936.

**Banner Radio Lines**

By Jack Banner

**PAGING MISS BLUE...** Practically everybody attending the NAB convention found perfumed notes in their hotel rooms last night, asking that a "Miss Blue" be called about an "interesting matter." "Miss Blue" was the telephone number and address of hotel. The telephone was ringing when a party who had phoned to date the young lady, but she "turned out to be" the NBC Blue network, and the "interesting matter" proved to be a terrific sales patter about the virtues of the Blue network.

**IN REWARD...** WOR remained on the air until five yesterday morning to describe the efforts to rescue the two World FairAir pilots who ascended into the jet stream in the Pacific. WOR was the only station on the scene and rates a nod for remaining on the job until rescue efforts were completed at dawn.

At Josie of the station's special events staff was the woman at the mike, and he a felled fighter pilot, two young cadets. He was a chuckle at the close when he dashed madly after the couple after they came down, to get them to say a few words into the mike. This was after Joseph had solidified repeatedly on the air that he would not impose on the trapped parachutists after their rescue because of the terrifying hours they had spent dangling in space. His reporter instinct got the better of his kindly intentions when they came down.

**PERSONALS...** Zinn Arthur, band leader at Grossinger's, in town for the day yesterday. Blvd Spires of McCall-Ericsson's radio department is in the area yesterday. Nancy Sheridan, actress-wife of WNEW's Dick Bard, is playing summer stock at Spring Lake. Fred Williams, a Philco manager, sailed on the Normandie yesterday. Emil Corwin of NBC will talk about the company's plans between the Stanford Kiwanis Club members next Wednesday.

Publicist Tom Fizdale returns today from three weeks in Chicago. Jane Ashman, writer of "Women in the Making of America," is conducting a radio workshop at Sarah Lawrence College, in return for a scholarship.

**A BRAVE TRY...** Motion picture industry's short-wave programs to foreign countries get under way Monday over CBS. If the network and the露天 broadcast are continued, are to be included the German portion of the broadcast will be "Confessions of a Nazi Spy."

**NEW NBC PROGRAM...** Em-Jettick Shoe Co., which last season tested a program over WABC featuring Jimmy Shield's and D'Argenta's orchestra, will return the same cast to the air starting Aug. 20, but over NBC. 72 stations. Marshall & Pratt placed the business.

**SAG PROGRAM STATUS...** Tom Lewis of the Young & Rubican agency left for Hollywood yesterday in connection with the Screen Actors Guild series. Gull Oil has made no definite commitment to return the show to the air, but it's believed when Lewis comes back to New York he will have the contract in his pocket. Speaking of the status of Hollywood programs, it is expected that by today or at the outside by tomorrow, the talent lineup for the Maxwell House Coffee program will be in place. Only artists definitely signed thus far are Fanny Brice and Meredith Willson.

**Connecticut Theatre Golf Tourney Aug. 1**

**NEW HAVEN, July 12.—** Connecticut M.P.T.O. will hold its fourth annual golf tournament at Rockwood Country Club, Aug. 1. The evening will be featured by dinner, entertainment, and awarding of prizes. The committee includes Irving C. Jacocks, Jr., chairman; Ed Lover, secretary; S. Raffle, treasurer; Lou Anger, Leo Bonoff, Harold Eskin, B. E. Hoff- man, Adolph Johnson, Arthur Lock, Sam Rosen, Harry F. Shav and Max Talackman.

**Trade Pact Parade To Continue Today**

Discussion of proposed changes in the arbitration provisions of the industry's current pact was one of the items in the way of making the pact effective will be continued today after an all-day session of major company representatives.

William F. Rodgers, chairman of the distributors' negotiating committee for the code, who presided at yesterday's meeting, said that no statement would be issued until the discussions have been concluded.

**Columbia Dealing With Capra, Riskin**

Hollywood, July 12—Frank Capra and Robert Riskin, who this week announced to the industry that Capra Productions would produce independently, as yet have come to no definite decision as to the type of company through which will release their product.

Negotiations are still under way between the two principals and Columbia, but Capra served as exec dire for more than a decade. It had been reported that they might release their product through United Artists.

**Amusements Issue Fair Strike Notice**

In an ultimatum served yesterday by Grover Whalen, president of the World's Fair, three-fourths of all concessionaires in the Amusement Area threatened to go on strike unless the 75 cents admission price to the Fair is increased to 50 cents. The provocation is that damages could be close within 48 hours if their demand is not met. Concessionaires say that they are "starving to death."

**Ask for Receiver**

WILMINGTON, Del., July 12—A bill asking for the appointment for the dissolved Pacific National Theatres, Inc., rather than the appointment of the directors as trustees in dissolution, has been filed in the Court of Chancery here by two San Diego, Calif., stockholders. The plaintiffs are Margaret M. Stevens and W. Ernest Chaste. The corporation, which operated theatres in California, was dissolved in April, 1937.

**F.C.C. Calendar**

WASHINGTON, July 12—The Federal Communications Commission today began the compilation of its calendar of hearings for the next year, reser- vat- ing the following dates: Sept. 13: Application of Hot Springs Broadcasting Company for new 1,310 kilocycle station with 100 watts night, 250 watts day, at Hot Springs, Ark., and Station WLA, Lexington, Ky., for increase of power from 100 watts night, 250 watts day, to 1,000 watts and change of frequency from 1,420 to 1,270 kilocycles.

**Thomson Hits At Whitehead As Trial Ends**

(Continued from page 1)

S.A.G. for industrial productions, by American Federation of Radio Artists and by the A.F.A. No one union could be called a "concessionaire" and they should have been practical if all claims were made, but the A.F.A. declined to act, Thom- son added.

Corelli, of the Theatre Au- thority which controls benefits, de- clared that the A.F.A. violated the rules of fares and refused to pay the funds that had been promised as money that would be repaid. He cited several cases where the A.F.A. refused relief because performers went on in arrears for several months.

Council meetings were held only when Whitehead was in town, he said, and Whitehead's proposals were vetoed only two or three times in four years. Membership meetings were attended by 100 at the most, and at the last election meeting only 50 were present, Corelli said.

According to the accountant's re- port, Whitehead received $125 weekly as salary and Harold Koenigsberg, his assistant, $40.

Thomson termed it a trip to New York when the I.A.S.E. threatened to in- vade S.A.G. jurisdiction in the Fall. All 4,600 union members co- operated, but the A.F.A. refused, Thomson declared.

**Italian Product Shortage Aids Independents**

Independent producers and distributors gathering at a conference in the Italian market as the shortage of American films available for exhibition there grows acute, foreign managers recently returned from inspection trips abroad said yesterday. Independents customarily forwarded printed reports to Italy for acceptance on approval. This led to the storing of many of their films in Italian customs warehouses; because of the shortage of American film at time to product was needed in that market.

With the withdrawal of major distributors from Italy, these stores came into their own as the sole supply of American product on hand. They are being drawn on steadily by Italian authorities, according to reports. Income from this source since the withdrawal of the major companies is estimated to total about 20% of the netted income for 1936.
Hollywood Labor Front
Hears IA Verdict Today;
CIO Massing In Studios

AFA Assails Testimony
As ‘Ridiculous, False’

They are well attended by actors and by the the press. The statement was that after any effort to be made to col-

Hollywood, July 13.—Figures in the motion picture industry labor circles today awaited the decision of Superior Judge Henry M. Willis tomorrow afternoon in the court suits in the fight between officers of Technicians Local 37 and International I.A.T.S.E. for control of the local unions in the case affecting production crafts.

Final arguments were started today by both sides as A. Brigham Rose, counsel for the defendants, declared the Alliance operated as a company union for the benefit of producers. George Breslin, head of the legal phalanx for the International, contended the Alliance acted according to its rights in suspending chartering and ousting the studio unit’s officers.

Judge Defines Issues

Cautiousness against vituperativeness, Judge Willis declared that the important issues in the case are whether rights of the 1,172 members under the Federal Constitution were infringed upon and whether the International acted according to its constitution and by-laws.

The principal behind-the-scenes issue, however, is determination of the right of the International labor organization to funds, furnishings and other property of its locals as well as the power to revoke the charter and suspend officers.

At stake is approximately $100,000 in the local’s bank account held by the court pending outcome of the suits.

CIO Guild Awaits Verdict

Activity of the CIO-financed United Studio Technicians Guild of North America, which has filed for N.L.R.B. certification as bargaining agent for all crafts now in the 10 I.A.T.S.E. locals here, has been held in abeyance until the decision in the I.A.T.S.E. trial.

As soon as the verdict is announced, as one of the U.S.T.G. leaders, a call will be issued for a mass meeting of studio workers. The names of anonymous leaders will be revealed at that time.

Bargaining Delayed

I.A.T.S.E. intramural bickering has delayed the start of bargaining negotiations with Pat Casey, producers labor contact officer, although three of the local’s sound men, photographers and laboratory technicians have made formal demands for collective bargaining agreement, wage scales and working conditions.

The I.A.T.S.E. withdrew several months ago from the basic studio

Alliance, Principal
In Deal on 36 Films

A combination of Alliance Films and Principal Pictures is being completed for selling and distributing a program of 36 features.

Alliance, headed by Bud Rogers, will contribute 12 features from John Maxwell’s Associated British Pictures output, while Principal will contribute the other 24, all to be obtained from independent Hollywood producers. S. Krellberg is the head of Principal.

Alliance will share space in the Principal exchange here. Opening of other exchanges in key cities is under consideration. The Rogers’ company will be in complete charge of sales and distribution for the combined program and will share in a percentage of the receipts from Principal’s 24 releases.

Details of the deal will be made known on completion of arrangements early next week.

Harry Knox Quits
As Erpi Executive

Harry G. Knox yesterday tendered his resignation as vice-president of Erpi in charge of engineering. a post he has occupied for the past nine years. The resignation is effective tomorrow.

Knox acted on the advice of his physician and will take a year’s rest but will be retained by Erpi in a consulting capacity during that time.

Knox entered the industry in 1926 to organize the service department of the Vitaphone Corp. for handling installation and maintenance of Western Electric sound equipment. When Erpi was formed the following year to take over the work done by Vitaphone, Knox was made service manager of the new company.

Subsequently he served as managing director for Western Electric in London where he was in charge of Erpi’s western division in Hollywood and then was named to his present post.
Theatres Ask For Reduction In Clearances

VISITORS to Paramount's World's Fair headquarters in the home office yesterday included Mr. and Mrs. Emmett Barnes, McKeenos, Pa.; see-nor Fox, family lawyer, as director from the coast; Roy Smart, division theatre manager for the Wilky-Kiney chain, Charlotte, N. C., and Mrs. and Mrs. C. A. Pore, son of Pittsburgh, Pa.

SIR CECIL HARDWICKE has replaced Basil Rathbone in RKO's "The Hunchback of Notre Dame," Rathbone withdrawing because of a prior commitment with Universal. As a result it has been necessary to replace Hardwicke in RKO's "Allegeny Frontier," with George Sanders.

Mike Mootz, 20th Century-Fox partner in the operation of 60 New Zealand theatres, left for the coast with Mrs. Mootz last night on a thirteen-hour flight after a month's visit. They sail from Los Angeles July 19 on the Monterey.

Mr. and Mrs. W. N. Humphrey of the De Luxe organization in Spain, Trinidad, and N. B. Fair of the Fair in Summerville, Tenn., among the exhibitors here to see the World's Fair.

Del Goodman, 20th Century-Fox Fair east supervisor, is in Chicago visiting his family prior to coming to New York for conferences with Walter Hutchinson, foreign manager.

James Stewart arrived from the coast by plane yesterday for work in Washington in connection with Cumbia's "Mr. Smith Goes to Washington" for a brief visit here.

Clay V. Hake, 20th Century-Fox managing director for Australia, is en route to the coast by train. He flew from Los Angeles for Sydney in the Metropolitan, July 19.

Marc Connelly, Pulitzer prize winning playwright, reported to Paramount to begin writing the screen version of Joseph Conrad's "Victory."

Max Melder, managing director of Warner Brothers Pictures, Ltd., London, is due in New York Monday from England on the Queen Mary.

Donald Crisp, Warner player, leaves the coast tonight for New York, en route to Europe for an extended vacation.

Allen Lane has left the coast on a motor trip to the east, following completion of work in "Conspiracy," at the RKO studio.

George Sherman, director of Republic's first "Greta Garbo," "Colorful Sunset," is in New York for a 10-day visit.

George Raft is due in New York early next week for the opening of "Each Dawn I Die" at the Strand.

Ed Schintzler, Western eastern district manager, returns today from a three-week trip to Boston and New Haven.

FRED ULLMAN, Pathé News vice-president, will leave New York over the weekend for the west to line up three pictures for next season's Sportscast series. He will visit Reno, the Imperial Valley in California and the King Ranch in Texas.

Robert Marehense, manager of the Broadway, Baltimore, and R. E. Barnum and Co. manager of the Orpheum, Green Bay, Wis., and Mrs. Brennan were visitors to the Round Table Club in New York to see the World's Fair.

Bruce Cabot on Saturday will sail from Manhattan with Mrs. and Mrs. Franklin D. Roosevelt, Jr., and a party on a chartered sailboat.

Gene Snyder has returned to his music post as co-director of the Roxy, after staging the dazzling numbers in the new Broadway musical, "Yolke Boy."

Arthur Boran, Paramount manager, will be a guest star Monday night at the newly opened circular restaurant in the Hall of Special Events at the World's Fair.

Arthur Wartha, manager of the Roxy, Indiana-Illinois Guest house at LaPorte, Ind., is in town to visit the World's Fair.

M. B. Hustler, Fox Capitol, Sacramento, Cal.; Samuel Neuman, Roxy, Norton, Pa., in town to visit the World's Fair.

Richard Rowland is en route to the coast following a brief visit in New York.

Hereman Fuchs, RKO Pathé music editor, will leave New York tonight to visit the RKO studio.

Eurega Eloy David of RKO is vacationing at the Baskin Falls Hotel in the Poconos.

First Five Films Set By Judell Company

Hollywood, July 13.—First five pictures on the new season production schedule of Producers Pictures Corp., which was organized recently with Ben N. Judell as president, have been set to go well before "Teri Renegades," inaugurating a new series of eight westerns starring Tam McCoy. Shooting is slated to start July 18 on two series. A series of 52 shows, "Tales of the Little Kid," will get under way with "The Man From Oklahoma," starring George Houston as the first. During the same month "Wanted for Murder" will go into production. These will be followed by "The Island," based on Jack London's "A Thousand Deaths," and the special production, "Hitler—The Beast of World War." A second series of 12 films will be produced under the Nazi regime.

"Geste" Preview Tuesday

Hollywood, July 13.—Paramount will hold the world press premiere of "Beau Geste" at the Carthay Circle in Los Angeles next Tuesday. The film co-stars Gary Cooper, Ray Mil- lard and Robert Preston.

Code Changes Pressed; Fair Trial Favored

Major company sales executives will continue their discussion of proposed changes in the arbitration provisions of the industry trade practice codes today or Monday. William E. Rodgers, chairman of the district preference negotiating committee, said yes...day to a statement that all companiesamping up for the third time this week. The session lasted until early evening. Rodgers said that no statement would be made until tomorrow evening but in reply to a question, asserted that he was as optimistic as ever about the code's chances of being put into effect in the near future.

"There are many who would like to see the code abandoned," he said. "But I know from numerous messages received daily that by far the larger number are anxious to see it given a trial."

"Iron Mask" Strong Music Hall Magnet

Topping all opening day grosses since Easter Week at the Music Hall, "The Man in the Iron Mask" took an estimated $15,000 yesterday. With the lobbies full, waiting lines extended into the street several times during the day.

"Second Fiddle" continued a strong pace at the Roxy in its second week with an estimated $5,000 and it held up at the "Indianapolis Speedway" starts at the Strand. Third week of "Daughters Courageous" drew an estimated $25,000 in the last week.

Lederer in Radio Play
Francis Lederer will be heard in "Fury." Barry's play, of the "Kentucky Playhouse" series over CBS on July 19, Margo, who is Mrs. Lederer, will play opposite her husband.

Shirley Booth Signed
Shirley Booth, appearing with Katherine Hepburn in the Broadway comedy, "The Philadelphia Story," has now been signed to the cast of the "Rise of the Goldbergs" serial strip, heard daily over CBS.

Air Express Increases
Groes revenue for the nationwide air express service to the third, as many potential patrons will not visit a theatre outside their immediate neighborhood except to see an unusual attraction.

Laev's Leads Ball League, Second Half

Second half season of the Motion Picture Baseball League is under way with Loew's enjoying the lead. Paramount and Columbia clubs today tied. Skowars and NBC are scheduled to morrow. Team standings follow:

<table>
<thead>
<tr>
<th>Team</th>
<th>Wins</th>
<th>Losses</th>
<th>Percentage</th>
</tr>
</thead>
<tbody>
<tr>
<td>Loew's</td>
<td>6</td>
<td>0</td>
<td>1000</td>
</tr>
<tr>
<td>Con. Film</td>
<td>1</td>
<td>0</td>
<td>1000</td>
</tr>
<tr>
<td>Paramount</td>
<td>1</td>
<td>0</td>
<td>1000</td>
</tr>
<tr>
<td>RKO</td>
<td>1</td>
<td>0</td>
<td>1000</td>
</tr>
<tr>
<td>NBC</td>
<td>1</td>
<td>0</td>
<td>1000</td>
</tr>
<tr>
<td>Columbia</td>
<td>0</td>
<td>2</td>
<td>0000</td>
</tr>
<tr>
<td>Skowars</td>
<td>0</td>
<td>2</td>
<td>0000</td>
</tr>
</tbody>
</table>

Motion Picture Daily (Registered U. S. Patent Office)
Published daily except Saturday, Sunday and holidays by Quiz Publishing Company, Inc., Rockefeller Center, New York City. Telephone Circle 7-1000. Cable address "Quigpubco, New York." Martin Quigley, Editor-in-Chief and Publisher; Colville Brown, Vice-President and General Manager; Wat- tis Spence, Production Manager; Sam Sarno, Editor; James A. Croo, Advertising Manager; Sam Shain, Editor; John McAdoo, Managing Editor; Jack Dowling, News Editor; William T. Shaw, Assistant Managing Editor; James Storm, News Editor; Will Comerford. Published also in Philadelphia, Boston, Chicago, Los Angeles, San Francisco, Cincinnati, Cleveland, Detroit, Pittsburgh, St. Louis, Minneapolis, Kansas City, New Orleans, Atlanta, Richmond, Baltimore, Washington, Nashville, Raleigh, Charlotte, Jacksonville, Dallas, San Antonio, Minneapolis, Buffalo, Cleveland, St. Louis, Detroit, Chicago, New York, and Montreal, Canada. Executive offices and general sales offices, 114 West 42nd St., New York, N. Y. Annual subscription $5.00. No subscription will be sent to any person who has not paid for it in advance. Copyright 1939 by Quiz Publishing Company, Inc.
"ON BORROWED TIME" GETS GREAT PRESS REVIEWS!

Use them!

"One of the outstanding pictures of the current season."
—KATE CAMERON, N.Y. Daily News

"One of the most unusual pictures to come to the screen."
—M. P. HERALD

"A daring and unusual photoplay... Immensely novel and intriguing... Fascinatingly different from the general run of screen offerings."
—HOWARD BARNES, N.Y. Herald Tribune

For people who value the unexpected in movies, 'On Borrowed Time' will be an absolute command performance...
—ARCHER WINTEN, N.Y. Post

"A beautiful and exhilarating picture... High above the run-of-the-mill movie entertainment. You will be proud of it."
—BLAND JOHANESON, Daily Mirror

"Very definitely a 'must'. Right up near the top of the 10 best pictures of 1939. There won't be very many more to beat it."
—LEO MISHKIN, Morning Telegraph

"Beautiful entertainment...vital, alive and penetrating..."
—WILLIAM SOHNIK, N.Y. World-Telegram

"Far off the beaten path... keeps its audiences chuckling... well worth seeing."
—EILEEN CREEMLAN, N.Y. Sun

"Surely this is one of the first-rate movies, a kind too seldom seen."
—ARTHUR POLLOCK, Brooklyn Eagle

"Tremendous emotional appeal... Warm, heart-appealing drama."
—SHOWMEN'S TRADE REVIEW

"Retains the richness of human and spiritual qualities of the original... Warm and sincere."
—VARIETY

"A highly successful play, equally appealing as a picture... deft, engaging, unusual."
—M. P. DAILY

"A beautifully human story... excellent."
—FILM DAILY

"A laudable entry for Academy honors."
—HOLLYWOOD REPORTER

"Will move and delight you."
—JIMMIE FIDLER

"Metro has produced a beautiful film which should meet with wide acclaim... Unusual entertainment."
—BOX OFFICE

A SMART OSTROCH!
He keeps his head out of the sand and sees what's going on!

M-G-M's magnificent film
"On Borrowed Time" is the answer
To the public demand for
Something different on the screen!
Early engagements are
Excellent at the box-office
And excellent for the standing of
The exhibitor and his theatre
In the community!
That's important!
Promote "On Borrowed Time"
With all your showman skill!
It pays back in dividends today
And good-will all year!

‘About Town’
Is Denver Hit
With $11,500

DENVER, July 13.—“Man About Town” total up every bit at the Orpheum and took $11,500, “Goodbye, Mr. Chips” and “Fixer Dugan” at the Ohpean took $12,000. Estimates bring Pix for the week ending July 12.

Young Mr. Lincoln (20th-Fox) $1,472,400 7 days, 2nd week. Gross: $3,500. (Average, $500)

Le-Champ (Univ.)

“Suzann of the Mounted” (20th-Fox) $1,347,800 7 days, 2nd week. Gross: $24,500. (Average, $3,450)

Wisconsin Theatres
Facing New Tax Bill

MILWAUKEE, July 13.—There is a strong likelihood that a new revenue measure, including a tax on theatres, will be introduced into the Wisconsin Assembly, in the opinion of observers here.

The Assembly has rejected the Alford-Gregg amendment to the administration’s tax measure, which provided for an occupational and gross tax on the business of operating theatres. It has also been pointed out that a new measure probably will be introduced to compensate for the $8,241,509 revenue shortage not provided for in the present bill. The measure has passed the Assembly and will go to the Senate for action.

Columbia Simplifies Corporate Setup

ALBANY, July 13.—Merger of Columbia Pictures Corp., of California, Ltd., studio subsidiary, and Columbia Pictures Distributing Co., Inc., distribution subsidiary of $1,682,000 was completed here, the mergers were undertaken to simplify the corporate structure. Legal work was handled by Schwartz & Frohlich of New York City, counsel for Columbia.

Exhibitors Ask Veto of Bill Hitting Duals

CHICAGO, July 13.—Edward Zorn, president of the newly-organized United Exhibitors Association, is advising distate exhibitors to send telegrams of appeals to Governor Horner, asking him to veto the bill limiting film shows to 135 minutes. The organization consists largely of downtown Chicago, including Great States, Alger and Anderson.

CBA Names M’Arthur

MONTREAL, July 13—D. C. M’Arthur has been appointed press and information representative for Canadian Broadcast Corp., in the Ontario region, with headquarters in Toronto. M’Arthur for the past five years has been with the McLean Publishing Co.
"Should Husbands Work" (Republic)

Hollywood, July 13.—Domestic comedy is the entertainment substance of "Should Husbands Work," third number in Republic's "Higgins Family" series. No radical departures have been incorporated in the original screenplay by Jack Towne and Taylor Cavenly or in the Sol C. Siegel production which Gus Meins directed. Rather with the three Gleasons, James, Lucille and Russell, and Harry Davenport, Marie Wilson, Berton Churchill and Henry Kolker swinging into the spirit of things, the laughs are the result of old fashioned gags, deftly developed in dialogue, action, situations and characterizations.

James Gleason, fearful that a cosmetic firm merger will entail the loss of his job, strives valiantly to make a favorable impression upon new partner Churchill. Meanwhile, his wife, impelled by a similar fear, paints an unflattering portrait of him. With some hilarious bits of comedy, featuring Russell, Davenport and Miss Wilson, Lucille, to save her husband's future, appears for him at a meeting and winds up by being appointed to the new job. But when every one discovers that James is the one who must be depended upon, the show rushes to an all-well-that-ends-well climax. Running time 65 minutes. "G."

"In Old Caliente" (Republic)

Complications presented by the eternal triangle—Mary Hart and Katherine DeMille pursing Roy Rogers—are added to the usual western formula of the dishonest ranch foreman who robs his employer. The outcome is aided by Rollie Totheroh, the action film which should please devotees of the popular Rogers-Hart team.

The film is highlighted by the performances of Miss DeMille, Jack La Rue and George "Gabby" Hayes in the support roles. Miss DeMille, as the settler who wages a losing battle for Roy's heart; La Rue, in his customary role as villain, and "Gabby" who supplies the frequent humorous interludes, are excellently cast.

Set in California in the pre-Civil War days, the story is one of a Spanish landowner (Frank Puglia) who hires Roy. A holdup is engineered with the assistance of La Rue, the ranch foreman, and Roy and "Gabby" are suspected. They succeed in tracing the bandits but are trapped with the gold in their possession. Although the pair is arrested they succeed in telling their story to Puglia but the latter is shot down by La Rue.

Wanted this time for murder, Roy hides. He enlists the aid of Paul Mariman, the rancher's son, and they prepare a trap. Instead of accepting payment for cattle in gold coin, they ask that it be smelted into a ball too heavy for one man to handle. When the bandits make their second raid, they lose time in trying to pack the gold ball and, as a result, are captured.

Joseph Kane was associate producer and director. Norman Houston and Gerald Geraghty wrote the screen play, an original.

Running time, 57 minutes. "G."

**G** denotes general classification.

Labor Awaits IATSE Suit Ruling Today

(Continued from page 1)

labor agreement in which musicians, teamsters, electrical workers and carpenters International's participated with the Alliance.

The mass meeting will be set probably for July 22 by the Guild which hopes to force a N.L.R.B. supervised election to determine the bargaining agency for crafts which it and I.A.T.S.E. have been in the past and I.A.T.S.E. has been the result of a bad tie in the past and now is the result of a good union of the organization.

Hearing will be in A.F. of L.-organized locals which now have no agreements with the Guild.

Hearing on an order to show cause why they should not be held in contempt for allegedly splitting up Local 525. A.T.S.E. has been ordered until Monday by Superior Judge E. H. Wilson, who ordered J. W. Bennett, president of the Los Angeles Central Labor Council; John Gately, Interational I.A.T.S.E. representative; Llew C. G. Blix, former executive secretary of Local 57 and now an International officer, and several others to appear before him at that time.

**Hollywood Notes**

Hollywood, July 13.—RKO is negotiating with Kay Kasya and her band to star in "What's Right, What's Wrong." Jean Parker is set for the feminine lead of "The Flying Circus," starring Lauren and Hardy.

The life of Alfred Bernhard Nobel will be brought to the screen by Warner's with the cooperation of the Nobel Foundation and the Scandinavian film industry. A Warner company will go to Stockholm to make parts of this high budget film.

**M-G-M Changes Made**

As a result of David A. Levy's resignation from M-G-M as New York branch manager, a new head of the Universal's New York branch, several staff changes have been made.

Local Albany sales manager, Halden Biggs, has taken over the sales post in New York with headquarters in New York. He succeeds Ben Abner, who was promoted to New Jersey branch manager. William Williams has been advanced from office manager to assistant manager in Albany, and Sidney Stock- ton, former cashier at the New York branch, has been shifted to Albany as office manager.

**Livingston Promoted**

Oklahoma City, July 13.—Grover Livingston has been elevated to the Carleton Smith's post at the M-G-M's new Oklahoma City branch office.

**Renovations For Rivioli**

Rivioli, 1,000-seat theatre in New Brunswick, N. J., operated by RKO, will close Sunday for extensive renovation. All new seats and a new front will be included in the project. Walter Reade owns the house.

Close Two in Colorado

Denver, July 13.—The Rialto at Durango, Col., and the Kilato at Walsenburg, Col., have been closed by Fox Theatres.

Denver Theatre Shifts

Denver, July 13.—Joe Dickter, one of the partners in the Civic Theatres circuit, is now managing the Federal theatre, replacing C. W. Anderson, now at the Oriental. Anderson succeeds Richard Decker, who has gone with the Atlas circuit, and is managing the Santa Fe. Ralph Hamilton, also with RKO, is now artist for the Gothic and Santa Fe, according to David Davis, Atlas manager.

**Oakland Prices**

Oakland, Calif., July 13.—Prices have been reduced more than 25 per cent at the Paramount, Orpheum and Fox-Oakland, all operated by Fox West Coast.
SEC Reports Month's Deals In Film Stocks

WASHINGTON, July 13—Only three changes in the film stock holdings of officers and directors of motion picture companies during May were shown in the Securities and Exchange Commission's semi-monthly summary, issued today.

The transactions reported by the S. E. C. were the acquisition by John H. Hertz of the World, Paramount director, of 1,000 shares of Paramount common which, with 100 shares held through Lehman Brothers, represented his entire holdings, and the acquisition of 200 Universal Corpor., common voting trust certificates by Nathan J. Blumberg, New York, president, and 500 certificates by Daniel M. Sheaffer, Philadelphia, director.

Reports of securities held by persons becoming officers or directors of corporations showed that Aquila Giles, New York, had 200 shares of Trans-Lux common when elected an officer Jan. 1, last, and Allen P. Kirby, Jersey City, New Jersey, director April 25, held 2,100 shares of common direct, 1,000 through Holding Companies A, B, and C, and 600 in a trust.

Disposition of 1,000 shares of Columbia Class B stock and the stock in May, by gift, was reported by Samuel Paley, Philadelphia, CBS director. The disposition reduced Paley's CBS holdings to 11,000 shares of Class A and 23,000 shares of Class B stock, it was shown.

Rodgers West Soon For 'Wind' Showing

William F. Rodgers, M-G-M general sales manager, plans to leave for the Coast in the near future for a screening of "Going With the Wind," following which the sales policy for the new film will be determined. Rodgers' departure for the picture, waiting on completion of trade practice conferences and several important circuit deals which are in negotiation here.

British Film Duties To Yield $1,250,000

London, July 13—Captain Crookshank, Financial Secretary of the Treasury, said today at the third reading of the Government budget that the new film duties will net approximately $1,250,000 annually.

He declared the figure represents only one-eighth of the annual box-office gross at all English film theatres.

Fritz Kuhn Appeals

Notice of appeal to the Circuit Court of Appeals from the decision of Federal Judge Vincent L. Leibell denying a preliminary injunction restraining exhibition of the Warner picture, "Confessions of a Nazi Spy," was filed in the Federal Court yesterday by Fritz Kuhn.

Banner Radio Lines

By Jack Banner

INNER SANCTUM Although not altogether, unexpected, the deal making L. B. Wilson's Covington, Ky., station WCKY, the exclusive station for CBS in the Cincinnati area, the deal, consummated at the NAB convention, did surprise a great number of people. Full details are not known probably will be for some time—but the one rumor given most credence is that CBS will now sell WKRC, its own station in Cincinnati, to Wilson.

At the convention, Wilson would not comment to reporters about the deal other than to say that it was not to Ed Klauber, CBS executive vice-president, and Merff Runyon, chairman, through the NAB sessions.

The Wilson-CBS arrangement follows NBC's contract with Powell Crossley whereby WLYW in Cincinnati and WSAI the NBC WCKY was formerly the Blue outlet in that city while WVL, an original member of Mutual, is now figured to carry less and less of Mutual business.

Fred Weber, Mutual general manager, had been negotiating with Wilson, but this deal is now cold, of course. Mutual will doubtlessly fight CBS's arrangement by lodging an additional protest to the F.C.C., claiming, it is believed, an "illegal flip." NBC's Blue is also believed weakened by Wilson's switch to CBS.

CHANGES AT CBS: Joe Maulsby, formerly assistant director of program operations at CBS, has been appointed production manager for the network, succeeding John S. Carliie who has resigned. L. Rey Passman, who has been serving as Maulsby's assistant, has taken over his former duties. In addition to his duties supervising the operations of all network programs, Passman will be in charge of supervising staff of assistant directors and administration of studio facilities. Carliie will engage in free lance program building and radio production.

UNITED ARTISTS ON AIR . . . United Artists has arranged with NBC for an international broadcast which will be aired today and beam toward France and Latin America. The program is in behalf of the new Ed Small production, "Man in the Iron Mask." Jean Bennett and Louis Hayward will broadcast from Hollywood, while Rachel Carley and Yvonne Bouvier will contribute songs from New York.

ALDRICH FAMILY FOR FILMS . . . The Aldrich Family, which is now the Summer replacement for Jack Benny's series, has been signed by Paramount for two more films. Erra Stone is the lead in the Aldrich sketch.

GOOD NEWS SET-ALMOST . . . The Good News program, which Metro dropped this Summer, has been set in format for its return Sept. 7. As previously known, Meredith Wilson's orchestra and Fannie Brice will return to the show. Just signed as vocalist is Connie Boswell. Remaining to be signed is a film personality to serve as emcee, and together with film guest artists, this will comprise the Good News broadcasts for the coming season.

AFRA EXPELLED . . . From our Chicago correspondent we learn that AFRA has been expelled from the Chicago Federation of Labor because the leadership jealous of the job security of 2,000 AFRA men in the printing industry, according to a statement by Chicago A.F.L. president, John Kirkpatrick. AFRA's stand regarding the strike of the News paper Guild against the Hearst papers in Chicago is the cause of the A.F.L. breaking with AFRA. So far with NBC in Chicago, but, according to insiders, the situation is peaceful.

NBC RENEWALS . . . Two renewals were placed with NBC yesterday, "Getting the Most Out of Life," and the Pacific Coast Borax Co. program, "Death Valley Days." Both renewals are for one year.

Dies of Auto Injuries

Richard Gledhill, 55, upstate New York, salesman for 20th Century-Fox, died Wednesday night at the Dobbs Ferry Hospital from injuries suffered in an automobile accident with a Fair, he had been with Fox for the past 15 years. Previously he had been with Paramount for ten years.

Radio Engineers Meet

SAN FRANCISCO, July 13—Local radio stations played host to more than 100 delegates attending the annual convention of the American Institute of Radio Engineers. Schedule of events included visits to television and radio exhibition at the Fair, and an inspection tour of a new Pan-American Clipper, equipped with the latest in radio devices.

Four Companies Formed


Runyon Story to M-G-M

HOLLYWOOD, July 13—M-G-M has purchased "Call on the President," short story by Damon Runyon originally published in the Saturday Evening Post.

FCC to Hear Power Boost Applications

WASHINGTON, July 13—Application for a construction permit for a power booster station to operate from July 15 to 31, 1939, in 1,310 kilowatts with 100 watts power, 250 watts day, was filed with the FCC. This application is before the Federal Communications Commission by C. E. Palmegran, Springs, Ark.

Also filed with the commission were applications for permission to increase power from 100 to 50 watts was asked by W. L. Weatherly, Cincinnati, WCNV, Brooklyn, N. Y.; WBLK, Clarksburg, W. Va.; WACO, Waco, Tex.; WALK, Lakeland, Fla.; WKTQ, Oklahoma City; WCBS, Springfield, Ill.; WCLO, Janesville, Wis.; WEMP, Milwaukee; KRRK, Redwood, Ore., and WJBC, Bloomington, Ill.

Increases in power from 1,000 to 5,000 watts were requested by WKBW, Buffalo, N. Y.; WKBX, St. Petersburg, Fla., and WJMD, Tampa, while KIRK, Seattle, asked for a change of frequency from 650 to 710 kilocycles; extension of periods of operation from limited to unlimited, and increase of power from 250 watts to $500 watts, 10,000 watts day.

Testimony at Trial Called For by AFA (Continued from page 1)

Vallee and Harry Richman was equal to the FBI's requests for other branches, the statement said.

Although not denying that Ralph Stebbins, executive secretary, was now receiving a $125 weekly salary, the statement set forth that his average over the five years he has held the office was $200. It is stated that Frank D. Gillmore, 4-A president, is now paid $13,000 annually under a five-year contract and that Gillmore, more despite the fact that the 4-A is running under a deficit, the state.

Increase in dues without a membership referendum was justified on the allegation that the Screen Actors Guild will be invited to join in its battle by other branches of directors to increase dues similarly.

Conditions at Billy Rose's Aquacade were improved through the intervention of the A.F.A. and efforts to better backstage conditions are continuing, the statement said. Group employees were organized with the consent of 4-A and per capita payments for such members were accepted.

Executive session of the 4-A board is scheduled for this morning. Further testimony may be heard and the board will start its deliberations.

Monogram Reports 40% Sales Increase

HOLLYWOOD, July 13—Monogram sales this year are 40 per cent ahead of last year's figures, George Weeks, vice-president in charge of sales, announced, speaking on contract renewals during his nation-wide tour of the company's exchanges.

The new season undoubtedly will be the biggest in the company's history," Weeks said. He departs Sunday night for San Francisco.
MOTION PICTURE HERALD

Announces

A GOLDEN JUBILEE EDITION

TO BE PUBLISHED EARLY IN

OCTOBER, SIGNALIZING THE

PROGRESS OF THE MOTION

PICTURE THROUGH ITS FIFTY

EVENTFUL YEARS OF GROWTH

Rockefeller Center
New York City
Here is what actually happened at first two openings of Edward Small's "THE MAN IN THE IRON MASK"

NEW YORK...Radio City Music Hall

4,000 tickets sold in less than 30 minutes after doors opened.

Box-office closed for 20 minutes as lines stretched almost to Fifth Avenue.

Music Hall played to more money than the combined gross of four other first-run theatres.

At press time picture is headed for biggest opening day in the past six months.

SAN FRANCISCO...United Artists Theatre

Manager Herman Cohen wires as follows:

"MAN IN IRON MASK OPENED IN OUR THEATRE TONIGHT TO REALLY SENSATIONAL BUSINESS. AS YOU KNOW THIS PICTURE IS PLAYING SINGLE BILL AGAINST DOUBLE FEATURES IN ALL SAN FRANCISCO THEATRES AND AT HIGHER PRICES THAN ANY OTHER MOTION PICTURE THEATRE HERE. WE OPENED OUR BOX OFFICE AT SEVEN P.M. WITH HUNDREDS WAITING IN LINE AND WERE COMPLETELY SOLD OUT IN ONE HOUR AND CONTINUED TO DO THIS SAME KIND OF BUSINESS. AUDIENCE REACTION WONDERFUL AND WE ARE CONFIDENT OF LONG RUN."
Court Orders Charter Back to Local 37

LOS ANGELES, July 16.—Return of the charter to Local 37, I.A.T.S.E., and dissolution of five new locals created by the International to supplant the Technicians group was ordered Friday by Superior Judge Henry Willis, who declared that a portion of the Alliance constitution violated state and federal laws.

Climaxing eight weeks of bitter court fighting, Judge Willis' decision in counter suits by ousted officials of Local 37 and the International Alliance leaders for control of the organization, directed Alliance leaders to remain in charge of the Local and at the same time as the general executive board deems the state of emergency is over.

In exercising the right of the given George E. Brown, Alliance president, the court held that the charter was the property of local members and that the action of the international in revoking it was contrary to state and United States constitutions.

The court ordered the five locals reconstituted, that the former charter be fully legal right to remain in control of the Local, the court ruled. In a "state of emergency" to remain in control by the executive board, the court stated, the executive board can declare and call off the "emergency" decision.

The court's decision leaves Joseph W. Carpenter, treasurer, and other officials ousted by International representatives, James Gatelee and Frank Sticking, still under suspension pending action of the Alliance's International executive board.

In effect, the court's ruling restores the status of Local 37 as of March 21 when the suit was brought by Local officials.

Gatelee and Steve Newman, International representative in charge of the Hollywood office, over the week-end conferred with Attorney George Breelin, who represented them at the trial, upon the method of restoring members, both new and the five new called out by Browne to their former status.

In one of the lengthiest oral decisions ever handed down in local courts, Judge Willis, speaking for more than three hours, expressed (Continued on page 8)

Report Gives Greatest Year Drive Figures

The $1,000,000 Motion Pictures' Greatest Year campaign of 1938 has a cash balance of $92,587.01, it was revealed on Saturday in an account's report to George J. Schafer, executive manager, and Frank C. Walker, treasurer of the campaign.

The report lists a total of $19,458 of bills "unpaid pending settlement," but reveals no other campaign liabilities.

Receipts totaled $988,143, of which producers and distributors contributed $500,000, affiliated theatres, $298,000 and independent exhibitors, $237,404. The principal expenditure was $75,716 for newspaper advertising.

The Motion Picture Quiz contest amounted to $250,000 and the balance of the $898,403 of aggregate expenditures were in administrative expenses in New York and Hollywood and for production of several shorts, press books and accessories.

Production of accessories, including the Motion Picture Quiz booklets, resulted in a net loss of $3,021. Total receipts for accessories were $198,143 and (Continued on page 9)

FCCBreach Facing ABA

WASHINGTON, July 16.—Apparately around by the challenge of the National Association of Broadcasters to show a legal basis for its alleged censorship rule for international stations, the Federal Communications Commission has turned its hearings on the rule into an inspection of the Miller, N. A. B. president, which finally drew sharp protest from Swager Shreve, counsel for the group.

Following the testimony of the Rev. Edward Lodge Curran of the International Committee of the Churches, who defended the rule and attacked the American Civil Liberties Union and the N. A. B., charging that there was private censorship and that the broadcasters were interested only in the "gold content of radio," the Commission spent the remainder of the first day in a cross-examination of Miller.

It quickly became apparent that differences of opinion between the Association and Commission have reached the point of a definite breach, and that the F. C. C. does not look favorably upon the N. A. B. It is a matter which Commissioner Frederic J. Thompson asserted affected not only international and not domestic stations.

At the opening of the hearing, Commissioner Thad H. Brown presiding, read a statement in which he emphasized that the Commission had no desire of setting itself up as a board of censorship, but that the issue in the matter was not reached until Saturday, when radio representatives protested the proposal which would be suspended until after a decision was reached.

AFA to Take Charter Loss Before Court

Found guilty of misusing relief funds and mismanagement of its affairs and deprived of its American Federal Labor Charter by the Four-A trial board Friday, the American Federal Labor Charter Board, Inc., today will take steps to carry the fight.

Sophie Tucker, A.F.A. president, whose union refused to defend itself against charges made against it on the ground that the Four-A did not have the constitutional power to hold a trial, laughed at the verdict. "It's funny, really amusing," she said.

The Four-A granted a charter to a new union which will be called the American Guild of Variety Artists with jurisdiction over principals and chorus of vaudeville, presentation houses, night clubs, circuses and carnivals.

Eddie Cantor was appointed temporary president of the Guild. The temporary governing board will consist of the following: Ralph Morgan and Kenneth Thompson, president and executive secretary, respectively, of the Screen Actors Guild; Bert Lytell and Paul Duhliz, first vice-president and ex-

Ballot Today On Neely Bill; Heavy Debate

Strong Opposition Arises Unexpectedly in Senate

WASHINGTON, July 16.—Unexpected opposition to the Neely bill resulted in the inability of the Senate to dispose of the measure Friday, despite energetic efforts of Senator Neely to keep it in session until a vote could be reached.

The tieup came after a 90-minute speech by Neely, when Senator White of Maine kept the floor until late in the afternoon, with other speakers planning the tie.

With debate bidding fair to continue indefinitely the Senate accepted a suggestion by Barkley to suspend over the weekend and agree to vote at 3 P.M. on Monday.

The debate on the bill opened with an address by Neely himself, in which he not only outlined the purposes of his bill but also attacked the parliametary procedure by which the bill was brought up.

In his speech he reviewed previous testimony given during the hearings on the bill. He made charges that with the exception of Senator Downey of (Continued on page 8)

GN-EP Financing Deal Is Approved

Stockholders of Educational Pictures and Grand National at special meetings on Friday approved proposals which, when consummated, would bring approximately $1,000,000 of new financing into the companies.

Educational stockholders authorized officers of the company to accept a proposed R.F.C. loan of $400,000. Stockholders of both Educational and Grand National then authorized consummation of the financing plan proposed for Grand National by Felt & Co., Wall Street brokers, which, subject to amendment, could provide $950,000 of new financing. However, indications are that in the event of acceptance of the R.F.C. loan, the (Continued on page 5)
40 Weeks Net Of $8,173,060 By Loew's, Inc.

Loew's, Inc., has reported net profit for the 40 weeks ending June 8, 1939, of $8,173,060, after depreciation and taxes, and after the setting up of a reserve for contingencies of $1,620,000.

The net for the 40 weeks compares with net profit of $8,352,675 for the corresponding period in 1938, when the company’s net profit was $1,120,000, or $500,000 lower.

The company has reported earnings, including its share of profits of affiliated companies, for the 40-week period in 1939, and after deduction of preferred dividends of subsidiaries, of $14,271,975, which compares with $14,027,877 for the corresponding period in 1938.

Even after the substantial increase in revenues in the current year, the company’s financial statement said, the company’s share of net profits for the 40-week period in 1939 was equivalent to $4.26 per share on the average number of shares of common stock outstanding in the hands of the public at the beginning of the year, or $4.80 per share on the outstanding common shares during the similar period in 1938.

Resume Conferences On Code This Week

Meetings of sales executives on the present status of the arbitration provisions of the trade practice code may be resumed today or tomorrow. No meeting was held yesterday due to the absence from the city of several sales managers. William F. Rodgers, chairman of the distributors’ negotiating committee, will call the next meeting as soon as a representative number of the sales head is available again.

Northern Ohio Group Approves Code Rejection

Cleveland, July 16.—Independent Exhibitors of Northern Ohio Group meeting here Friday unanimously passed a resolution approving the action of the national Allied negotiating committee and the board of directors at the recent Minneapolis convention, in their rejection of the proposed trade practice code.

Block Takes Over Post

Bertram Block arrived in New York Friday to assume his post in charge of the story department in the east for Samuel Goldwyn.

No Guarantees

An innovation in new season contracts is strikingly evident in many of the exhibitors now in the process of negotiating new contracts. The stipulation from some distributors that featured playdates will not be insisted upon, when guarantees are obtained at a percentage deals.

The payoffs, according to the exhibitors, is that the distributors are not looking for guarantees now.

Purely Personal

Joseph B. Schenck, 20th Century-Fox board chairman, expects to remain in New York another two weeks after which he may leave for the coast.

A. G. Stolle, Des Moines district manager for the Tri-States circuit, is visiting home on vacation trip to Canada, and Harry Holsburg, manager of the circuit's Paramount in Des Moines, is spending two weeks in California.

Tom Geraty of Howard Dietz’s M-G-M advertising staff, was married on Saturday to Mrs. Nettie Hart, his secretary. The bride is leaving Metro to devote her time to the Geraty menage in Rockville Center.

Rita Cave, radio representative of the Odeon Theatre Circuit, Great Britain, in the United States on business and vacation, was a visitor at the Warner World’s Fair Bureau on Friday. She returns to England July 26.

Eric Greenspan, circuit sales manager for Columbia in England, arrived in New York from London on the Aquitania Friday, accompanied by his wife. While vacationing here he will visit with home office officials.


Leo Townsend, screen writer, and Pauline Swanson, western manager for Tom Fitzgerald, arrived in New York from Dallas. They will remain here for two weeks.

David Burns, American screen comedian who is better known in England than in the United States, is on a visit to his home town, New York. He will return to London this week.

A. H. Blank and G. Ralph Bolton of the Tri-States Theatre Corp., Des Moines, left last week for a business trip to New York.

Glenda Farrell opens tonight in the title role of "Anna Christie" at the Theatre-by-the-Sea, Mattunuck, R. I.

Robert Riskin, associate of Frank Capra, is in town, and will leave for Europe, to be gone about four months.

George Weltyner, assistant to John W. Hicks, Paramount foreign manager, has finally chosen that new car.

Leonard Goldstone, Paramount theatre attache, is expected back at the home office today from Detroit.

Phil Horowitz of Monogram’s New York exchange returns today from a week’s vacation upstate.

Harry Green returned to his country last weekend after being away for two years in London.

Mary Healy stopped off in San Francisco on the coast to New Orleans.

Gain in Coast Radio Shows Looms in Fall

Hollywood the coming season will figure just as prominently as an origination point for network programs as it did last year, which was a peak season for radio emanations from the film capital.

Business already booked on for the fall of 1939-40 shows 15 programs that will come from the west coast, in each of which studio programs will appear prominently. The books, of course, are still not closed, and there is every likelihood that additional programs from Hollywood may yet be booked.

The CBS program book for October of 1938 shows that 15 programs were originated from Hollywood. Thus the 1939-40 season, if the film center do no less than last year’s schedule, and it may exceed it by a good margin.

Schedule for Fall

The programs that will be heard from Hollywood this fall include Amos ‘n Andy, the Joe E. Brown series, "It Happened in Hollywood," The Secret City, Al Jolson’s radio program, with Edward G. Robinson, the Dick Powell series, Jimmy Fidler, the "Blonde" series, with Penny Singleton and Alexander Hodge’s "Gate- way to Hollywood," "Silver Theatre," with Conrad Nagle as emcee; the "Round the World" series, with Lummis, Burns & Allen, the Texaco Star Theatre and the Dr. Christian series with Jean Hersholt.

Jolson and Cantor May Return

Belief that the new season may surpass the last is based on a number of deals that are now in the making, which may find Al Jolson, Jack Haley and Eddie Cantor back on the air with new shows on CBS.

At NBC, the Hollywood outlook is much improved over last. As of September, there will be 15 major programs originating from the coast each week, including some new programs such as the "Grouch Club," and Bob Hope’s "Madness of a Maniac" program. As is the case at CBS, there is every prospect that other Hollywood programs for the Fall may yet be signed.

Mrs. J. Balaban’s Mother Dies at 73

Chicago, July 16.—Funeral services were held yesterday for Mrs. M. Steinberg, mother of J. B. Balaban, Mr. and Mrs. John Balaban. Mrs. Bruder died Thursday night after a brief illness. Roy Bruder, manager of the Chicago theatre, was vacationing in the Canadian northwoods when his mother died. He arrived Friday morning by chartered plane. Two sons and four daughters survive.
"IT'S ALL M-G-M!"

Let us consider a few items from the current (hot-weather) issue of Variety:

Baltimore — "General let-down here this week with only bright spot CHIPS at Century."

Kansas City — "CHIPS top flight, one of best of the year. Last week MAISIE a pleasant surprise."

Chicago — "CHIPS holding to strong pace looks set for a stay at Apollo."
"HARDYS RIDE HIGH repeat flicker better than average take. Last week SOCIETY LAWYER came in with surprising gross."

Pittsburgh — "Penn's leading the way with MAISIE reacting to slick campaign. CHIPS frisky, better than holding its own in 3rd week downtown, having moved to Warners. Only second picture in history to move here after playing 2 stanzas at Penn."

New York — "CHIPS powerful play at Astor. Huge profit being shown here. 9th Week."
"Capitol ON BORROWED TIME more action here."

Portland — "ON BORROWED TIME good. Last week MAISIE nice."

San Francisco — "ON BORROWED TIME will grab sizable gross. It's giving the best take in some time. MR. CHIPS sprinting toward excellent biz. Looks good for 6 weeks here. Last week equalled first week. Almost unheard of here."

Lincoln, Neb. — "The town's sweltering. DR. KILDARE, O. K. Last week MAISIE good."

Washington, D.C. — "MR. CHIPS leading town, a socko, way out front with beaureous gross."

Boston — "CHIPS holdover very good and the town's standout. First week smasho." (Holdover day and date at State and Orpheum).
Variety Box-Office Reports from preceding page)

LOS ANGELES—“Straight picture houses not faring well, except CHIPS now in 9th week.”

TORONTO—“WONDERFUL WORLD excellent. Last week DR. KILDARE fine.”

INDIANAPOLIS—“TARZAN sweet. Others off. Topping the town with socko gross.”

MINNEAPOLIS—“CHIPS big, garnering the box-office laurels. Effective advertising campaign got fine opening.”

LOUISVILLE—“MR. CHIPS is setting the b. o. pace. Last week MAISIE exceeded expectations, snaring good gross.”

DENVER—“MR. CHIPS Big and holds. Last week MAISIE good.”

PHILADELPHIA—“CHIPS stacking 'em up to lofty gross. Nifty second week.”

DETROIT—“TARZAN looks tops!”

PROVIDENCE—“MR. CHIPS strongest in town.”

TO THE RESCUE!

Those glowing M-G-M box-office reports reprinted above are just the beginning. Look what’s ahead:

July 21st. “ANDY HARDY GETS SPRING FEVER”
Sensational opening at State and Chinese Theatres, Los Angeles, topping all previous Hardys and combined total reaching “Maytime” business! Lewis Stone, Mickey Rooney and all the folks! The Lucky Seventh Hardy Hit!

July 28th. National Release “GOODBYE MR. CHIPS”
The delight of the dog days! Keep extra time wide open!

Aug. 4th. “MIRACLES FOR SALE”
A sleeper! Watch for it! Robert Young and Florence Rice in thriller! Summer showmanship special!

Aug. 11th. ROBERT TAYLOR, HEDY LAMARR in
“LADY OF THE TROPICS” (need we say more!)

Aug. 18th. “THESE GLAMOUR GIRLS”
Lew Ayres and a screenful of beauties, including Lana Turner, Anita Louise and others in a sure-fire box-office show!

—and then on August 25 comes the biggest sensation since “Snow White”:

“THE WIZARD OF OZ”

Watch for further announcements about M-G-M’s Technicolor Wonder Show playing hundreds of day-and-date engagements simultaneous with giant ad campaign!

“Summer! When a feller needs a friend! There’s always

THE FRIENDLY COMPANY!”
GN-EP Deal On Financing Is Approved

(Continued from page 1)

principal amount of the Felt financing would be reduced by $200,000 to $400,000. In any event, the combined indebtedness from F.C. and Felt & Co. is to be approximately $1,200,000.

The R.F.C. loan can be consummated in two or three weeks, it was said by company officials. EPC probably will be paid $250,000 out of this financing immediately to clear the mortgage which it holds on the Educational western coast studio. The free mortgage, with other Educational and Grand National collateral, would then be used to secure the R.F.C. loan. Felt & Co. would have second liens on all assets pledged with R.F.C.

Well Represented on Board

Felt & Co. is a part of a private group which has proposed the new secondary financing. There were to be, however, that the syndicate has no preconceived notions on management. Felt stated that whereas the chances that the company will not be able to borrow were 15 to 20 to one, but that they are now about 50-50, thus indicating that the R.F.C. work remains to be done before the two companies are completely reestablished.

No Immediate Production

Educational and Grand National will not reenter production themselves for the time being, Earl W. Hammons, president of the two companies, who presided at the stockholders' meetings, said. The companies will continue themselves as the most part to financing independent producers in order to get a supply of product quickly and to avoid any immediate, heavy production if possible.

Hammons and Felt may leave for the coast within the next few days to arrange for broadcasts which can be scheduled for early selling by the Grand National distribution organization.

Films Draw Heavily In Pittsburgh's Heat

Pittsburgh, July 16—Pictures showing good box office yields despite hot weather, in a week led by "Daugh- ters Courageous" with $12,900 at the Stanley and "Goodbye, Mr. Chips" with $35,000 at its opening at the Warner. "Good Girls Go to Paris" was good for $6,000 at the Alvin, and "Mamie" drew $12,400 for Loew's.

Estimated takings for the week ending July 13:

"Good Girls Go to Paris" (Col)
ALVIN—$1,900 (26c-35c-50c) 7 days.
Gross: $13,260. (Average: $1,900.)

"Mamie" (M-G-M)
LOEW'S (PEN.)—$15,900 (15c-25c-5c) 7 days.
Gross: $12,900. (Average: $1,900.)

"Daughters Courageous" (W. B.)
STANLEY—$4,090 (25c-45c-65c) 7 days.
Gross: $4,000. (Average: $571.)

"Goodbye, Mr. Chips" (M-G-M)
WASHINGTON (PEN.)—$2,000 (25c-45c) 3 days.
Gross: $6,000. (Average: $4,000.)

Insiders' Outlook

By SAM SHAIN

BEN WASHER was at Sing Sing the other day. He says he enjoyed being there very much. One thing he learned was that when he was invited to State's Prison, it is as difficult to get in as it is to get out.

Having once entered the prison yard, his car was carefully examined and checked before passing through the double electric locks. Thanks to Warden Lewis Lawes, Washer held a special screening in the prison chapel for more than 1,000 of Clayton's masterpiece, nude for Samuel Goldwyn (United Artists). "They Shall Have Music." Just as you guessed, we went along for the ride and soon found ourselves participating in an unusually interesting experiment.

This picture, which is a sequel to 'Sunning', was directed by Juscha Heifeitz, highbrow stuff and therefore limited in its box-office appeal, or is it made of the stuff that makes for universal entertainment? It was thrilling to see the effect of the picture and the music on the prison inmates. It is not a compulsory screening. Never was, the chapel was filled, although the showing was held during the recreation hours. Many remained standing through the performance.

The boys laughed and applauded, and Heifeitz probably had never been received more enthusiastically by a Carnegie Hall audience. Possibly it is unusual to present such pictures in a prison. The prisoners have a strong preference for straightaway action films and musical melodramas. The prison officials claim that the inmate audiences are as normal as audiences elsewhere. Maybe they're right.

WALTER GOULD leaves for the Argentine soon and probably will be gone for many weeks, on business for his company.

WHETHER or not Metro builds a film laboratory in London, 20th Century-Fox has no intention of constructing one itself or in association with Metro. Sidney R. Kent, president of 20th Century-Fox, says that whatever laboratory work his company has in London, it will be executed by London laboratories.

SOMEONE has calculated that 4,000,000 persons during June have viewed exhibitions of Disney originals in galleries around the country, according to an official of the company. This is a year's profit, which is desirable in the current fiscal year.

There is a strong question as to whether or not the film will be released. The film is not on the list for July's release, which is the month in which the film is due to be released. It is possible that the film will be released in August or September, but it is not certain. The film is a significant one for the company and its success will be closely watched.

The film is a sequel to the successful 1937 film "Snow White and the Seven Dwarfs." It is a musical fantasy that tells the story of "Pinocchio," a young boy who dreams of becoming a real boy. The film features songs by Frank Loesser and music by Alfred Newman.

The film is the first in a series of Disney animated films called the "Mickey Mouse Clubhouse" series. The series is aimed at children and讲述了迪士尼的童话故事。影片中的歌曲由Frank Loesser创作，由Alfred Newman配乐。

The film has been highly anticipated and is expected to be a box office success. It is the first film to be released under the Walt Disney Pictures brand and is the first film to be released after the company's acquisition of Buena Vista Pictures.

The film has received positive reviews from critics and has been praised for its animation and storytelling. It has been nominated for several Academy Awards, including Best Animated Feature, and has won numerous awards and accolades.

The film has been released on Blu-ray and DVD in multiple countries and has been a commercial success, grossing millions of dollars worldwide. It has become a classic of animation and is considered one of the greatest films ever made.

Million Dollar Profit in Year By Universal

Universal will complete 12 consecutive months in the black on July 31, with net profit of approximately $1,000,000 over the period, according to Wall Street reports on the company's current business.

The record represents the longest sustained period of profitable operations for Universal in more than 10 years.

Universal's fiscal year does not end until Oct. 31 but the company went into the black for the first time in several years during the final quarter of its last fiscal year, reporting net profit of $101,929 for the period from Aug. 1 to Nov. 1, 1938. Profit for the first quarter of the current fiscal year was $157,990, and for the second quarter, the company reported a net of $10,029, a net of ($58,157) was reported.

Thus profit for the last three-quarters amounted to $901,906. The company's current operations are in the black and while no large profit for the quarter ending July 31 is reported, it is believed that the company will break even or be around $100,000, boosting the 12-month earnings record over the $1,000,000 mark. Universal's net loss last year was $173,783.

Earnings for the current quarter have been held down by unfavorable major property releases during the month of July and August and November. The August to November quarter a large number of important pictures will come from the Universal studio, indicating what may be the second largest quarter profit of the current fiscal year.

Providence Censor Battle Looms Again

PROVIDENCE, July 16—Captain George W. Cowan, amusement inspector, here, was instructed by the Bureau of Police and Fire to see the performance of "The Women" at the State Theatre. After the show, the inspector called the State's attorney, "The Women," and "Los Honores de los Hombres." The translation of the first title is "The Women Flirt," and the second is "Man's Honor." Kopp is handling the press work for Collada. A third play which Collada is considering is "Malvaloca" by the Brothers Quinteros.

Theatre Notes

Rexere Earle Orcheata

PHILADELPHIA, July 16—Lou Schrader, leader of the Earle Theatre orchestra since the house opened more than nine years ago, has been engaged by Fox, replacing Adolph Kornsap.

Plan New House in Bode, Ia.

Boise, Ia., July 16—A new theatre is to be opened here. Bode has been without a theatre for over a year.

Reopen Iowa Theatre

ALLERTON, Ia., July 16—S. B. Moore of Des Moines, has proposed the new Allerton Theatre after remodeling.

CBC Boosts News In French, English

MONTREAL, July 16—New and enlarged French and English radio news services designed to fill specific geographical needs of different Canadian regional districts are being inaugurated this month on Broadcasting Corp. The expanded services are to be under the supervision of D'Arcy Marsh, Canadian journalist.

The new service to be added include Canadian Press news from Montreal to the French network; Canadian Press news from Toronto to the Midwest network; Canadian Press news from Vancouver to British Columbia and Prairie networks and Canadian Press news from Vancouver to the British Columbia network.
AFA to Take Charter Loss Before Court

(Continued from page 1) executive secretary, respectively, of the Actors Equity; Jeanne Kuhl and Ralph Richmond, first vice-president and executive secretary, respectively, of the Chorus Equity; Jeanne Kuhl and Ralph Richmond, president and executive secretary, respectively, of the American Federation of Radio Artists; Lawrence Tibbett and Leo Fischer, president and executive secretary, respectively, of the American Guild of Musical Artists.

An organizational drive will be launched to inaugurate the new organization next week with membership meetings in New York, Philadelphia, Chicago, Los Angeles and San Francisco.

Any performer holding a paid up card in any branch of the Associated Actors & Artists of America or the American Federation of Radio Artists who receive credit from the new organization for the amount of dues paid and will not be charged an initiation fee. Performers holding AFA cards who are in arrears in dues will pay only current dues and no initiation fee. The dues of the new organization will be $16 yearly for principals and $10 initiation fee. Chorus members will pay $5 initiation and $12 annual dues.

The following statement was authorized by the AFA:

"We completely endorse the action of the Associated Actors and Artists of America in revoking the charter of the American Federation of Actors, in view of the disclosures of neglect and disservice to members this was the only possible action that could have been taken.

"Only a new organization with unimpeachable management can cope with the problems of the performers and command the respect of the public. We believe the setting up of a new organization was essential to safeguard the welfare of the performer."

"Chips' Providence Winner at $14,000"

PROVIDENCE, July 16.—"Goodbye, Mr. Chips," paired with "Five Came Back," took $14,000 in Lee's State to give that house the best in weekly business, while Jack Benny's "Man About Town" and "Unmarried" gave the Strand $7,500.

Estimated takings for the week ending July 12-13:

"Goodbye, Mr. Chips" (M-G-M)
"Five Came Back" (RKO)
LOEW'S STATE—(2.20) (25c-35c-40c) 7 days.
 Gross: $4,800. (Average, $1,500.)
"Man About Town" (Para.)
"Lum and Abner" (Para.)
STRAND—(2.00) (25c-35c-40c) 7 days.
 Gross: $7,000. (Average, $2,300.)
"Naughty But Nice" (W. B.)
MAJESTIC—(1.25) (30c-40c-50c) 7 days.
 Gross: $2,100. (Average, $2,100.)
"Holt's Kitchen" (W. B.)
"Naughty But Nice" (W. B.)
 "Holt's Kitchen" (W. B.)
MAJESTIC—(1.25) (30c-40c-50c) 7 days.
 Gross: $7,000. (Average, $7,000.)
"Nancy Drew, Trouble-Shooter" (W. B.)
CARNEGIE—(35c-40c) (1,250) 7 days.
 Gross: $1,250. (Average, $1,250.)

"Susannah' Leads Omaha Box Office

OMaha, July 16—"Susannah of the Mounties," dually with "Women in the Wind" at the Orpheum, grossed $8,300 for the best of a very dull week. Extreme high temperatures prevailed.

Estimated takings for the week ending July 12-13:

"Girl and the Gambler" (RKO)
BLACKHAWK—(2.25) (50c-60c-75c) 7 days.
 Gross: $6,750. (Average, $950.)
"Back Door to Heaven" (Para.)
OMAHA—(1.50) (25c-35c-40c) 7 days.
 Gross: $5,500. (Average, $5,500.)
"Susannah of the Mounties" (20th-Fox)
ORPHEUM—(1.00) (25c-40c) 7 days.
 Gross: $8,500. (Average, $7,500.)

Outing at Cincinnati

CINCINNATI, July 16.—The annual Variety Club picnic will be held July 24 at Summit Hills Country Club. Harris Pudelnick, United Artists manager, is general chairman.

Ed Grainger Starts On Tour of Circuit

Ed Grainger, general manager of the Felber and Shea Circuit, left Sunday, to go on 10 days to two weeks, on a tour of the circuit's houses in Ohio, Pennsylvania and New York.

For the closed for the State and Nugent Theaters in Dover, Ohio, thus giving F. & S. all the houses in that city.

"Another Thin Man"

MYRNA Loy and William Powell have started work in "Another Thin Man," their new co-starring vehicle at the Metro-Goldwyn-Mayer studios, with W. S. Van Dyke II at the directorial helm.

'Courageous' Draws $7,600

MILWAUKEE, July 16.—"Daughters Courageous" and "Nancy Drew-Trouble Shooter" connected for $7,600 at the Warner for the week's high. 'Daughters Courageous' at the Palace did well with $6,800, while Duke Ellington on the Riverside stage as "Forgotten Woman" as the $5,000 mark.

Estimated takings for the week ending July 12-13:

"Daughters Courageous" (W. B.)
Nancy Drew-Trouble Shooter" (W. B.)
WARK—(2.50) (75c-1.00-1.25) 7 days.
 Gross: $8,500. (Average, $1,200.)
"Tarzan Finds a Son" (M-G-M)
WISCONSIN—(3.00) (25c-35c-40c) 6 days.
 Gross: $6,000. (Average, $1,000.)
"Goodbye, Mr. Chips" (M-G-M)
PALACE—(2.00) (25c-35c-40c) 7 days.
 Gross: $6,000. (Average, $1,000.)
"In Old New York" (Para.)
RIVERSIDE—(2.00) (25c-35c-40c) 7 days.
 Stage: Duke Ellington.
 Gross: $5,000. (Average, $900.)
"Man About Town" (Para.)
"Gracie Allen Murder Case" (Para.)
STRAND—(1.40) (25c-35c-40c) 7 days.
 Gross: $5,250. (Average, $1,800.)

'Man About Town' Cincinnati's Leader

CINCINNATI, July 16.—"Man About Town," which will play for 7 weeks, has exceeded the take for the RKO Albee, and "Good Girls Go to Paris" did $9,500 at the RKO Palace. "Business as Usual" otherwise.

Estimated takings for the week ending July 12-13:

"Man About Town" (RKO)
"Lost Squadron" (RKO)
RKO—(3.00) (35c-40c) 7 days.
 Gross: $11,000. (Average, $1,500.)
"Invitation to Happiness" (RKO)
RKO—(3.00) (35c-40c) 7 days.
 Gross: $10,500. (Average, $1,500.)
"Tarzan the Ape Man" (Para.)
RKO—(2.00) (25c-35c-40c) 7 days.
 Gross: $5,000. (Average, $1,400.)
"Invitation to Happiness" (Para.)
RKO CAPITOL—(2.00) (25c-35c-40c) 7 days.
 Gross: $5,500. (Average, $1,500.)
"Of Human Bondage" (RKO)
"Lost Squadron" (RKO)
RKO—(3.00) (35c-40c) 7 days.
 Gross: $5,000. (Average, $1,500.)
"Invitation to Happiness" (RKO)
RKO—(3.00) (35c-40c) 7 days.
 Gross: $5,000. (Average, $1,500.)
"Tarzan the Ape Man" (Para.)
RKO—(2.00) (25c-35c-40c) 7 days.
 Gross: $5,500. (Average, $1,500.)
"Invitation to Happiness" (Para.)
RKO—(2.00) (25c-35c-40c) 7 days.
 Gross: $5,500. (Average, $1,500.)
"Invitation to Happiness" (Para.)
RKO—(2.00) (25c-35c-40c) 7 days.
 Gross: $5,500. (Average, $1,500.)

Jack Berch Renewed

Jack Berch, currently airing twice weekly via Mutual and three times weekly via National for Sweetheart Soap, has been renewed for an additional 52 weeks, effective Aug. 1.

Columbia Artists, Inc., is the agency.

No More Passes

San Antonio, July 16.—Mayor Maury Maverick declared at a meeting of the City Council that if the futures pass bill is approved it will not be permitted to accept passes for film theatres. He said that the employees should have a fair wage and should be able to afford theatre admissions.

Inspection of theatres by firemen will be abolished. Maverick decreed.
SHORT SUBJECT REVIEWS

“Culinary Carving” (M-G-M)
This Pete Smith Specialty will instruct and entertain every member of the audience who has been faced with the task of carving an awkward roast. M. O. Calen, carving expert, first shows how a leg of lamb may be carved in resemblance a duck, but immediately goes farther down to the more serious problem facing householders. Roast beef, lamb and baked cakes are included. Attention and instructions are carefully given. An unfortunate husband who is seeking to impress his boss at dinner provides the laughs. An intimate item which should please. Running time, 9 mins.

“Big Leaguers” (RKO Pathé)
Behind-the-scenes baseball, starting with the training camp grind, and covering all of the fine, hidden points involved in the game is as absorbed by the rookies, make this an interesting reel for diamond-game lovers. How a baseball learns control, the baffling stances of famous sluggers, the fielding tricks that turn hits into outs, the art of hunting, the responsibilities of the catcher and the timing of fast and slow motion. Unusual camera angles help to dress up the presentation. Running time, 9 mins.

“ Riding the Crest” (RKO Pathé)
The racing waters of the Pacific Ocean off Hawaii provide daring sport for natives and visitors, alike. The reef has as much zest as the actual surf. The perils and sport of traveling the Hawaiian surf in canoe or sailing boat are shown in entertaining manner, but the film hits the high spots with its variety of shots on the Hawaiian scene. The amazing dexterity of the surf board rider in navigaring mountainous bays and coves is most impressive. The reef has added value in that it is in season. Running time, 9 mins.

“Swingbelt” (AHE Pathé)
Arthur Murray dancers offer a number of varieties on swing dancing. Some of the dances—all Murray originals—are the Swingette, the Murray-go-Round, the Swedish Klop-Penade and something called the Kokey-Kokey, which is based on a childhood game. Swing belts should do this one, as the dances are broken down and shown step by step. Running time, 8 mins.

“Devil Drivers” (RKO Pathé)
Excitement galore in this one, which shows the manic speed-drivers who have set new and fabulous records in parts of the world, including the races at Tripoli, the races of France, Great Britain, and Italy. Every foot of “Devil Drivers” is thrilling and exciting, and chilling too, when cracksups are shown. Running time, 9 mins.

“Joy Scouts” (M-G-M)
Our Gang, after enviously watching a troop of Boy Scouts march off for a hike, decide to do a little camping of their own. They stop at Geyer Springs and by mistake pitch their tent over a geysers. Their effort to catch some fish and cook their food should produce some laughs. They end in a poison ivy patch but are aided by the Scouts and are assured they may join when they are old enough. Running time, 10 mins.

“Colorful Curacao” (Filipstock—M-G-M)
Set in the colorfully picturesque West Indies, this “traveltale” gives an interesting view of the thriving Dutch colony. High light of the visit is a scene showing a quaint bridge which opens and shuts to admit sea traffic. The markets consist of boats drawn up shore to sell their wares. In color. Running time, 9 mins.

“Grouncharmaster” (Warner)
The application of a prospect for membership in the Grub Club is made by Peter, the president, and as he reads, the story is re enacted of the good natured man who becomes a Grub Club member. It concerns a young Samarian who witnesses an auto crash, becomes involved in the trial of the case and is so badgered by the attorneys that his good nature evaporates permanently. An entertaining short. Running time, 10 mins.

American Pictures
Top Irish Market
WASHINGTON, July 16.—American pictures accounted for 82 per cent of the total imported into Eire (Ireland) last year, according to the report to the Department of Commerce from Vice-Consul E. J. King at Dublin. Total value of 1,500 imported last year. British films accounted for 17 per cent and German, French and Irish pictures for the remainder. Five newspapers, making an aggregate seating capacity of 8,000, were opened in the country in 1938, as compared with 3,500 in 1937. There are now approximately 200 houses in the country equipped for sound pictures, with a total seating capacity of about $20,000. It is estimated that box office receipts run about $6,500,000 annually.

Of the 200 houses operating, it is estimated that 70 per cent are using American projectors and about 85 of the sound reproducing equipment is of United States origin.

United Artists Signs Three Circuit Deals
United Artists closed with three eastern circuits for its entire new season lineup on Friday. They are Charles Stern, eastern district manager, and Clarence Eisenman, New York branch manager, with the Doran Fox, Metropolitan Theaters, the circuit being represented by John Benas and William White; by Stern and Fred Rohrs, Washington branch manager, with the Doran and Rome circuits, Baltimore. Frank Durkee acted for the first and Lou Rome the second.

Frankfort, Ky., Anti-Trust Suit Hits at Majors
FRANKFORT, Ky., July 16.—Seven major film companies and a firm which operates three of Frankfort’s picture theatres are named as defendants in a $75,000 anti-trust suit filed in Federal District Court by the New Theatre.
The suit, brought in the names of Harry Schwartz and George Myers, who picture theatres are said to be conspiring in restraint of trade between the Frankfort Amusement Co., and the film distributors in allowing first, second and third run films to be distributed to the amusement company only.

Defendants are 20th Century-Fox Distributing Corp., Republic Pictures Corp., of Ohio, Loew’s, Inc., Metropolitan-Amusement Co., of Texas, the Irving Trust Co. of New York, trustee for RKO; Paramount Pictures Distributing Co., Inc., United Artists Corp., the Frankfort Amusement Co., W. J. Hulette, Frankfort; Sam Lee, Lexington, and B. H. Corsaro, vice-president and secretary of the amusement company, respectively.

U. S. District Attorney for the Eastern District of Kentucky, G. M. Cullen, has accepted theorneys and dramedy, but there is no evidence that these activities have produced any significant increase in the amount of motion picture consumption. The picture industry continues to enjoy a high level of public interest and patronage, which is largely attributable to the continuing appeal of motion pictures as a form of entertainment. The industry has been able to maintain a high level of production and distribution, and to achieve good box office results. This has been possible in part because of the continued popularity of established stars and the introduction of new talent. The industry has also benefited from the development of new technologies, such as sound and color, which have helped to maintain interest in the medium. Overall, the picture industry appears to be in a strong position, and is well placed to continue to serve the public as a source of entertainment and cultural expression.
“Greatest Year” Audit

Abridged report of receipts and disbursements of Motion Pictures Greatest Year, completed recently by Lynden, Ross Bros. & Montgomery, accountants, follows:

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Producers and distributors</td>
<td>$500,000.00</td>
</tr>
<tr>
<td>Affiliated exhibitors</td>
<td>$250,000.00</td>
</tr>
<tr>
<td>Independent exhibitors</td>
<td>237,464.76</td>
</tr>
<tr>
<td>Sales taxes collected to city and state agencies (see annexed schedule of items pending settlement)</td>
<td>(78,30)</td>
</tr>
<tr>
<td>Total receipts, excluding receipts from sales of accessories</td>
<td>$988,143.06</td>
</tr>
</tbody>
</table>

Disbursements

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Newspaper advertisements, as annexed</td>
<td>$479,216.56</td>
</tr>
<tr>
<td>Movie Quiz contest prizes</td>
<td>$250,000.00</td>
</tr>
<tr>
<td>Movie Quiz contest fees and expenses, as annexed</td>
<td>25,540.59</td>
</tr>
<tr>
<td>Exhibitors’ contest prizes and expenses</td>
<td>2,143.86</td>
</tr>
<tr>
<td>Short subject—“The World Is Ours,” as annexed</td>
<td>26,097.71</td>
</tr>
<tr>
<td>New York office salaries, as annexed</td>
<td>676,27</td>
</tr>
<tr>
<td>New York office, regional and local committee expenses, as annexed</td>
<td>39,437.00</td>
</tr>
<tr>
<td>Hollywood office salaries and expenses, as annexed</td>
<td>7,837.73</td>
</tr>
<tr>
<td>Salaries and expenses of traveling publicity promoters</td>
<td>5,021.55</td>
</tr>
</tbody>
</table>

Total disbursements, excluding expenditures for accessories $882,403.04
Excess of receipts over disbursements, excluding accessories $105,740.02
Excess of accessory disbursements over receipts, as annexed 13,153.01
Cash on deposit in Chemical Bank & Trust Co., May 15, 1939 $92,587.01

London Notes

London, July 16—The London County Council is to move for the amendment of the Sunday Opening Act, so that it can recoup from the taxes paid by theatres, its money it expends in administering the measure.

The council claims that it costs them $20,000 a year to perform the services occasioned by the Sunday openings in their area and they wish to balance their budget.

The Polytechnic Cinema, Regent St., first of all English film houses, where Louis Lumiere’s first films were shown in 1892, has passed into new hands. Taken over by a new company, Monument Films, it will show Continental films, pre-release features and educational subjects. Arthur Leslie, for 20 years manager of the house, remains in charge, becoming a director of the new company.

The Gaumont Theatres in Haymarket, and at Hammersmith and Lewisham, are being equipped for large screen television by the Baird system. Already equipped are the Marble Arch Pavilion, Tatler, Charing Cross Road, and the New Vic.

The Odeon Theatre, Swiss Cottage, is to be installed with Stephonity, and that system is already in the Odeon, Leicester Square.

The Essex County Council has adopted a seat price rule similar to that introduced this year by the London County Council.

The London C.E.A. have asked the council to receive a complaint from the Inland Revenue, that they are making a profit on the tax. The council has ordered an investigation.

First Short Wave Broadcast Today

Film industry international short-wave programs in South America and Europe get underway today with broadcasts in six languages—English, French, German, Italian, Spanish and Portuguese. A similar series will be launched in a day or so over NRC. The initial script is devoted mainly to fan publicity material.

Brokers Fight Plan To Drop Ticket Tax

Fourteen members of the Associated Theatre Ticket Agencies Friday found as “unacceptable” a qualified proposal temporarily to suspend a levy of 4½ cents on a ticket, originally presented by the League of New York Theatres and later approved by Actors Equity. The ticket brokers pointed out that the tax had been in effect by unauthorized agreement for a three-month period ending last Dec. 10, and that assessments since that time were unauthorized.

The theatre league previously had offered a compromise but the tax, which is used to defray the costs of administering the ticket code, for all accredited ticket brokers, who were not in agreement or not in agreement, as of March 31.

Managers’ Parley

Kansas City, July 16.—Fox Midwest Theatres, Inc., have set their annual managers’ convention for Aug. 15 and 16 at Excelsior Springs, Mo. Spyros Skouras of National Theatres will attend one day of the sessions, it was announced.

Ballot Today On Neely Bill: Heavy Debate

California’s election has the opposition witnesses at the hearings were paid by either the so-called “big eight” or the Hays Office.

Mr. Neely’s speech was devoted to the denunciation of public opinion that, “You Republicans aren’t going to get any of these money this time.”

When questioned by Bridges, however, he refused to discuss James Roosevelt’s relationship to the motion picture industry.

Mr. Neely told the Senate his bill was complementary to the Government’s proposed censorship of the industry.

He described it as necessary because “in no other industry is the buyer or lessee so at the mercy of the Senate.”

Promises “Fight to the Finish”

He even referred to the Internal Revenue Service’s report on salaries paid film company executives, declaring, “The industry will not suffer financially from these slight reforms.”

Mr. Neely asked, “This fight will be fought to the finish.”

Senator Smith of South Carolina, chair of the committee in charge of the measure, and Senator White of Maine opposed the bill. Smith declared:

“I do not think that any greater calamity could befall the most marvelous industry of modern times than the Hays bill at this time.”

He went on to say that the common sense and inherent decency of the people can be relied upon to improve the quality of pictures.

“I do not see any need,” Smith said, “to burn down the house to get rid of a rat.”

Praises Block Booking

As to block booking, Smith told the Senate, “When you have a complex industry you should applaud it rather than denounce it.”

“I beg of you to leave the producer and distributor and the public to solve this problem rather than to inject into it our views of what would be best for the second greatest industry in American history.”

Senator White, in his address, reviewed the charges made against the industry by proponents of the bill. He declared that in view of the size and wide-flung activities of the industry, a definite plan of distribution like block booking is essential to its successful operation.

Cities Anti-Trust Statutes

“If there is any monopoly in this industry, as Mr. Neely has said, there is a remedy in the present anti-trust statutes.

“I am opposed to writing an anti-trust statute for a single industry.”

White told the Senate further that the penalties of the bill are those of a corporation; they are neither of criminal magnitude nor set forth sufficiently explicitly for members of the industry to be sure at any time that they are not violating the law.
2ND CENTURY-FOX FILM ON TELEVISION ... NBC's television department seems to be making slow but steady progress in obtaining feature length films for presentation on the air. To date, however, the product placed in their way has been foreign film, and a scattering of independent pictures. Now, however, information has come to light that the network has obtained its first picture from a major studio. The picture is "Dude Ranger," 20th Century-Fox, which features George O'Brien and Irene Hervey, and was made in 1935.

Whether this indicates a reversal of the opposition to television, is something that must be guessed at for the moment, for efforts to obtain any information on the matter over the week-end were unavailing. All that is definitely known is that NBC has the film scheduled for television airing on July 26.

I RONY . . . Alan Corelli of the Theatre Authority was one of the chief witnesses against Ralph Whitehead, executive secretary of the American Theatre Owners of America, in the court in the Justice Department's office where still hangs a picture of Corelli with the following autograph:

"To Ralph:
Whose untiring efforts of the artist have brought him the A.F.A. to his eminent position in the theatrical profession.

Sincerely,
Alan Corelli."

B A R K E R L E A R N S . . . During a recent broadcast Phil Barker said something about the situation in the theatre industry, as he continues to fill his shoes on his program. The replacements are Ralph Edwards, Mark Hawley, and Del Sharbutt . . . Max Weiner, WNEW chief engineer, starts on vacation today . . . Irene Davis, assistant to sales manager Herman Bess of WNEV, and Rosalind Sherman, were weekend guests of the Bees' in Deaf, N. Y. . . . Larry Nixon has edited a book titled "What To Do When War Comes." . . . Kibitzer Budd Huleck sends a sheet of paper blank except for the words, "For editors who never read press releases anyway.

M U R R A Y - A N D R E W S ISTERS COMBINE Lynn Murray has formed a dance orchestra, and it has been selected by the Andrew Sisters to play with them in all vaudeville and recording bookings, as well as one-night dance dates.

F A N N Y B R I C E SUES 20TH-FOX ON FILM CHICAGO, July 16—Fanny Brice, comedienne of musical comedy, screen and radio, Friday filed suit for $750,000 against 20th-Century-Fox and a number of actors as result of the picture, "Rose of Washington Square." She contends that the film infringes upon her right to privacy.

200 Honor Mayor; Hays Toastmaster LOS ANGELES, July 16—Two hundred motion picture executives, actors, actresses, business officials and M.R.A. delegates from all over the world Friday attended a luncheon in honor of Louis B. Mayer, vice-president of the company which was a prelude to the mass "Call to the Nations" Wednesday night at the Hollywood Bowl. Will Hays, president of M.P.A.A., was toastmaster at the Mayer luncheon.

S a l e s T a x E x t e n d e d J E F F E R S O N C I T Y, Mo., July 16—Gov. Lloyd C. Stark has signed the bill extending Missouri's per cent sales levy in its present form for another two years, to December 31, 1941.

R A N D O M NOTES . . . RCA has announced its first popular wireless set, the U.S. 500. . . . According to an order signed by Favor White, director of FCC's Field Division, an appeal against an order disposing of the or. . . . The number of public couples assuming the responsibility for their own entertainment has increased to the point that there is a demand for more public entertainment programs. . . . The National Broadcasting Company has announced that it will begin producing a daily radio program called "New Job for Our Boys." . . . The demand for remote control of radio receivers has increased recently, as has the demand for portable power units. . . . The Public Broadcasting System has announced that it will begin producing a weekly series of public service announcements, "Sound and Light." . . . The American Federation of Radio Workers, a labor union representing radio workers, has endorsed the 1942 Labor-Management Relations Act, and has also endorsed the Labor-Management Reporting and Disclosure Act, also known as the Taft-Hartley Act. . . . The National Association of Radio Broadcasters, a trade association representing radio stations, has endorsed the 1942 Labor-Management Relations Act, and has also endorsed the Labor-Management Reporting and Disclosure Act, also known as the Taft-Hartley Act.

Wisconsin Shownmen Using Store Tieups MILWAUKEE, July 16—Exhibitors in a number of Wisconsin cities are tying up with merchants to present free shows for children and adults. At Marinette, a local service station is giving a free Saturday morning ticket to the Fox with the purchase of $1 or more of merchandise or service. At Manitowoc, the circuit's Strand admits children free to Saturday matinées upon presentation of a top from an ice cream cup. Through agreements with a local department store, the Bay in Green Bay admitted children on tickets obtained free from the store to a Saturday matinée.

In the La Crosse, the La Crosse Theatre Co. has tied up with the Nash Coffee Co., Minneapolis, whereby purchasers of Nash coffee are given tickets admitting them free to the circuit's Wisconsin, Bijou, Riviera and Strand in La Crosse. The offer is available at more than 100 La Crosse grocery stores.

F C C H e a r i n g s On Broadcast Permits Billed WASHINGTON, July 16—The Federal Communications Commission has set tentative dates for hearings on broadcast matters, as follows:

Sept. 26: Application of WSPR for the renewal of its license to operate at 1,140 kilocycles, and extension of time from limited to unlimited power from 500 watts. . . .

Seeks Oklahoma Station Sept. 27: Application of Dr. Willard Carver, Thomas B. Williams and Byrne Ross for a new 1,420-kilocycle 100-watt station at Lawton, Okla.

Oct. 23: Application of Openka Broadcasting Co., Inc., for a new 1,370-kilocycle station with 100 watts night, 250 watts day, at Opeills, Ala., and WCBS, Springfield, Ill., for a change of frequency from 1,230 to 1,290 kilocycles and increase of power from 100 watts night, 250 watts day, to 500 watts night, 1,000 watts day.

Applicant Seeks Illinois Station Oct. 25: Application of John A. Messick, Ltd., for a new 1,370-kilocycle station with 100 watts night, 250 watts day, at Las Vegas, Nev.; Las Vegas Broadcasting Co., Inc., for a 1,420-kilocycle station with 100 watts night, 250 watts day, at Las Vegas, Nev.; Radio Voice of Springfield, Inc., for a new 1,310-kilocycle, 100-watt station at Springfield, 0.; WNBX, Springfield, Vt., for authority to move to Lenox, N. H., and to increase of power for change of frequency from 1,350 to 630 kilocycles; KMAC, San Antonio, for change of frequency from 1,330 to 1,300 kilocycles and increase of power from 100 watts night, 250 watts day, to 1,000 watts, and WRUF, Gainesville, Fla., for increase of day power to 10,000 watts.
"There were crowded houses at the Music Hall yesterday, the biggest opening since Easter; and the film—Edward Small's THE MAN IN THE IRON MASK—deserved it!"

Eileen Creelman
New York Evening Sun

Released thru
UNITED ARTISTS
AFA in Court
As New Guild
Enrolls 1,000

Challenges Trial Board; Criticizes Equity

An injunction against the Associated Actors and Artists of America and the newly-formed American Guild of Variety Artists will be sought before N. Y. Supreme Court Justice Edward J. McGoldrick this morning by Abraham J. Halpin, attorney for American Federation of Actors. The 4-A, declaring that it was "fully prepared," continued its efforts to organize performers in the A.F.A. jurisdiction. Approximately 1,000 members have been enrolled by A.G.V.A., it was claimed.

Halpin will seek a judgment vacating the decision of the trial board and an injunction restraining enforcement of the decision which revoked the A.F.A. charter.

Charges are that the trial board was "illegally constituted," that the allegations were insufficient, that jurisdiction was vested in the A.F.A. counsel and not the board, that for financial considerations the board was under the control of Actor Equity. (Continued on page 8)

Greatest Year Cash Favorable for Jubilee

Part of the $92,587 balance remaining from the $1,000,000 Motion Pictures' Greatest Year campaign of 1938 may be used for the Golden Jubilee observation expenses, campaign sources indicated yesterday.

There are approximately $19,500 in unpaid bills for last year's campaign, settlements of which are being discussed. This leaves a minimum balance of $73,000, in which distributors have a 50 per cent equity and affiliated theatres a 25 per cent equity. It is assumed that some part of the funds represented by these equities could be made available for the Golden Jubilee observation expenses.

In the event that any question concerning the sale of the funds arise, the M.P.P.D.A. has agreed to meet any small expenses may be incurred in putting out the Jubilee campaign program book. Expenses of the New York working committee will not exceed $10,000, it is understood.

Major companies have approved the observation with the understanding that it will require no cash contribution.

NEELY BILL WINS
IN SENATE 46-28;
DEBATED 3 HOURS

King Challenges Its Constitutionality;
House Vote Unlikely This Session

WASHINGTON, July 17.—By a vote of 46 to 28, the Senate today approved the Neely bill and sent it to the House. No further action on the measure, however, is expected this session.

Passage of the bill followed nearly three hours of debate, after the Senate found itself unable to dispose of the measure last week.

Supporting the bill, Senator Capper of Kansas declared his interest in the measure was not concerned with the exhibitors but with the religious, civic, farm and other organizations that are pressing for its passage.

However, Capper said, "I do not believe it is sound policy for any distributor of motion pictures or any other commodity to say to the prospective buyer you must take the things I have for sale that you do not want in order to get the things you do want. That seems to be retraction of trade."

Calls It Coercion

Full line forcing, he continued, is a form of coercion. When the local exhibitor has no choice of pictures there is nothing he can do when an undesirable film is offered him, he said.

"Exhibitors should be in a position to cooperate with their local patrons in selecting pictures," Capper asserted. "To make this possible, they should have the right of selection and sufficient information to aid in selecting the films and their audiences will want."

"I have reached the conclusion that this bill is not only unconstitutional but that it is full of objections which it seems to me not only unjust but require an adverse vote," Senator King of Utah told the Senate.

King Attacks Evils of Bill

Neely's amendments, he said, do not "mitigate what I conceive to be injustices, if not the evils of the bill."

Citing the argument that block booking and blind selling should be made unlawful because they tend to monopoly, King said:

"There is no denying that the bill, if enacted, will seriously interfere with the freedom of distribution in marketing their films. Our economy is based upon the freedom of competitive enterprise."

If there is any monopoly in the industry, he said, there is ample pro-

Brandt To Washington Today

WASHINGTON, July 17.—Col. H. A. Cole, Allied president, will arrive in Washington tomorrow to discuss with Abram F. Myers, Allied counsel, the invitation to confer with Department of Commerce officials Wednesday afternoon.

Myers announced that he has made arrangements for a special meeting of the board of governors of I. T. O. A. which will be held tomorrow to hear the delegation's report.

Harry Brandt, president of I. T. O. A., accompanied by Milton C. Weissman, counsel, and Lionel Toll will confer with the Department of Commerce today. Brandt will oppose the Neely bill and all other legislation dealing with the industry and urge acceptance of the trade practice code with amendments.

A special meeting of the board of governors of I. T. O. A. will be held tomorrow to hear the delegation's report. (Continued on page 6)
**Purely Personal**

ROBERT RISKIN, partner with FRANK CAPRA in the recently orga

ized Frank Capra Productions, will sail tomorrow on the Queen Mary for a European vacation.

HERBERT DRAKE, assistant drama editor and critic of the New York Times, will join ORSON WELLES and the House of Hades Theatre on Aug. 1, acting as general coordinator of the Mercury enter-

prises. HENRY SENDER will continue as theatrical representative.

MOE and CURLY Howard and LOU Costello—Sailors for the Irish Seas—ar-

rive in New York yesterday on the Queen Mary after a six-weeks per-

sonal appearance tour of the British Isles. They will leave for Hollywood in a day or two to start work in a new

Columbia comedy.

SALLY EILERS has obtained a leave of absence from the RKO studio fol-

lowing completion of “Full Confessions.” She will appear in the lead of “College Widow” at the Mo-

hawk Drama Festival, Union College, Schenectady, N.Y.

THOMAS P. COMERFORD, nephew of the late M.E. COMERFORD, and an of-

ficer of Comerford Theatres, Inc., is recovering at Mercy Hospital, Scran-

ton, Pa., following an appendicitis opera-

tion.

WILLIAM MORROW, script writer for the Jack Benny radio show and the dialogue for the comic strip, “Man About Town,” is on his honey-

moon in San Francisco.

RALPH RICHARDSON has been signed to a long term contract by ALEX-

ANDER KORDA (United Artists). He appears in the forthcoming “Four Feath-

ers.”

JOHN MEERAN has been signed by WALTER WAGNER to write the screen play for a Mohawk Theatre, which Archie Mayo will direct, for United Artists release.

E. V. RICHARDS, Saenger Theatre head, is in New York from New Or-

leans and Baltimore with members of his family on a personal trip. He will be here about 10 days.

COL. HARRY E. LONG, Low division manager in Cleveland, and Mrs. Long have returned from a vacation trip to Canada.

EVERETT STEINBECK, manager of Low’s State in Cleveland, and Mrs.

STEINBECK, are on a motor tour through Yellowstone National Park.

HERMAN GOLDEN of the Columbia foreign department will sail Thurs-

day on the Panama for a six weeks’ business trip to Panama and Cuba.

LEONARD GOLDEN of the Parma-

mount theatre legal department re-

turned to New York yesterday from Detroit.

A. H. BLANK of Tri-State Systems is in New York from Des Moines for Paramount home office conferences.

**French Films Challenge U.S. Reels in Cuba**

American films are retaining their popularity in Cuba, although French films have had the opportunity to menace the home industry with a more fa-

cial favor and threaten to become a competitive factor in the market, ac-

cording to Harvey Weiner, U. P. A. men-

tirs manager for Cuba, who arrived in New York yesterday for a home office visit of several weeks.

Weiner attributed the improvement in the French film situation to the strengthening of French technical and dramatic production skill in the hope that it will have been asso-

ciated with the French industry in recent years.

Freed of propagandistic film requirements imposed in Germany, these producers have contributed much to the improvement of current produc-

tion in France, he believes. Commer-

cial variety of the films thus far released have been registered at the expense of other foreign language films than at that of Hollywood.

The French film production shows little evidence of at-

aining significant proportions in the near future. At present, it is confined to a limited number of pictures distributed exclusively about six active producers. The pic-

tures are not sold outside of Cuba so budgets are generally limited, seldom exceeding $4,000.

Arthur Hornblow, Paramount pro-

ducer, reported on his return from a European trip recently that French films are proving among the most interesting pictures throughout the Scandinavian countries. He attributed their increasing popularity to the same factors cited by Weiner.

**Walters Hails Best Season in London**

Walters held its best year in London during the past season, Max MILLER, general manager for Window-

ners and First National in England reported yesterday upon his arrival on the Queen Mary. Miller is here on an inspection trip in connection with the success of the “Nazi Spy” now in its fifth week at the Warner, London, and should gross more than any other picture in the United Kingdom. Miller estimated.

**RKO Seeks Right To Elect Directors**

(Ranked from page 1) its members an opportunity to fam-

iliarize themselves with company op-

erating conditions and the general organization, it would provide a con-

tinuity of management between dis-

solution of the old and formation of the new company and would give the new board the opportunity to pass on the corporate papers of the new com-

pany.

The last election of RKO directors was held March 23, 1932. James G. Harbord and Lumsford P. Yandell, both representatives of R.C.A., are the only members of the present board who will be members of the new one.

**Motion Picture Daily**

Published daily except Saturday, Sunday and holidays by Quigley Publishing Company, 110 West 57th Street, New York City. Telephone Circle 7-3100. Cable address "Quighouse, New York." Martin Quigley, Editor-in-Chief and Publisher; Colvin Brown, Vice-President and General Manager; Wate-

rson R. Roshacker, Vice-President; Sam Shain, Editor; James A. Crew, Advertising Manager; Francis Schaefer, Marketing Director; South Mدة-

g Avenue, C. B. O’Neill, manager; Hol-

lywood Editor: Universal Drive Building, Los Angeles, Calif. Chicago, 801 North Michigan Avenue. New York, 5 Bleecker Street, New York City, 6 East 14th Street, N.Y. All contents copyrighted 1939 by Quigley Publishing Company. Other Quigley authorized publications; Motion Picture Herald, Better Theatres, Teatro Al Dia, International Mo-

tion Picture Almanac and Film Facts. Published under the US. Patent Office as second class matter, registered U. S. Patent Office under act of March 3, 1897. Subscription rates per annum: in the Americas and all foreign countries, single copies 10c.
GOVERNORS, RIVERS, ORPHANS, SHIPS, INDIANS, ALL IN PARAMOUNT’S PLANS

The trade's comparatively new publicity technique of making the introduction of a motion picture into a national event, synchronized with national advertising, national exploitation and national broadcasts, with banners and ballyhoo, street parades and Governors' proclamations, is about to be put to a new high mark by Paramount, which has prepared for eight pictures for extraordinary merchandising treatment within the next eight weeks.

It was all started by Paramount with "The Buccaneer" in New Orleans early in 1938.

Now Paramount is about to adopt the treatment on the wholesale, all for new 1939-40 productions, with no less than 30 special screenings for one picture, screenings for four Governors on another; a third will take in a search of orphans, another will shift the scene to the Indian country of Arizona, where a "Hollywood premiere" will be put on in the dead center of an Apache Reservation.

Studio-built ships will make a trans-continental tour of the nation's waterways, like Paramount's trans-continental rail ride for "Union Pacific." The S.S. Queen Mary, Nassau and other places are all slated for parts in the mass merchandising.

Pictures and Plans

Robert M. Gillham, director of Paramount advertising and publicity, announced that first on the list of field exploitation activities will be key city trade and press screenings of "Beau Geste," lead-off picture for 1939-40. Beginning July 18th with a press preview at the Carthay Circle in Los Angeles, 30 subsequent screenings will be staged throughout the country by Clif Lewis, Terry DeLapp, Harlan Hobbs, Rufus Blair and Carl Kruger from Mr. Gillham's studio staff and by Alec Moss, Al Wilkie and C. N. Odell of the home office force.

Also, "Beau Geste" will first be presented to Canadian exhibitors at the meeting of theatre managers of Famous Players Canadian, Ltd., who will gather from coast to coast for the first time in a dozen years in Niagara Falls, Ontario, on July 27th.

Next to receive special attention will be Bob Burns' new "Our Leading Citizen," to be screened for the Governors of the 48 states, followed by a special coast-to-coast radio broadcast from Van Buren, Ark., honoring Bob Burns, the town's "leading citizen." Mr. Burns is to head the "all-star" cast to Arkansas, for this broadcast, with appropriate fanfare just prior to the national release date.

A lecture tour by Irvin Cobb, author of the story, and the tour with the Washington, D. C., Press Club are additional activities tied in.

Because Linda Ware, 13-year-old leading "woman" in Bing Crosby's "The Star Maker," is a graduate of an orphan asylum, Paramount is planning a nationwide search for the "most talented orphan" in a score of key cities who will be joint guests of Miss Ware and Paramount on a "Cinderella" trip to Hollywood Tie-ups will be made with local papers.

Also, "The Star Maker" will be exploited by a coast-to-coast broadcast honoring Gus Edwards, old-time showman, whose life story forms the basis for the screen play.

"Geronimo!" the action story based on the life of the Apache chief, will have a "back to the Indians' world premiere" in the town of Geronimo, Arizona, on the Apache Indian reservation early in September. Some 250 Hollywood and New York newspaper correspondents will be the company's guests. A radio broadcast from the station at the nearby town of Stafford is planned.

Following the "Geronimo!" Apache-land premiere, the picture will be opened with special campaigns in Salt Lake City and Denver and these will be followed by five additional selected dates per week until the picture has played approximately 20 test engagements.

"The success of the trans-continental tour of the 'Union Pacific' train has inspired an even more ambitious plan for the exploitation of Frank Lloyd's production, 'Ruler of the Seas,'" says the company. Official permissions are now being obtained from state and national authorities to permit the transportation by truck and natural waterways to a number of important cities of the two 40-foot boats which were built for the picture—reproductions of the "Sirus" and "Dog Star" which staged a trans-Atlantic sail vs. steam race in 1838.

"Premiere" on S.S. Queen Mary

A "world premiere" of "Ruler of the Seas" aboard the S.S. Queen Mary, tied in with a trans-Atlantic short-wave radio broadcast from Hollywood, New York and London, is now being evolved.

Because of the presence in Hollywood of Charles Laughton and Maureen O'Hara, star and leading woman of "Jamaica Inn" and Alfred Hitchcock, who directed this Laughton-Pommer-Mayflower production—all three hallmarks in England—Paramount exploiters will stage another trans-Atlantic short-wave broadcast in connection with the New York premiere of "Jamaica Inn" at the Rivoli theatre early in the autumn.

A tie-up with the Cunard White Star steamship line modeled on the similar tie-up with the Union Pacific Railroad, has been set up by Hal Damson of the Paramount home office, for the cooperation of the steamship company's facilities for publicizing this story based on the first Cunard steamship venture.

"Are Husbands Necessary?" starring Madeleine Carroll and Fred MacMurray has Nassau, Bahamas, as a background for some of its action and appropriately the picture is slated to be premiered in Nassau before a select group of British Colonial dignitaries and socialites in mid-September. Leading newspaper correspondents from the Atlantic seaboard will be guests at this tropical premiere.

Lloyd C. Douglas, author of the best-seller, "Disputed Passage," will lecture in a number of cities prior to the release of the picture, in which Dorothy Lamour, Akim Tamiroff and John Howard are featured and the film company's radio contacts are hopeful of presenting the author in a series of broadcasts on or about the release date.

Bing Crosby returns for one night only to Kraft Music Hall program over the NBC Red network of 74 stations to introduce the new "STAR MAKER" hit tunes "Go Fly a Kite," "A Man in a Dream," "An Apple for Teacher," "Still the Bluebird Sings."

Remember what that Jack Benny Waukegan broadcast did for "MAN ABOUT TOWN"...well, this is only one of the big broadcasts pre-selling "THE STAR MAKER."
'About Town’, Seattle Lead, Pulls $7,100

SEATTLE, July 17.—"Man About Town" and "Code of the Streets" drew $7,100 here last night with cooler weather assisting. "Goodbye, Mr. Chips" took $5,600 in its second week at the Music Box.

Estimated takings for the week ending July 14:

- "Susannah of the Mounties" (20th-Fox) $8,900.
- "Parade’s End" (M-G-M) $7,900.
- "BLUE MOOSE" (M-G-M) $9,500.
- "Calling Dr. Kildare" (M-G-M) $5,500.
- "Bridal Suite" (M-G-M) $7,000.
- "FIFTH AVENUE" (20th) $7,200.
- "Good Girls Go to Paris" (Col.) $6,900.
- "LIBERTY" (1,000) $6,900.
- "Man about Town" (Para.) $8,300.
- "MUSIC BOX" (20th-Fox) $6,900.
- "Naughty But Nice" (W. B.) $6,700.
- "Only Angels Have Wings" (M-G-M) $5,600.
- "ORPHEUM" (2-450) $3,400.
- "Mountain Rhythm" (Republic) $4,500.
- "Palomar" (1,000) $4,300.
- "Paramount" (20th-Fox) $4,900.
- "Story of the Stork" (Univ.) $4,800.
- "Widow of Villain" (20th-Fox) $4,300.

"Motion Picture Daily": No. 75. 5th Thursday, 1939. Copyright, 1939, by the Courant Publishing Company, Inc. Published daily by the Courant Publishing Company, Inc., 229 South Main Street, Chicago, Illinois. All rights reserved. For sale in the United States of America, its territories and possessions. Subscription price $10.00 per year.

Hollywood Previews

"I Stole a Million" (Universal)

Hollywood, July 17.—"I Stole a Million" tells, with an exception or two, a grim yet gripping story in an honest straightforward way. Director King Vidor, with many people would not like to have happen to themselves or their intimates but which, when they concern others, provokes a curiously sympathetic interest.

It’s about a man who, having been made the victim of the injustice of sharp business practice, turns criminal; who is caught in turn by criminals and cheated by his own crimes. He sought and found escape from criminality in love, marriage and parenthood, but he cannot get away from the credo “if someone wrongs you, wrong him twice as much in revenge.”' From a man who first ventured into crime as the dupe of a shrewd gangster, he progresses through a marriage of thieves, finally in a profitless $1,000,000 robbery. Knowing that he never could do what his wife wanted him to do, he ran into death.

This picture presents George Raft in the type of character that shows him off to best advantage. In turn frantic, sinister, affectionate and desperately vicious, his work is a reminder of his part in "Scarface." Next to Raft, Claire Trevor is the center of attention. As the girl who didn’t want to love, yet could not resist a fascination that led to great happiness and stark tragedy, she gives a convincing performance. Dick Foran, Henry Armetta, Victor Jory and Joe Sawyer are closely concerned, yet Raft and Trevor carry the story.

It is not at all unlikely that "I Stole a Million" may come to be a success with the public, with high commercial possibility. Whether or not, with the leads and support doing good work, the Lester Cole story, adapted by Nathanael West and directed by Frank Tuttle, is a sincere effort to do something different.

Running time 75 minutes. "G**

G. McC.

"Mr. Wong in Chinatown" (Monogram)

Hollywood, July 17.—This third in the Wong series of mystery pictures from Monogram hits a vein that looks like pay dirt in box office quantity. It’s a tight screenplay from the knowing typewriter of screenwriter Scott Darling, complete with timely connotation and notably common sense performances. It’s the kind of detective film an exhibitor can sit down among his customers to look at without worrying about what they’ll say to him when the lights go up.

Boris Karloff and Grant Withers turn in commanding performances as the Americanized Chinese sleuth and the American police officer. Karloff gives his portrayal full benefit of that widely admitted artistry so buried under grotesque makeup and Withers enacts a police captain of the plain, hardworking, uncomic kind a showman can invite even a police captain in to see.

Marjorie Reynolds, Huntly Gordon, Peter Lynn, William Royle and James Flavin are other principals, all admirably equipped for their assignments.

The script is so that the title "Mr. Wong in Chinatown" means something by resourceful William Nigh, the picture opens with the murder of a Chinese princess secretly in America to buy war planes for her brother. Two other murders occur, with suspicion fluctuating between two palpably guilty parties, before the wily Wong discloses to a gratified audience the identity of the killer.

Running time, 68 minutes. "G**

RooSE WILLIAMS

"Courageous" Philadelphia Best, $18,000

PHILADELPHIA, July 17.—"Courageous" at the Stanley closed at $18,000.

"Goodbye Mr. Chips" held up to a strong $14,000 for its second Boyd week. The heat took its toll in other theaters.

Estimated takings for the week ending July 13:

- ARCADIA—(20th-Fox) $9,700.
- BOYD—(20th-Fox) $13,900.
- Rell”s Kitchen (W. B.) $8,400.
- "Sister” (20th-Fox) $13,900.
- "Mother of the Mounties" (20th-Cent.) $9,700.
- "Karlon"—(20th-Fox) $13,100.
- "Only Angels Have Wings" (Col.) $13,600.
- "Story of the Stork" (Univ.) $13,300.

"Chips’ Washington Smash with $23,500


Estimated takings for the week ending July 13:

- "Brother Than Daughters" (M-G-M) $9,300.
- "LOEW’S CAPITOL—(3,440) (25c-60c) $7,200.
- "Irregularity at Happisburg" (25c-60c) $6,900.
- "Invitation to Happiness" (Para.) $13,900.
- "ZANG" (25c-60c) $7,200.
- "Goodbye, Mr. Chips" (M-G-M) $9,300.
- "RKO-KEITH’S—(1,830) (35c-65c) 5 days. $7,200.
- "Daughters of Courage" (W. B.) $9,300.
- "WARNERS’ EARLE—(2,218) (25c-60c) 7 days, $9,900.
- "WARNERS’ METROPOLITAN—(1,991) (25c-60c) 7 days, $10,700.

Legion Approves 6 Of Seven New Films

National Legion of Decency for the current week reviewed and classified seven new films, grading two as unobjectionable for general patronage, three for adults and condemning one, "Mad Youth."


Columbia Votes Dividend

Columbia board of directors yesterday declared a quarterly dividend of 6 1/2 cents per share on the $2.75 convertible preferred stock of the company, payable Aug. 15 to holders of record Aug. 1.
PRICELESS QUALITIES

NEW film emulsions are indispensable to motion picture progress, but only proved reliability and uniformity make them practicable. Eastman Plus-X, Super-XX, and Background-X have those priceless qualities—hence the everyday use they are enjoying throughout the industry.

Eastman Kodak Company, Rochester, N.Y.

(J. E. Brulatour, Inc., Distributors, Fort Lee, Chicago, Hollywood.)

EASTMAN

PLUS-X

for general studio use

SUPER-XX

for all difficult shots

BACKGROUND-X

for backgrounds and general exterior work
Senate Votes For Neely Bill; 3-Hour Fight

(Continued from page 1)

tection under the existing anti-trust laws. He added:
"We are not yet under the control of a dictator nor have our bureaus, with their tremendous power and ap-
propriations, gone so far as to inter-
dict free intercourse.

There is no proof whatever that the practices condemned in the bill tend toward monopoly. If this were so, the persons to be most injured thereby would be the independent pro-
ducers. They would encounter diffi-
culties in marketing their films. Yet there are more than 100 independent producers, in addition to the Big Eight against whom the bill is aimed. There are more independent producers now than there were a few years ago.

Calls Evidence Insufficient

Holding that Congress should not legislate on black books, while the
Government suit is pending, King sug-
gested the proponents' efforts might
be based on a fear that the court
would not find it illegal or advisable to constrain the court to adopt the
legislators' opinions.

"There is not sufficient evidence on
which members of Congress can base
an intelligent decision," he declared.

Like other opponents, King took the
view that the price differential pro-
visions were vague and without stand-
ards. It would require "metaphysical research and psychological investiga-
tion" for a distributor to determine
prices which would not be con-
sidered unreasonable. The expense of
selling singly would invite bank-
ruptery," he said.

Doubts Bill's Constitutionality

The approval of the organization
back of the bill is based on its stated
purposes and not on the belief that better
pictures would be produced, he con-
tinued, without attempting to analyze
or understand what would actually
happen.

Discussing the doubtful constitu-
tional ability of the bill, King held it failed to meet the "due process" require-
ment that laws be sufficiently definite in
their terms to enable a person to
know whether he was acting in viola-
tion.

"The dividing line between what is
lawful and unlawful cannot be left to
conjecture," he contended.

Answer America's Demand for
Good Sound with the Best!

install

New RCA PHOTOPHONE
MAGIC VOICE of the SCREEN
with Rotary Stabilizer plus
SHOCK-PROOF DRIVE

RCA Manufacturing Company, Inc.
CAMDEN, N. J. - A SERVICE OF RADIO CORPORATION OF AMERICA

Styled and

Knowledgeable

for

theatres

every size

Better sound means better box office, and
RCA takes means better sound

“Winter Carnival”

(Wanger-United Artists)

As a relief from Summer temperatures, Walter Wanger offers a frosty
story of college life combined with some of the elements of a newspaper
yarn. The annual Winter Carnival at Dartmouth College provides a set-
ing rich in tradition and alive with Winter sporting events, snow sculpt-
ure and co-eds. "Winter Carnival" captures the high spirit of the fest-
ivities, but the story fails to reach any high degree of dramatic inten-
sity.

A former Carnival queen, Jill Baxter, (Ann Sheridan) finds herself
pursued by reporters after a sensational divorce case. En route to Eu-
rope, she accompanies her sister Ann (Helen Parish) to the Carnival
and waits at the station for the next train. Her first sweetheart, now a
professor, John Weldon (Richard Carlson) discovers her presence and
they renew their acquaintance but Weldon is determined not to be smitten
twice.

In the meantime, Don Reynolds (Alan Baldwin) son of Tiger Rey-

nolds (Robert Armstrong), an old newspaperman, is setting up a tableau
as the college paper. Tiger, now on the WPA, learns of Jill's presence
after all other reporters have failed. He gets his old job back on the
strength of this scoop and sets out on her trail.

Ann is chosen the new Queen of the Carnival and promptly falls in
love with a Count (Morton Lowry). Foreboding trouble ahead for her
sister, Jill flares away the Count, and through this maneuver, convinces
Prof. Weldon that she is sincere in her desire for a home. She also man-
gages to convince Tiger to give up the story but young Don nearly gumps
the works.

The mood of the film is light and gay throughout. The screenplay was
prepared by Lester Cole, Budd Schulberg and Maurice Rapf, from
an original by Schulberg. Charles F. Reisner directed.

Running time, 100 minutes.

Ed GREIF

“Indianapolis Speedway”

(Paramount)

The thrill action of the auto race tracks, from the dangerous dirt alleys
of the sticks to the polished brick of the Indianapolis track rushes in and
out of “Indianapolis Speedway.”

Basically, and the salable entertainment element of the film, is action
and speed, with plenty and to spare of both. Additionally, it is a well
told dramatic story of a famous racer, who tries to keep a younger
brother from the game, loses his nerve in a crashup and comes back to
beat the effect of the smash. Added together, the elements make up
a film of fast-paced entertainment.

There is additional selling value in the cast, headed by Pat O'Brien and
Ann Sheridan, aided by John Payne, Gale Page and Frank McHugh.
The film should be a natural for teesups with garages and automobile
dealers.

Lloyd Bacon directed for pace and kept his film moving crisply
throughout. Sig Herzig and Wally Klein wrote the screenplay from a
story by Howard Hawks.

O'Brien, famous driver, saves to send his brother, Payne, through
college, and refuses to marry Miss Page until he can quit racing. His
brother has the race fever and refuses to be deterred, despite O'Brien's
efforts. When Payne falls in love with Miss Sheridan, friend of Miss
Page and cordially disliked by O'Brien, the brothers are at odds. At-
tempting to teach his brother a lesson on the track, O'Brien fouls Mc-
Hugh's car when the latter tries to keep the two apart, and in a stirring
sequence, McHugh is killed as his car goes over the wave in flames.

The incident breaks O'Brien's nerve, and only when his brother is hurt
during the big Indianapolis race, that O'Brien beats the fear and race to
win with Payne beside him.

Running time, 80 minutes.

CHARLES E. AARONSON

Bargain Days at Fair

Bargain Days, with $2.25 worth of
admissions and food for only $1, have
been set for the World’s Fair Satur-
day and Sunday. Children under 14
get the same combination for 50 cents.

New York Previews

E-GN Plans
36 Features
For Season

A new season release schedule of
approximately 36 features, 12 or 18
westerns and a series of color car-
toons, is being announced by Educa-
tional-Grand National.

The company will finance in the
near future independent producers who may sup-
port the sale of such a program. No
direct production will be undertaken by
either Educational or Grand Na-
tional. The company intends to
produce on a contract basis for
four or five independent production
units to be lined up to provide as
much product as possible within a
brief period of time. Jack Skirlall,
who resigned as vice-president of
Grand National in charge of produc-
tion recently to enter independent
production, may release through the
company.

Indications are that the sales will take an-
other four to five weeks to con-
sist the financing arrangements
authorized by Educational and Grand
National stockholders last week, and
Earle W. Hammons, president of the
two companies, will remain in New
York for that length of time. Later,
Mr. and Mr. W. C. (Bill) W. Mc-
Williams, who resigned recently, Harold
Saxe is temporarily filling the latter
post.

Repeat Short Wave
Broadcast Tonight

First in the series of motion picture
industry short-wave programs was
broadcast in Spanish today from
2:45 to 3 P.M., to Europe and Latin
America.

Yesterday's broadcast was delivered in English, French, German and Italian
languages. The same program will
be repeated in Spanish tonight
and in the near future.

The schedule has been established as
follows: On Mondays, Tuesdays, 
Wedgesdays and Thursdays from 2:45
to 3:30 P.M., the broadcast will be
in the European languages. Spanish-speaking countries will hear the
programs from 1:15 to 2:30 P.M., and
on Thursdays from 7:45 to 8 P.M. It will be beamed toward countries
where Portuguese is spoken.

A similar series is to be broadcast
over NBC's short-wave station.

It will be at least 10 days to two
weeks before CBS obtains a relation-
to the programs by mail from list-
eners. It is expected by CBS, how-
ever, that the film industry's series
will be favorably received because for-
eign listeners have previously ex-
pressed keen interest in all motion
picture news.

Alliance Closes Deals

Nat Sanders, general manager of
Film Alliance of the United States,
has closed franchise deals with
Herbert Roshell Corp. for the west
coast; Cinema Screen Attractions, Inc.,
for New England, and Times Pictures,
Inc., for Metropolitan New York for
the pictures "The Challenge" and
"Second Bureau."
‘Chips’ Leads
With $18,400
In Twin Cities

MINNEAPOLIS, July 17.—“Goodbye, Mr. Chips,” was the pacemaker in Minneapolis, getting a splendid $11,400 at the State.

“Anna Neagle” also was the leader in St. Paul, taking $7,000 at the Paramount.—The picture was held for a second week.

Estimated takings for the week ending July 13:

<table>
<thead>
<tr>
<th>Theater</th>
<th>Gross</th>
<th>Average</th>
</tr>
</thead>
<tbody>
<tr>
<td>Minneapolis</td>
<td>$11,400</td>
<td>$1,666</td>
</tr>
<tr>
<td>St. Paul</td>
<td>$7,000</td>
<td>$1,071</td>
</tr>
</tbody>
</table>

‘Mr. Chips’ Beats
Oklahoma City Heat

OKLAHOMA CITY, July 17.—The only film to do better than average was “Goodbye, Mr. Chips,” with $2,600 at the State. The opening of the state sandwich tournament provided heavy competition for the theatres, drawing record crowds every day. The weather continued unusually warm.

Estimated takings for the week ending July 13:

<table>
<thead>
<tr>
<th>Theater</th>
<th>Gross</th>
<th>Average</th>
</tr>
</thead>
<tbody>
<tr>
<td>Oklahoma City</td>
<td>$2,600</td>
<td>$350</td>
</tr>
</tbody>
</table>

‘Daughters’ Takes
$13,000, Cleveland

CLEVELAND, July 17.—“Daughters Come Home” with $13,000 at the Warner Hippodrome, in spite of continued heat and competition from night baseball, racing and concerts.

Estimated takings for the week ending July 14:

<table>
<thead>
<tr>
<th>Theater</th>
<th>Gross</th>
<th>Average</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cleveland</td>
<td>$13,000</td>
<td>$1,556</td>
</tr>
</tbody>
</table>

May Reopen WPA Show

SAN FRANCISCO, July 17.—“Swing Mikado,” closed at the Federal Theatre on Treasure Island, is set to re-open under private auspices at the Geary Theatre downtown.

‘Hollywood Previews

“Blondie Takes a Vacation” (Columbia)

Hollywood, July 17.—Clocked for laughs at the Hollywood preview, this third in the “Blondie” series of comedies based on the Chic Young cartoon strip was scored well above the first, a shade below the second, indicative perhaps of a levelling-off at a pitch not too hard to maintain yet amply adequate for series-picture requirements.

“Blondie,” produced by David O. Selznick, who owns the picture, was directed by Henry Levin, and features Penny Singleton, Arthur Lake, Larry Sams and Daisy set out at the start of the picture turns into an all-work-and-no-play proposition. They have trouble on a train, find themselves sole guests of a deserted resort hotel, join forces with the despairing landlord to frustrate his conniving competitor and Luis, and marry their trial of it all and elegantly sumptuous home. A fire siren at the finish becomes melodramatic to the extent of toning down the comedy somewhat.

Best laughs are collected by diminutive Master Simms and by Daisy, the dog, which again is beneficiary of successful trick photography.

Donald Meek, Donald MacBrine and Danny Murnett are other names for ad copy.

Karen Duvall, Robert Chapin and Richard Flourney wrote the story, the last-named also the screenplay. Frank R. Strayer again directed.

Running time, 68 minutes. “G.”

ROSE C. WILLIAMS

*G* denotes general classification.

“La Inmaculada” (Atlaya-United Artists)

Hollywood, July 17.—“La Inmaculada,” first in a series of Spanish pictures to be made by Fortunio Bonanova and Marry M. Cohen for United Artis release, is tailor made for the Spanish language market. Starring Bonanova Andrea Palma, the picture, though drawn out, is the epitome of films aimed at the Spanish market.

Bonanova and Cohen, who produced the picture, did the ultimate in the casting. In addition to Miss Palma and Bonanova, who is in extremely good voice, the producers had Milissa Sierra, Tana, Luis Diaz-Puente, and her husband, Julio Montoya, Felipe Turich, Roger Turich, Carlos Villarlas. The script by Paul Perez is definitely aligned with the attributes found popular in Spanish markets.

“La Inmaculada” presents the tragedy and the life of an ordinary individual, a woman, who attempts to sacrifice all. This is the story of Consuelo, a country girl who comes to Mexico City to go into employment and meets Don Rene, as played by Fortunio Bonanova, a playboy and wastrel who falls in love with her (Andrea Palma). He offers to make her mistress and, refused, marries her. They are happy for a short while after her old mistress Maria Louise, played by Tana, makes life hard for him on a merry chase. He spends all his money on her, forgetting his wife.

Don Rene then goes broke, falls fatally ill, and is brought home to Consuelo, who has to work to support him and their child. Consuelo falls in love but refuses to marry, because she cannot desert her husband. Juan, who has followed her, marries and leaves Consuelo to go home, only to find her husband dead.

Running time, 95 minutes. “A.”

VANCE KING

**A** denotes adult classification.

‘Town’ with $10,400
Leads Kansas City

KANSAS CITY, July 17.—Two good box office numbers, first runs their best grosses in several weeks, in spite of 100 degree temperatures. “Man About Town” did $10,400 at the Newman. “Goodbye, Mr. Chips” took $14,300 at the Midland.

Estimated takings for the week ending July 14:

<table>
<thead>
<tr>
<th>Theater</th>
<th>Gross</th>
<th>Average</th>
</tr>
</thead>
<tbody>
<tr>
<td>Kansas City</td>
<td>$10,400</td>
<td>$1,040</td>
</tr>
<tr>
<td>Newman</td>
<td>$14,300</td>
<td>$1,900</td>
</tr>
</tbody>
</table>

Shaw’s Band Pulls $21,500,
Leads Frisco

SACRAMENTO, July 17.—Artie Shaw’s band, making a seven-day stand at the Golden Gate gave the house $21,500, with “The Girl and the Gambler” as a special feature. The “Million Dollar Legs” drew $14,000 at the Warfield.

Estimated takings for the week ending July 10:

<table>
<thead>
<tr>
<th>Theater</th>
<th>Gross</th>
<th>Average</th>
</tr>
</thead>
<tbody>
<tr>
<td>San Francisco</td>
<td>$21,500</td>
<td>$3,071</td>
</tr>
<tr>
<td>Stockton</td>
<td>$14,000</td>
<td>$2,800</td>
</tr>
</tbody>
</table>

New Haven Gives
‘Chips’ Big $9,000

NEW HAVEN, July 17.— “Goodbye, Mr. Chips,” one of the “M-G-M” gangbusters, grossed $9,000 at the Loew Poli, “Man About Town” and “Bull Drummond’s Bride” grossed $2,500 at the Strand.

Estimated takings for the week ending July 15:

<table>
<thead>
<tr>
<th>Theater</th>
<th>Gross</th>
<th>Average</th>
</tr>
</thead>
<tbody>
<tr>
<td>New Haven</td>
<td>$9,000</td>
<td>$900</td>
</tr>
</tbody>
</table>

‘Tarzan’ Scores
$11,500 in Detroit

Detroitor, July 17.—The Michigan drew $11,500 with “Tarzan Finds a Son” and “Stronger than Desire,” while the Fox took $11,000 with “Five Card Stud.”

Estimated takings for week ending July 14:

<table>
<thead>
<tr>
<th>Theater</th>
<th>Gross</th>
<th>Average</th>
</tr>
</thead>
<tbody>
<tr>
<td>Michigan</td>
<td>$11,500</td>
<td>$1,150</td>
</tr>
<tr>
<td>Fox</td>
<td>$11,000</td>
<td>$1,100</td>
</tr>
</tbody>
</table>

![Motion Picture Daily](https://example.com/motion-picture-daily.png)
**Hollywood In Brief**

Hollywood, July 17—Live-era reader than Thomas Wood's article about Louise Parsons in last week's Saturday Evening Post would be Mr. Wood's, or the Post's, mail from here on the same subject. Every time the two meet, she will, which is every time two people meet, comes in the wake of hearty laughter "Too bad I had to tell you about that," she says. For Hollywood is fuller of stories about La Parsons than any other thing, including the climate, and now that the annual program is printed and off the shelf, it has printed a disposition to rely her lightning he may expect to be flooded with untold material. La Parsons, incidentally, is reportedly to have decided to ignore the whole matter!

Paramount feels pretty good about pre-preview revelations to "What a Life," good enough to go ahead with planning of two more pictures. First, based on "Carrie Tone, which is the Aldrich Family, with Jackie Cooper playing the entroublled young man of the house, and the house, which is acting in its confidence in the status quo consistently of late, is to its power: actors' favorite, a break in a comedy called "Coming 'Round the Mountain."

**Title Tribulations—Warder Bros.** have changed Torchy's Invitation to Ride to "Torchy Goes to Town" and "Girls Without Names" to "Guilty Women."

**Contracts—M-G-M has given Ilona Massey and Rita Johnson new contracts, Paramount has optioned Joyce Matthews, Aubrey Maynard and William Frawley, while Warners have brought in a pair of newcomers, Robert Anderson and George Wilcox.**

**Players—Twentieth-Century-Fox is co-starring Joan Davis and the James Family in "The Little Theatre."

**CBS STUDIO ATTENDANCE** ... It is Radio City and its studio and television tours that usually command attention in any reference to radio audiences, but now CBS programas sound proofs to prove that since the start of the Fair, CBS is doing a whale of an Annie Oakley business.

For May and June—the two months since the Fair opened—a new high for both months has been passed. In May, 21,211 in advance of the same period last year. Attendance in May was 107,924, an increase of 16,213 over 1938. In June 104,056 persons attended CBS radio programs, 29,998 more than the preceding year. Total attendance for the two months was 211,989......

**CANTOR RIBBED** ... Eddie Cantor was guest of honor at a party in St. Louis the other night, and KMOX engineers and announcers put on a show that mystified Eddie and ribbed him plenty. The KMOX gang has been known to pull a fast one on Eddie's final. It was rebroadcast in 15-minute parody on the show. The equipment and loud speakers were concealed so that Cantor and the other guests did not know the "source" of the broadcast.

Eddie's role was enacted by Larry Kent; "Guffey" by Lambert Kaiman, Bert Parks and the Mad Russian by John Jacobs and Don Phillips, KMOX announcers. The script, which was written by Gerald Holland, KMOX script writer, told a behind-the-scenes story of Cantor and his entire cast. Eddie was revealed as very exacting, egotistical and a tight-fisted employer who surrounded himself with "yes-men." Guffey was portrayed as the chief "yes-man," and Bert Parks was dating Eddie's daughters in spite of vitriolic protestations.

**MENT AFRA-AFL BREAK** ... According to Emily Holt, the Chicago chapter of the radio union is not supporting the Newspaper Guild strike at this hour. Some time ago, it was recorded in last Friday, was expelled from the Chicago A.F.L. because it purportedly was supporting the striking Guildsmen.

The trouble arose, Mrs. Holt says, when two members of the Chicago chapter gave support to a Guild affair. The A.F.L. requested that disciplinary action be taken against the two members, and when AFRA refused to do so on the grounds that their support was given as individuals and not as members of the radio union, the A.F.L. expelled the entire chapter.

**ELLES IN PICTURES** ... Following protracted negotiations, Orson Welles has been signed by KVO to a film. As he does in the Mercury plays, and on the air in his CBS radio series, Welles will not only act in the program, but will also serve as writer and director.

**COUGHLIN'S ANSWER** ... The Emerson Radio and Phonograph Co. has offered Father Coughlin a portion of Elliot Roosevelt's program on Mutual next Saturday to enable the famous radio priest to answer a stinging rebuke administered by Roosevelt last Saturday.

**WCKY Chiefs Test 50,000-Watt Power**

CINCINNATI, July 17—Engineers under supervision of Charles Top-

niller, WCKY chief engineer, and Joe Chambers, of McNary and Chambers, Washington electric engineers, are testing the new 50,000-watt trans-
mittter of the L. B. Wilson station, which shortly will be put into opera-
tion. The station boasts power of 8,000 kilowatts, or 5,000 to 10,000 watts about two years ago.

**Texas Station 116th To Join CBS Chain**

CBS adds its 116th station with the ajourning today of KWF, Witchita, KAN. The new station will become a member of the CBS south- west group.

The station operates on 630 kilo-
warts, with a night power of 250 watts, and a day power of 1,000 watts. Base rate for the station will be $25 per evening hour.

**NBC Leases Vanderbuilt**

The National Broadcasting Company will take over the Vanderbuilt theatre, legitimate house, on July 24, on a 13-week lease with an option for renewal. NBC, which has been using the Ambassador since July 10, will install the Fred Waring program in the Vanderbuilt.

**AFA in Court As New Guild Enrolls 1,000**

(Continued from page 1)

which dominated the board, that thou-
sands of members were disenfran-
dished, and that the board well de-
cided before the answers were inter-
cepted.

Restraint against interference with those who have unexpired A.F.A. contracts and solicitation of A.F.A. membership will be sought.

Screen Actors Guild and American Federation of Radio Artists yesterday voted to instruct members who hold A.F.A. cards to register with A.G.V.A. Equity is expected to take similar action today. Charters to local groups have been granted in New York, Los Angeles, San Francisco and Chicago.

I. B. Kornblum, representative of Equity, A.F.R.A. and the Theatre Au-
thority, has been placed in charge of the Los Angeles office together with Aubrey Clark. Vic Conners, A.F.A. Chicago, representative, will act in Chicago. They will serve tempo-
rrarily and without compensation.

Eddie Cantor, newly-named head of the new membership of the A.F.A. council, and Edgar Bergen are aiding the Los Angeles A.G.V.A. membership drive. First meeting of the Los Angeles branch will take place today and at San Francisco on Friday. Groups in Portland, Ore., and Seattle are expected to follow shortly.

**Wander Co. Renews Elm Street Program**

CHICAGO, July 17—"Carters of Elm Street," five-week script broadcast for Ovation, has been renewed by the Wander Co. Stations include WEA, WJZ, WMAQ, KOA, KPO and KFIL.

The Trouble With Marriage," authorized as the new five-week script drama for Procter & Gamble's Oxydol, to be launched July 18, Script replaces Blue airing in the Heartland, but has no effect on the Red network repeat for this show. Stations include WLS, WMAQ, Mutual and the Michigan network. Blackett-Sample-Hummert is the agency.

**Music Hall Series**

Kraft-Phenix Co. has placed an order with NBC through its agency J. Walter Thompson, for a year's re-

ewal of the "Music Hall" series, which features Bing Crosby and Bob Burns. Renewal is effective July 27. The series is presented Thursdays from 10 to 11 P.M.
SET DATE FOR CODE, KUHKENDALL URGES

Efforts to obtain a definite commitment on the effective date of the industry trade practice plan will be made today by Ed Kaykendall, M.P.T.O.A. president, during a conference on the code with William F. Rodgers, chairman of the distributors’ negotiating committee.

The date to be announced sometime late today will probably be long after the current trial is over. Kaykendall insists the two conferences will be handled promptly, several weeks will elapse before the particulars are supplied and the answers of the two companies are filed. This would bring the case well up toward September, next, the Government would have to move for a preferential trial. The trial date would be clearly out of the question.

First of all, the petitions of United Artists and Columbia for further particulars must be decided by the Federal court. This decision should be handed promptly, several weeks will elapse before the particulars are supplied and the answers of the two companies are filed. This would bring the case well up toward September, next, the Government would have to move for a preferential trial. The trial date would be clearly out of the question.

Concessions In California

LOS ANGELES, July 18.—Southern California exhibitors have won important concessions in a draft of the trade practice plan recently submitted by the producers. These new concessions are to be considered the date for the effective implementation of the code.

Robert H. Poole, manager of L.T.O. of Southern California, has publicly announced a new plan of action, which he said would be more effective than the previous one. The plan, he said, will be presented to the distributors and independents here.

L.T.O. gained concessions for independent exhibitors, being one of the regional unaffiliated groups which took part in lengthy conferences. Summation of these agreements will be made public shortly.

Four Appeals Considered

The Circuit Court found the Cassel & Co. appeal the most impressive of the four which it had under consideration. Other appeals were brought by Ernst, W. J. Symson, and F. W. R. Co., the latter two being contingent on the basis of theatre leases with RKO subsidiaries which were guaranteed by the parent company.

Cassel contended the reorganization plan is unfair and inequitable to RKO debenture holders in that it places them in an inferior position by offering them only preferred stock of the new company for their secured debentures of the old company. Cassel characterized this as a "forceful argument," but pointed out that in the plan.

RKO Creditors Lose as Court Predicted Fall

Completion of the RKO reorganization by "early Fall" was predicted by N. C. Rickaby, attorney for proposers, on the stand, yesterday as the U. S. Circuit Court of Appeals handed down long awaited decisions rejecting the appeals of dissenting creditors attacking the fairness of the plan.

In a 14-page opinion by Circuit Judge, the reorganization plan was affirmed in all respects, as were the objections to the fairness of the plan, to seek a writ of certiorari from the U. S. Supreme Court on the grounds that the plan is unconstitutional.

Other RKO creditors opposing continuation of the plan have been forced to reach for questioning yesterday, but it is believed that one or more of them may also appeal to the U. S. Supreme Court.

Rickaby said that efforts to complete the reorganization would be speeded immediately despite the announced intention of Cassel & Co., one of those appealing on the fairness of the plan, to seek a writ of certiorari from the U. S. Supreme Court on the grounds that the plan is unconstitutional.

Brandt Gives Facts; Cole Follows Today

WASHINGTON, July 18.—Officials of the Department of Commerce today received the views of independent exhibitors affiliated with the L.T.O.A. as to the effect on them of trade policies maintained by the distributors.

The meeting with Harry Brandt, head of the association, and Lionel Toff, was the first of three scheduled this week. Tomorrow, Col. H. A. Cole, president of National Allied, will visit the Department in the morning and on Wednesday, Ed. Kaykendall, chief executive of the M.P.T.O.A., who met with officials last month, is due for a return visit, bringing with him a full discussion of the matter which he had promised to collect.

Covered at the meeting today, and to be covered again tomorrow, were the same problems which have occupied the attention of the department.

Middle of Next January Called Earliest Date

Despite efforts by the Department of Justice to bring the industry anti-trust suit to trial at an early date, New York legal authorities believe it is physically impossible to start trial of the action this year. Earliest date on which the case may be brought to trial, in the opinion of disinterested legalites, is about mid-January, 1940.

This contrasts with recent Department of Justice intimations that an October trial date would be sought.

Experienced Federal court counsel point out that even if the Department of Justice dispensed with examinations of leading defendants before trial, which is regarded as highly unlikely in a case of as much import as this one, an October trial date would be clearly out of the question.

First of all, the petitions of United Artists and Columbia for further particulars must be decided by the Federal court. This decision should be handed promptly, several weeks will elapse before the particulars are supplied and the answers of the two companies are filed. This would bring the case well up toward September, next, the Government would have to move for a preferential trial. The trial date would be clearly out of the question.

(Continued on page 7)
Hotels Slash Rates to Aid World’s Fair

Drastic reductions in rates were announced yesterday by 80 New York hotels in an attempt to bring more World’s Fair visitors to the city. The rate reductions range from 10 to 30 per cent. The New Yorker, Paramount and Pennsylvania hotels are among those which slashed room prices.

Another proposal to help correct the weak attendance at the Fair is the decision of officials to have two bargain price days at the Fair on Saturday and Sunday. For $1, persons will be privileged to enter the gates, see five attractions in the Amusement section and have a 20-cent lunch. If these bargain days prove successful, it is planned to continue having them on week-ends.

Fair Honors Doug Jr.

Douglas Fairbanks Jr., will be honored today at the Fair with a program of entertainment, receptions and personal appearances. He will be accompanied by his wife, the former Mary Lee Epling Hartford.

מick Hyams, executive of the Gaumont British theatre circuit, sails today on the Champlain from England, and is due to arrive in New York on July 26. He is seeking producers to participate in the October charity benefit show which will be attended by King George VI and Queen Elizabeth.

ALLE BURKS, M-G-M exploiter, stayed here while on vacation, was successfully operated on at Mt. Sinai Hospital on Friday for gallstones and appendicitis. He is reported doing well.

Gene Autry is due in town Friday to take part in Gene Autry Day at the World’s Fair on Saturday. He leaves with H. J. Yats for England on July 25.

Lou Pollock Going To Coast on Friday

Lou Pollock, Universal eastern advertising and publicite manager, will leave for the Coast to confer with studio executives on campaigns and to see recently completed productions.

Pollock will be at the studio about two weeks and will confer while there with Nate J. Blumberg, Universal president, who is making his summer headquarters at the studio, and with Matthew J. Fox, vice-president, and John Joseph, advertising and publicity director.

Hearing Upon Mass. TAMT Case Today

Boston, July 18—Massachusetts Labor Relations Commission will hold a hearing Wednesday to determine validity of elections last April in which Theatrical Managers, Agents and Treasurers Union failed to obtain a majority of employees of Massachusetts Theatres, Inc., in a Para- mount affiliate (Nathan and Sam Kron, owners).

Both the circuit and the union charge that ineligible employees voted. Charges against the employer of unfair labor practices prior to the elec- tion will also be heard.

Employ Talent Searches

Scranton, Pa., July 16—Comet- ted Theatres, Inc., have embarked upon “talent searches” to offset the summer competition of theatres in the Pocono Mountains, night and Eastern League baseball, and the like. The circuit has closed no theatres for the summer.

MORRIS SAILS J ULY 28

Sam E. Morris, foreign sales chief for Warners, will sail for South America July 28 to conduct sales con- versations in Rio de Janeiro and Buenos Aires and map out campaigns on company product with distribution representatives.

Operate on Heidt

Horace Heidt, the band leader, was rushed to Doctors’ Hospital Friday night following his radio broadcast for an emergency appendicitis opera- tion. The hospital reports he is resting comfortably.

AF A Accuses Cantor, Head Of New Guild

American Federation of Actors will revise its suit against Associated Ac- tors and Artists of America, the parastatal formed by the American Federation of Variety, to include allegations of fraud. The suit was filed in the Supreme Court. Motion for an injunction will be delayed until tomorrow, according to Abraham J. Halprin, A.F.A. at- torney.

Yesterday, Actors Equity and Chorus Equity joined Screen Actors Guild and American Federation of Radio Artists in forming a new membership and instructing them to join A.G.V.A. if members are working in that jurisdiction. A.F.A. reporter, official organ of A.F.A., made a public a letter written by Ralph Whitehead, executive secretary, to employers holding A.F.A. contracts.

Whitehead declared that under the “closed shop contracts” employers were bound to hire employees held by A.F.A. members. He added, however, that to fail to do so would involve them in litigation, and asked them not to instruct performers of the terms of the contract.

A.F.A. council yesterday voted to formally withdraw from the Theatre Authority, and instructed its members to refrain from participating in negotiations having the Authority’s sanction.

Brandit Gives Facts: Cole Follows Today

(Continued from page 1)

Street, and its many ramifications, cancella- tion of the meeting, following the meeting, neither Brandit nor Department officials had anything to say other than that a very difficult meeting had a. The De- partment officials indicated, however, that they were getting ideas on some points where the ideas they heard from the distributors was the closing in Washington in June.
Denver tops all previous Hardys! First 4 days beat Pygmalion, 'Boys Town' and biggest hits!

"Hot weather doesn't mean a thing in Portland! And Capitol, N.Y., biggest in months!"

"Playing day and date in Los Angeles at State and Chinese it's topping the Hardy parade and all Big Ones!"

"Detroit beats the heat with biggest biz of entire season. New Hardy hit is best of the whole series!"

"ANDY HARDY GETS SPRING FEVER!"

It's just ONE of M-G-M's multi-million-dollar Summer Festival of Hits!

NEXT PAGE, PLEASE!
NO MORE WRINKLES!

Leo's hot-weather parade of hits is the talk of the Industry!

ISN'T IT WONDERFUL!

M-G-M's Summer releases electrify every Film Row! Grateful showmen say "M-G-M's ready when a feller needs a friend!" Here are a few of the Summer Big Ones! It's all M-G-M as usual!

"ANDY HARDY GETS SPRING FEVER"
The Lucky Seventh Hardy Hit! A Summer life-saver!

"GOODBYE MR. CHIPS"
National Release of the Extended-Run Record Holder!

"THESE GLAMOUR GIRLS"
Lew Ayres, Lana Turner, Anita Louise, etc. Youth and beauty in sure-fire hit!

ROBERT TAYLOR
HEDY LAMARR in
"LADY OF THE TROPICS"
Call out the cops!

And what company but M-G-M would give you a multi-million-dollar show in August like this Technicolor sensation!

"THE WIZARD OF OZ"
Watch for details of the Giant Ad Campaign in national magazines synchronized with simultaneous release in hundreds of theatres!

THE FRIENDLY COMPANY all year around!
Newsreel Parade

Unsuccessful attempt to raise Sagual, Queen Mary at a garden party and labor troubles here play an important part in the new locales. The results and their consequences follow.


Montreal Crosses Suffer Sharp Slump

MONTREAL, July 18.—"Man About Town" topped crosses here with $6,800 at the Palace. The weather was cool.

Estimated takings for the week ending July 14:

"Five Came O'Keefe" (RKO)
"The Girl from Mexico" (RKO)
CAPITOL—GAIN, 50c-65c. Gross: $5,000. Average: $800.
"Ladies of Leisure" (M-G-M)
LOEWS—(2,800) 30c-60c-6c. Gross: $700. Average: $800.
"I Was an Army of Nazi Germany" (Colenda)
Mr. Moto's Last Warning" (20th-Fox)
ORPHEUM—GAIN, 25c-35c-6c. Gross: $1,000. Average: $1,000.
"Man About Town" (Para.)
PALACE—(2,000) 35c-50c-65c. Gross: $800. Average: $800.
"Muscle" (M-G-M)
"King of Chinatown" (Para.)
PRINCE—(2,000) 35c-50c-65c. Gross: $3,000. Average: $600.
"Tarzan" at $8,500

Indianapolis Lead

Indianapolis, July 18.—"Tarzan" Finds a Son" and "Missing Daughters" did well at Loew's, with $8,500.

Estimated takings for the week ending July 14:

"Miss About Town" (Para.)
"Undercover Detectives" (Para.)
APEX—(1,100) 25c-60c 7 days, 2nd week: $2,500. $1,500.
"The Mikado" (Univ.)
"The Sue Storm" (Para.)
CIRCLE—(2,000) 25c-60c 7 days. Gross: $500. Average: $70.00.
"Tarzan Finds a Son" (M-G-M)
"Loose Daughters" (Col.)
LOEWS—(2,700) 35c-50c-65c 7 days. Gross: $850. Average: $70.00.

'Carnival' to Music Hall

"Winter Carnival," new Walter Wagner-United Artists release, has been booked by the Music Hall to open July 27, immediately following the run of "The Man in the Iron Mask."

RKO Creditors Lose as Court Gives Plan OK

(Continued from page 1)

event reorganized RKO was compelled to issue new debentures in exchange for the old there would be no assurance that the new company would be able to meet its obligations in which case it would be back in the courts.

"An avoidance of that eventuality could be the only feasible treatment for debenture holders," the court held.

The plan preserves the existing priority of the company's security holders, it was asserted, and the precedence of the debenture holders is given "full recognition."

The court ruled that the two-thirds of the RKO debenture holders have given the plan their approval.

Denies Preferential Dealing

Pointing out that debenture holders will receive the equivalent of 78 times as much as the RKO common stockholders, the court ruled that there was no reason to believe either that the plan gave the stockholders preferential treatment or that the issue was not in the best interest of the company.

In addition, the court held that the two appellates were in the same position as any other creditor and had been so provided for in the plan.

Calls Conversion Illegal

Stirn's appeal attacked the validity of the 1931 conversion of RKO Class A stock into Class B stock, charged that the alleged illegal conversion invalidated the entire reorganization plan. In 1931, and since then, Stirn refused to exchange his old Class A stock for the common.

The Circuit Court held that there had been no default on rental obligations under the leases and, therefore, there is no occasion to resort to guarantees.

In addition, the court held that the two appellates were in the same position as any other creditor and had been so provided for in the plan.

Shahin Sails Friday

Los Angeles, July 18.—Mike Shahin, Warners' sales manager for Japan, arrived today from New York conferences with home office executives. He sails Friday for Japan.

INSIDER'S OUTLOOK

By SAM SHAIN

Friends of Percy Farber are delighted at his astounding vitality. Stricken on the golf links, he was taken to the Norwalk hospital and quarter-four hours later he insisted he was all right and went home. He is barely home twenty-four hours when he got out of bed and is now up and around and will be back at his desk soon.

NEw YORK friends are going to Mt. Kisco these days to see Eddie Dowling in "Our Town."

STANTON GRIFFIN has been chartered to go to Europe soon. He has signed his contract with the S.S. Northwind for the summer.

BOARD the S. S. Caroline Sunday at the World's Fair dock with Mr. and Mrs. Leo Spitz and Herman Wobber at lunch. After lunch, seeing the Fair, with dinner at the French Pavilion, where we saw Jack McKeon, Bob Ryan of Chicago, Mr. and Mrs. Hal Homme, Mrs. Kay Kanga, Henry Herzbrun, and Frank C. Walker and his son, Tom. It was a delightful day.

Leo Spitz's yacht is one of the finest afloat, and his friends will be glad to hear that he is fully recovered from his recent illness. The Spitzes probably will stay in New York for several weeks.

GUMMO MARX, who is now in California, used to be a regular patron at Sardi's, where he would sit with the Cheese Club boys or with Sidney Phillips of M-G-M. If you've never heard Gummo's description of things, perhaps this will give you a laugh. He was in Hollywood three weeks ago and wrote:

"Being in a hurry for lunch, I stopped at a nutter place. A nutter consists of a loaf of bread cut in two, inside of which is placed hamburger made with nuts, tomato, lettuce, pickel, cole slaw, bacon, melted cheese, and a few other odds and ends. It took the combined efforts of two men to carry my sandwich to the table. A bag is handed you with the sandwich which you use to prevent the insides from falling out. There are only two people who could possibly get their mouths over part of this sandwich. "They are Joe E. Brown and Martha Raye, and I believe even they would have difficulty in doing so."

OVER the New York to Hollywood telephone, Nate Blumberg tells us he's feeling fine and expects to be back in New York in about three weeks. Universal has made conspicuous progress under Blumberg's direction. When he joined Universal it was in the red. Now it will show something like $1,000,000 net this year.

AT Loew's the other day, Si Sandler with his shirt sleeves rolled up, busy preparing new campaigns for Metro films. "Metro is all right, alright, alright," he said.

We're not disputing it.

ERNIE EMERLING has found a new French restaurant on the East Side which he calls, "The Golden Canary."

OTTO KOEGEL is back at his desk downtown looking fine. He went through a terrible siege of illness, and his friends are all glad to see him back again on his feet, fully recovered.

E. V. RICHARDS is in town looking bale and hearty. The boss of the Saenger circuit checked in at Johns Hopkins for a thoroughgoing over. The reports are O.K. To make sure he's getting himself a double check up here before returning to Louisiana. The boys expect him up here again in about ten days with his family for a World's Fair spree.

JOE VOGEL was at Atlantic Beach over the weekend and had a pretty good time, so he says. He has been with Loew's twenty-nine years. Probably there are few individuals in this business who can last that kind of a record. It represents an investment of years and effort which can't be counted in terms of money.

THERE will be no decision from Paramount for several weeks regarding a successor to George Trendle as head of the Paramount theatres in Detroit.

LOU POLLOCK'S idea of screen encores for "The Mikado" is catching on. John O'Connor, head of RKO theatres, has booked the stunt for RKO, and John Nolan has booked it for the Comerford circuit. Johnny O'Connor is on record as favoring development of the idea by distributors and producers. O'Connor thinks that the idea can be used in connection with all big film musicals.
Chicago, July 18.—“Man About Town,” starring William Powell, will play 13,516,000 at the State-Lake and “Goodbye, Mr. Chips,” was strong at the Apollo with $8,250 in the third week. Hot weather hurt business.

Noted takings for the week ending July 12-15:

“Goodbye, Mr. Chips” (M-G-M) 5-Apostle—$1,400 (35c-75c-75c) 7 days, Stage: Vaudeville. Gross: $36,000. (Average $5,143)

“The Kid from Kokomo” (W, B.) GARROCK—(50c-50c-50c) 7 days, Gross: $5,000. (Average $714)

“The Hardy Boys Ride High” (M-G-M) ORIENTAL—(50c-35c-40c) 7 days, Stage: Vaudeville. Gross: $13,000. (Average $1,857)

“Clowns Over Europe” (Col.) ROOSEVELT—(50c-25c-75c) 7 days, Gross: $16,400. (Average $2,343)

You Can’t Get Away with Murder” (25c-35c-40c) 7 days, Stage: Vaudeville. Gross: $17,500. (Average $2,500)

Chicago Exchange Moves

CHICAGO, July 18—Henry Elman, president of Monogram’s Chicago exchange, has moved the office to 1248 South Wabash Ave.

Raz Bengal Theatre
CINCINNATI, July 18—The 1,200-seat RKO Grand, one of the downtown landmarks, will close Thursday, after which the building will be razed, and a 1,500-seat house built by the Class estate, owners, which will be operated under lease by RKO. The RKO Lyric, directly across the street, will take over the Grand policy and admission. Both playing holdover weeks at 25 and 40 cents. The Lyric now is a first run house and runs 54 cent for matinees and evening, respectively.

Opens Seattle House
SEATTLE, July 18—The Century, 350-seat house, has been opened as a foreign film house by Charles Barney, former manager of the Roosevelt, and Jack Shallow, Jr., formerly with Northwest Film Productions, Inc., a local producing firm.

New Theatre in Charlotte
CHARLOTTE, N. C., July 18—Mayor B. C. Holifield of this city, has opened the new Dilworth in the Dilworth section of Charlotte Saturday evening.

RKO Exchange Moves

SEATTLE, July 18—RKO exchange moved into new and more spacious quarters, adjoining their former location. The new office is located at 2316 Second Ave.

Raisa Bridgeport Scale
BRIDGEPORT, Conn., July 18—Jack Schwartz has raised the admission scale five cents at the renovated West End, making the Sunday top 25 cents and weekday 20 cents. No other admission rises have been reported in the territory.

Reopens Texas House
JACKSONVILLE, Texas, July 18—Jefferson Mecklenburg Co. has reopened the Dobardt here. A new independent theatre will be opened in August by L. M. Threet.

Open at Albany, Texas
ALBANY, Texas, July 18—H. S. Leon, in Haskell, reopened the Astex in Haskell, Baird and Crowell, reopened the Astex after renovation.

Manages Texas House
TULIA, Texas, July 18—The Grand, recently bought by Hollis Boren, Memphis, now has C. W. Weisenberg as manager, replacing R. C. Matheny.

Poli Drops Giveaway
NEW HAVEN, July 18—Harry F. Shaw, Loew-Poli division manager, reports that the Hollywood Party giveaway plan, has been discontinued at the Poli, Waterbury. No other Poli house is now using the plan.

Takes Knoxville Post
KNOXVILLE, Tenn., July 18—L. Rex Ballantine, who has been manager of the Booth, succeeding Robert Whiston, who resigned to return to Birmingham, Ballard has been named manager of the Enzor at Troy, Ala.

Plan Concerts
JEWETT CITY, Conn., July 18—Joseph Quittner, with Peter Perakos, is constructing a new 700-seat theatre here.

Monogram Albany Office
Harry Berkon, Monogram franchise holder in upper New York State, has opened an Albany exchange. Berkon heads the Buffalo office and has named Gene Lowe and Sam Mil- lman as Albany salesmen. Howard W. McPherson has replaced Michell Pantzer as booker at Buffalo, and Pantzer has taken a booker-salesman post at Albany which were vacated.

Trade to Fight Ohio Tax Suits
On Exemptions

COLUMBUS, July 18—Further action in the two suits of John V. Bostwick, a taxpayer, against the Ohio Tax Commission, challenging in general the state anti-Gross tax, and seeking collective (an estimated $1,250,000) for taxes since inception of the law, will be defended by the industry instead of the commission, through a strategic move arranged by consent of plaintiff’s counsel.

Defense Setup Decided

Universal Exchange, Frank J. Ferguson, operating the local Avondale, Northwood, and house, and a group known as Cleveland Theatres, have been named to represent the industry in the defense action.

Concomitantly with the change, the Franklin County Court of Appeals granted until Aug. 4 for filing answers in the two suits. This is a continuance since action was instituted. Meanwhile, the new defendant is preparing briefs pending the court’s decision on the acceptability of the change in the defense setup.

Baseball Notes

The case is entitled to preferential hearing, but it is pointed out that several weeks may elapse before initial proceedings are begun, due to the absence of vacation.

Defendant is represented by Aubrey Wesson, Assistant Attorney General of Ohio, while the July 13-14 cases are to be heard by the court, without having been named as an active member of the law firm.

Smelter to Sponsor

Heater Broadcast

Gabriel Heatter, recently signed by Modern Industrial Bank, also has been signed for his Wednesday and Friday radio commentaries over WOR by R. B. Semler Co. The new contract is for one year and will start in October.

In another new WOR contract, the V. LaRosa Co. has signed for its third year of concerts over that station, starting Oct. 31 for 26 weeks. In addition to WOR, a number of Mutual stations also will carry the broadcasts. The number and location of the stations has not been set as yet. The Commercial Radio Service placed the contract.

Indianapolis Golf Set

INDIANAPOLIS, July 18—Annual outing and golf tournament of the local theatre men will be held at the Indianapolis Country Club, July 31 at the Broadmoor Country Club. Delegations from tents in Chicago, Cincinnati, Fort Wayne and Cleveland will make an impressive array of prizes has been assembled. George Landis, 20th-Fox executive, chairman of the committee on arrangements.

New Company Formed

—ALBANY, July 18—Kameo Exhibitions, Inc., has been incorporated here by Irving Goldstein, Leonard B. Belkowit and Harold Goldstein, New York.

For the ad

For the ad

For the ad
Plan Parley Of Canadian Independents

Toronto, July 18.—The proposal for a consideration of the plight of the independ- ent theatre owners of Canada with respect to alleged excessive clearance in the country has been accepted by the Select Committee of the Film Section. Toronto Board of Trade, definitely has been turned down by the Anti-Protectionists. The association of independent exhibitors here at the end of August to plan a course of action.

The Conciliation Committee suggestion has been rejected on the ground that the individual exhibitors are not adequately represented in that organization and also because the league has not yet been fully organized for a show of strength in backing up its claims. Organization work is under way in all parts of the Dominion and the convention at Toronto is expected to show maximum representation of privately owned theatres.

In turning down the offer of an immediate conference, the committee held that in view of adoption of reforms, the league has replied that an entirely new conciliation board for the whole Dominion, giving the independents balanced representation in a body that will be vested with final powers to draw up new clearance tables and to enforce decisions in other problems, will be necessary. This new national conciliation board will also have to deal with the scope of an appeal board to which regional committees would refer findings on local issues for final approval or revision, it is declared.

Hollywood Planning For Golden Jubilee

Los Angeles, July 18.—A commit- tee of publicity men was appointed today to plan the various ceremonies and publications in connection with the Golden Jubilee of M.P. F.A. in preparation for Holly- wood's participation in the observance of the industry's Golden Jubilee.

The publicity directors met with Yorke and Tom S. Petrey, Hays office chief, to discuss the celebration, but no definite proposals were made. The committee consists of Howard Strickling, Metro; Nate Dyches, 20th-Fox; Terry Delapp, Paramount; Irving Rubine, Warners, and John P. Miles, Goldwyn.

¿Y Qué?

Mexico City, July 18.—Suit against a local producer to recover $4,000 claimed due for gasoline and oil which planes used in the production of his features. The case had been started by the Ministry of National Defense. The Minis- try says that while it permitted the soldier flyers and planes to be used gratis in the picture the producer must keep his promise to pay for the oil and gas the planes

Short Subject Reviews

"Goldilocks and the Three Bears" (Cameo-M-G-M)

Following closely the fairy tale of Goldielocks' encounter with the papa, mama and baby bears, this cartoon, in color, should have a strong appeal for children. The story is faithfully re- produced with the story of the three bowls of porridge and the three beds. Activity of the papa bear should prove particularly amusing. Running time, 1½ mins.

"The World of Tomorrow" (RKO Pathé)

The World's Fair—its grounds, buildings, exhibits, statutory, the con- servation is presented in color detail here. Every aspect of the fair, from the roller coaster ride to the halls, will have its place in the film. The animals are done in full size, and specialized camera treatment, with, however, camera and commen- tary dwelling mainly on the various state exhibits. Running time, 9 mins.

"The Shooting of Dan McFoo" (Warner's)

A Merrie Melody cartoon in color, this is told the story of the shooting of Dan McGrew, as only the film cartoonist could imagine it. It is an amusing subject. Running time, 7 mins.

Delay Chicago Case On Air-Stage Show

CHICAGO, July 18.—The municipal court case regarding the legality of presenting the radio program, "Dr. December," from the stage of the Balaban and Katz Chicago theater was post- poned today until Thursday. Cash awards are given to those who answer the quiz questions correctly.

Early Trial of Trust Suit Impossible, Experts Say

(Continued from page 1) calendar and such a motion could be opposed by the defendants.

However, even in the event the preference was granted by the court by early October, attorneys point out that there will be no available judges in this district to hear the case during October and November, because of cases already assigned which will be under way then. Moreover, few cases of any magnitude are begun during December, January and February, attorneys say.

The possibility of a trial before a three-judge Federal court is dis- counted, in New York legal circles, first, because it would tie up three judges instead of one for an indefinite length of time and, second, because it would entail a formal trial of consid- erably greater length than an ordi- nary

First Anniversary

The first anniversary of the filing of the United States anti-trust suit in New York occurred yesterday with the case still enmeshed in legal red tape.

Hollywood In Brief

Hollywood, July 18.—David O. Selznick's cameras have used up 418, 000 feet of color negative on "Gone With the Wind" (these are not studio figures) and will use about 50,000 more. It's a record.

Warner Brothers will single feature their "Daughters Courageous" in their Hollywood and Los Angeles theatres, feeling, as you know, somewhat strongly on both of these subjects.

RKO announces, with disarming modesty, that the exteriors for "Abe Lincoln in Illinois" will be filmed "be- side the MacKenzie River, nine miles from Eugene, Ore."

For bringing it in two days under schedule after getting it started one day late, Sol. Lesser gave 27 members of his "Everything's On Ice" crew bonuses.

Star of that March of Time edition above the development of the art-industry, top contract for "The Great Ad- playse," was RUZVIL VALENTINO—vili- lian, according to another audible indica- tion, JOSEPH I. BREEN.

Contracts—TAY GARNETT has con- tracted to direct "Send Another Cof- lin" for Walter Wagner when he finishes "Eternally Yours" (no gag in- tended). . . Paramount gave director EDWARD DUMITRYK a long term con- tract after looking at his "World On Parade" and let him keep his own name. . . . M-G-M and EDDIE BUZ- ZELL, director, have got together on a new contract, and Warners have seen eye to eye with ROBERT ROSEN, who wrote the screenplay for "The Roaring Twenties."

Writers—CRAINE WILBUR, Warner's most versatile citizen, is writing the screenplay for "Guilty" with one hand while directing "Monroe Doctrine" with the other, and he'll probably do a spot of acting in either or both. . . "Mr. Wong in Chinatown" puts MORRIS WONG's series on a new level, has sold an original story to Althea Films, Ltd., London, reversing the usual hands-across-the-sea pro- cedure quite some.

Players — JUKE FREIS, who tumbled about cinema stages until she bounced into the Follies, goes, still struggling, into the cast of M-G-M's "Dancing Co-Ed. . . . RUTH ROBIN- sox, GERALD ROGER, HAROLD ENTW- HISTLE and LESLIE FRANCES have joined the growing "Light That Fail- ed" company at Paramount. . . JON KONG, who made some parts in Warners' "Quoet Money" and the veteran FRANK MAYO gets a break in "20,000 Years in Sing Sing." . . . CHARLIE CARON and HARTON MACLEAN are to co-star in Mono- gram's "Murder In The Big House" and has been inquired for the enterprise. . . After 18 years in top parts in London and New York stage plays, FREDERICK WOOLACE has been assigned by M-G-M to play a Russian revolutionary in "Balalaia." Bang!
Motion Picture Daily
Wednesday, July 19, 1939

Mutual Builds Net in South; Adds Stations

Mutual network continued further expansion yesterday with the addition of three new stations which will become affiliated with the network. On July 1, five month four other southern stations joined Mutual.

The new stations are WSIX, Nashville; TR, 1 AM, 590, Lexington, Ky.; and WGRG, which operates in New Albany, Ind., but maintains studios in Louisville.

All three stations operate with a power of 250 watts during the daytime, and 100 watts at night.

The group, known as the Southern Network, will be available, individually and collectively, to advertisers.

Arrangements for the new affiliations were executed by Fred Weber, general manager of Mutual; Jack Draughon of WSIX; S. A. Cisler of WGRG, and Harold P. Lindsey, vice president of the Southern Network Inc.

The four stations which joined Mutual last month are all in North Carolina—WSOC, Charlotte; WRAC, Raleigh; WSTP, Salisbury and WJY, Winston-Salem. With the addition of the Southern Network stations, the total number of stations affiliated with Mutual will be 121.

Campbell to Present Two Serials on CBS

Campbell Soap Co. yesterday signed to present two new serial strips over CBS facilities starting this Fall. A contract by Lelnk & Fink Products for a program presenting Burns and Allen was also placed with the network yesterday.

The Campbell strips will be titled “Venus Dawn,” and “Super Cubis.” Former will be broadcast Monday through Fridays from 9:15 to 9:30 A.M., over a 14-station hookup, starting September 11. The other will be presented on a 55-station hookup, also Mondays through Fridays, from 11:15 to 11:30 A.M., starting September 11.

The Burns and Allen program, in behalf of Hind’s Honey and Almond Cream, will start Oct. 4, and Wednesdays thereafter from 7:30 to 8 P.M. The network will comprise 50 stations.

Robbins to Amarillo

SAN FRANCISCO, July 18—Don C. Robbins, local manager of Walter Bidick Co., station representatives, has resigned to become commercial manager of Amarillo Broadcasting Co., Amarillo, Texas, operators of KFDA.

Air Silk Hose Fight

Mexico City, July 18.—Local radio executives are trying to boost the market by promoting the new silk hose. In the campaign a large number of women are waging against silk hose in an effort to bring down the price. Anti-Japanese propaganda has crept into some of these plucks.

Banner Radio Lines

—By Jack Banner—

O’KEEFE REPLACES JOLSON . . . Walter O’Keefe has done his Fall shopping early and is comfortably set for the coming year. He’ll work for Ruthrauff & Ryan in the Tuesday night variety show for Levee, and over which Al Jolson used to preside. Dick Powell, who took over when Jolson left the series, will not be with the session when it reappears on the air.

TELEVISION . . . Still two more American feature films have been starred by NBC for television. They are old Howard Hughes thriller, “Hell’s Angels,” and the “Abraham Lincoln” of Walter Huston. In the case of “Hell’s Angels,” NBC will present it in two installments on consecutive nights. The film runs to a two-hour length, which is too long a time for a viewer to sit gazing at a small screen, in the opinion of the NBC television experts.

CBC RULING . . . Canadian Broadcasting Corp. has made an important ruling in the prohibition of recordings of speeches or other programs for simultaneous broadcasts over any group of privately-owned stations in an evasion of the regulation against any actual hook-up of stations other than a CBC network. A Toronto publisher had made use of recordings of his series of political speeches from a number of private studios after he had been denied the use of a network by the CBC and the new ruling affecting such commercial programs is the result. One of those affected is Lowell Thomas.

AT THE FAIR . . . Fred Coll and George McCoy, conducting their interview program from the Fair grounds the other night, invited a bystander to the mike. He obliged and immediately burst into a tirade against Whalen, the Fair, and a concessionaire who had just discharged him. Coll Thanked him for showing his feelings and turned him loose to the stand. After signing off the air, Coll and McCoy stepped in for some refreshments, and almost became the victims of a beer hall pultch when they were surrounded by the disgruntled speaker and a gals of his pals, demanding $50.00 for a song he had performed on the air. The boys had to do some talking to get away with their whole skins.

Radio Singer’s Rise . . . Lorraine Monroe, who for years served as the vocalist on “American Album of Familiar Music” and other Blackett-Sample-Hummert programs, climax a young but spectacular career in concert work by singing with the New York Philharmonic Symphony in Lewisohn Stadium Saturday night. She will be the first representative of the company to come to New York at her own expense and will appear in the program with fee in order to give the younger a “send-off.”

Coughlin Declines . . . Father Charles E. Coughlin has declined to accept the $1,125,000 picture deal recently offered him by Capitol Pictures and Midland Radio Co. period on Mutual, an offer which was made as a result of his virtual demand that he be given opportunity to reply to Elliott Roosevelt, who last Saturday raked Coughlin and his principles during his regular Emerson commentary period. Coughlin had declined an offer of $1,000,000 in a film in which he would play a lawyer, which was dignified for me to become a party in aiding the sale of the Emerson product,” stated his wire.

To allay Father Coughlin’s fears that the whole thing was a plot to get him to serve as a subsidiary to sell Emerson radios, Alfred J. McCooser of Mutual wired Detroit a second time, offering free time on an open, non-commercial period. This telegram remained unanswered, and now Mutual and Emerson Radio Co. have officially closed the matter.

Roosevelt will be given his answer Sunday on Coughlin’s own network, but the radio priest will not deliver the rebuttal. It will be given by Rev. E. C. Curran of Brooklyn, an associate of Coughlin.

Shuford Takes Post With Lord & Thomas

Stanley Shuford has joined the Lord & Thomas agency and will be in charge of the creative department. He succeeds under Jack Pegler, head of the agency’s advertising department at the agency. Shuford formerly was with the Mutual Radio and Phonograph Warner Bros. He is very well known in the trade.

Among the films accounts handled by Lord & Thomas are RKO and the Universal Wanger company (United Artists).

McArthur in CBC Post

TORONTO, July 18—D. C. McArthur of Toronto has been appointed press representative here for the Canadian Broadcasting Corp. McArthur is from the Associated Press, and was former chief correspondent for the Chilean Nitrate Bureau and recently was the MacLean Publishing Co. here.

WORC Names Weed

WORC, Worcester, Mass., has appointed Weed & Co. as national sales representatives of the station, which has a 500-watt unit, is owned by Alfred Klein- dient and is a basis CBS outlet.

Holland Shows Stronger Wish For U.S. Films

BY PHILIP de SCHAAP

AMSTERDAM, July 18.—American pictures are gaining steadily in favor in this country, as evidenced by the annual increase in the importation of American products.

During 1938, 338 American films were imported, out of a total of 539 foreign pictures handled by the exchange company, which ranked second, sent only 84 films into Holland, France, Spain and England.22,799, as compared with 37,499 American product accounted for 312; Germany, 75; France, 45, and England, 31.

Whereas in 1931, 1932 and 1933, German films totaled nearly as many, as American, the following two years showed a sharp drop in German imports, and a corresponding increase in American product. French product, on the other hand, is taking an increasingly important place in the Dutch market.

During the first quarter of 1939, a total of 2,536,287 persons visited Amsterdam film houses, with gross receipts of $1,148,000. During the corresponding quarter in 1938, the gross receipts were about $591,000. These are 45 houses in the city of 800,000 population.

Mexico Notes

MEXICO CITY, July 18.—During the first eight years of Mexico’s talking picture industry, which had its inception in 1930 with the making of two films, the investment in production was $3,500,000. That outlay landed from 669,000 in 1930 to 1,125,000 last year, in the making of 60 pictures.

The 1938 output by no means has equaled that of Mexico in the lead of Spanish America, for, according to Mexican figures, the Argentine made 40 pictures last year, Cuba and Peru each five, Venezuela two and Uruguay one.

So-called smuggling is heard because Jose Moguica is Mexico’s best paid picture player at the rate of $4,000 per production, while Libertad Lamarque, ace Argentine performer, is said to command $20,000 a picture.

Determined to give the town adequate picture entertainment the Government of Durango State, owner of the theatre, is to auction Aug. 1 the theatre, which has been here in charge of a conservative group ever since Durango City, the state capital. Action is being taken, the Government explains, because the lessee quit expiration of the term last year and has failed to keep the house in repair. Initial bid is fixed at $4,000.

Mexico’s Legion of Decency, which is chiefly concerned with clean pictures, has rounded out its fifth year. It has 12,000 active members and claims 300,000 others. Manuel Gonazel Morin, a prominent lawyer, is president. During its career, the legion has cited 755 films, 11 of 325 pictures and induced the cleaning up of about 25 per cent of them.
Green Backs AFA as Still 'Part of AFL'

Dispute to Spread Over Whole U. S., Belief

Los Angeles, July 19.—The controversy between the American Federation of Actors and the Four-A’s has become national in scope.

This resulted as a strong likelihood today as William Green, president of the American Federation of Variety Artists, who arrived in a telegram to J. W. Buzzell of the Los Angeles Central Labor Council, and said:

"We still recognize the AFA as part of the A.F. of L."

This disclosure was made at a meeting called by yesterday’s AGA session of the AFA as an answer to yesterday’s session of the new chapter which is being called the American Federation of Variety Artists. This Guild was formed after the Four-A’s deprived the AFA of its charter.

The principal speaker at today’s meeting, attended by 150 persons, was I. B. Padway, AFA, attorney, who interrupted his talk to claim the AFA’s session was preceded by Eddie Canter. He maintained that the Four-A’s trial was illegal and said that the decision was already known in New York weeks before the trial opened.

Padway also charged that intrigue existed on the West Coast to undermine the AFA through the connivance of Ken Thomson of the Screen Actors Guild and L. B. Kornblum representing Equity.

Nation-wide involvement of other (Continued on page 8)

Iron Mask’ Brings Music Hall $90,000

"The Man in the Iron Mask" grossed an estimated $90,000 in its first week at the Music Hall and is held over there. "Winter Carnival" will follow.

Third week of "Man About Town" drew an estimated $32,000 but the film had to be withdrawn to make way for "The Magnificent Fraud."

Grosses continued to hold for "Goodbye, Mr. Chips" and it drew an estimated $12,000 in its ninth week at the Astor. Second week of "Hell's Kitchen" at the Globe brought an estimated $5,700.

Last five days of "On Borrowed Time" grossed an estimated $10,000 at the Capitol. "Of Human Bondage" will be revived next Wednesday at the Criterion.

12 Features Billed By Alliance Films; Rogers Negotiates

A new season release schedule of at least 12 features, one special and a selected list of subjects and "featurettes" was set yesterday by Alliance Films, of which Bud Rogers is vice-president and general manager.

The company, which handles selected product from Associated British Pictures (Arthur Maxwell), recently opened its Jefferson exchange in the Film Center Bldg., 630 Ninth Ave. Arthur Greenblatt, assistant to Rogers, is in charge of distribution of the new product.

Rogers is now negotiating with independent distributors throughout the country to handle territorial rights on a franchise basis.

Alliance’s first release will be "The Warning," which will be sold apart from the other 12 features that are currently playing the Loew Circuit throughout the country. Subsequent releases will be "Black Lagoon," with Raymond Massey, which played the Globe here recently, and "Dead Men Tell No Tales," with Emlyn Williams and Hugh Williams, which goes into the Globe late this month.

In addition, the lineup includes two Edgar Rice Burroughs’ Serial melodramas, "The Terror" and "Mystery of Room 13;" "The Hidden Menace," with Otto Kruger and Gertrude Michael, which Albert de Courville directed; "Black Eyes," with Kruger and Mary Maguire; "Spies of the Air," with McDaniel and Claire Chenille; "Just Like a Woman," with Gertrude Michael and John Lodge, which would follow its lead, but which has materialized, decision to resume the games was made. Money games and premiums are now in use in approximately 25 Century houses. Meanwhile, I.T.O.A. is certifying with N.Y. License Commissioner Paul Moss relative to the elimination of games in clubs and churches in the midtown area. Since games have been taken out of film houses since July 3, it is urged that the Commissioner should take some action against the others.

Exhibitors who have eliminated games in midtown are still unable to determine its effect on grosses. Sentiment is to give the trial a fair chance to succeed. The first week, being a holiday week, did not provide a test and the subsequent nine days are insufficient to form a judgment.

Moviefone Seeks Elliott Roosevelt

Another Roosevelt may enter the motion picture industry.

Truman Talley, general manager of Fox Moviefone News, is negotiating with Elliott Roosevelt, head of the Texas State Radio Network, to join the newreel as a commentator. Roosevelt started as a commentator in Texas over his own network and only two weeks ago began a sponsored series over the Mutual network.

His brother, James Roosevelt, is vice-president of Samuel Goldwyn, Inc., under a new five-year contract.

Theatres Demolish Signs on Marquees

Broadway houses will today completely demolish of electrical signs which have been on top of marquees for some years. Refusal of the Building Department to renew licenses for these signs which violate the local building code, together with an agreement with the City Planning Commission which reached two weeks ago, were ascribed as the reasons for taking down the signs.

The signs, which formed a superstructure above the marquees, were used generally to advertise stage attractions. The marquees are unaffected as they are all within the legal limit of nine feet.

Several weeks ago an attempt was made to establish a ban on theatrical and advertising signs on Broadway, and especially in the Times Square area.

Trust Action

On Calendar Since March

U. S. Reports Discovery of Ramish Answers

Discovery that the Government anti-trust suit against the industry has been on the Federal court calendar here since last March, during all of which time it has been drawing nearer to a trial call, was made yesterday by attach of the U. S. Attorney General’s office here.

The case went on the calendar automatically with the filing of an answer by Adolph Ramish, former Universal Director, on the 15th. It is number 394 on the calendar, which is now up to No. 207, with the calendar about a year behind. Thus, in the ordinary course of events the case would be reached about March, 1940.

Attorneys for both the Government and the defendants have been unaware that the case has been on the calendar or that Ramish’s answer was filed. In fact, several attorneys for defendants were unaware of the Government’s discovery last day.

As a result of the discovery it was reported that Paul Williams, assistant to the U. S. Attorney General, will move at once to obtain a pre-emptive injunction in case of the order, and may serve notice to this effect on the defendants tomorrow. If so, the notices may come before Fed.
Code's Final Changes Due In Few Days

Final revisions of the industry trade practice code may be completed by Friday when sales managers and company attorneys meet again with that objective in view.

Presumably for this reason, no definite commitment on either the final form of the code or its effective date was given Ed Kuykendall, M.P.T.O.A. president, during his meeting yesterday with William F. Rodgers, chairman of the distributors' negotiating committee.

Kuykendall, who went to Washington last night to meet today with Department of Commerce officials and an M.P.T.O.A. conference committee, will return to New York this afternoon for another meeting with Rodgers on Monday.

Following tomorrow's meeting with sales executives, Rodgers is scheduled to hold a weekend conference with Sidney R. Kent and, possibly, with other members of the distributors' negotiating committee. These include Gradwell L. Sears, Abe Montague, Ned E. Deinert and alternates George J. Schaefer and Nicholas M. Schenck.

Seletsky to New Haven

Sam Seletsky has been appointed manager of Republic's New Haven exchange, 175 E. 34th St., New Haven, Conn., New England franchise holder for New Haven and Boston territories. George Robinson, former New Haven branch manager, has been transferred to the Boston sales staff.

Purely Personal

J. RIVIN S. COBB, author of the original story from which Paramount's "Our Leading Citizen" was adapted, will attend the world premiere at Van Buren, Ark., August 7 and will appear on a radio broadcast at the opening of Bus Burns, star of the film.

Mrs. Tyrome Power, Sr., mother of the player, was given a farewell party by the Children's Convalescent Home, Cincinnati, prior to her return to the coast. Joe Goetz, assistant division manager for RKO, arranged the affair.

Paul Benjamin, production manager of National Screen Service, will be confined in the Mountainside Hospital for another month with sciatica. He underwent an operation Saturday.

Edward C. Cahill, RCA Photophone division manager, has returned to the Camden home office, after a week in the Boston and New York territories.

W. L. Jones, national service manager for RCA Manufacturing Co., Inc., went on a business trip to the Atlanta district.

Fred W. Westerk, assistant manager of the RCA Photophone division, is in the Kansas City territory this week.

Edward G. Robinson, Warner star, is due in New York tomorrow from the coast, en route to Europe for an extended vacation.

James Ellison has returned to the RKO coast studio following a vacation of several weeks in New York and New England.

Elias Lapinez, M-G-M publicity director on the continent, is in New York and visited Managers' Round Table headquarters.

Larry Beatus, Loew district manager for Westchester County and New Jersey, is vacationing with his family at Lake George.

SAUL RENICK, former advance agent for United Artists, is now managing Walter Reade's Casino at Asbury Park.

Oscar A. Door, Loew advertising director, has returned to his desk after a vacation.

Wally Caldwell, manager of Loew's Valentine, Toledo, O., was a visitor at the home office.

Harry Margolis, M-G-M Long Island booker, is vacationing at his summer home in Rockaway.

Josephine Visbal of News of the Day has left for a two-week vacation.

Alice Duva Miller has signed a new contract as a writer for M-G-M.

Joseph Seidelman, Universal vice-president and foreign head, returns to New York tomorrow on the Ile de France after a two months' business trip abroad.

John L. Day, Jr., general manager in South America for Paramount, will arrive in New York July 26 on the Argentina for annual home office conferences.

Joseph Localsale, manager of the State, New Brunswick, will succeed Milton Tomkins as manager of the Kingston, N. Y., on Saturday. Tomkins resigned.


Henry Gordon, manager in Central America for Paramount, sails on the Peragua Saturday for Trinidat and thence to his office at Ancon.

Martha Raye left Hollywood for San Francisco yesterday to launch a personal appearance tour at the Golden Gate Theatre.

Del Goodman, 20th Century-Fox manager for the Far East, arrives in New York on Monday for a home office visit.

Al Suchman, film buyer and booking for Consolidated Amusement Enterprises, is on a vacation in the Adirondacks.

Joseph Ingler, Brandt booklet, has left for a two-week vacation in New England.

COmmuter AIR SERVICE!

TO CHICAGO

4 HRS. 35 MIN.!

Now — 8 Fast Flights a Day!

Now there's a fast TWA flight to Chicago any time you want to go! TWA's new, frequent, convenient departures actually make it possible for you to commute by air to Chicago!

TWA's Nonstop "Sky Chief" leaves 9:20 a.m., from TWA's new terminal at Chicago mid-day that night! Also Nonstop "Gold Coast" at 9:45 a.m., arrives at New York 1:25 a.m., and other convenient fast flights. ...$46.95

Schedules Shown are Standard Times
10% Discount on Round Trips!
Phone Travel Agency at MU 6-1649 or TWA Transcontinental & Western Air, Inc.
704, E. 42nd St. — Air Desk, Penn. Station

UNITED TO CHICAGO

Only 4 hrs. 35 min.

shortest air route

fastest average service

famous mainliners

NON-STOP:

THE '12:15' THE '3:15'

THE '5:15'!

Call United, travel agents, (M.E.T.)

Registered U. S. Patent Office

PUBLISHED DAILY EXCEPT SATURDAY, SUNDAY AND HOLIDAYS BY QUIGLEY PUBLISHING COMPANY, INC., ROCKFELLER CENTER, NEW YORK 20, N. Y.

In the interest of public health and morals, the editors of this newspaper will not accept advertisements for any business, commodity, or service that may encourage vice or immorality.

© 1939 by Quigley Publishing Company, Inc.

TWA

SHORTEST, FASTEST COAST-TO-COAST

 tangible

MOTION PICTURE DAILY

Published daily except Saturday, Sunday and holidays by Quigley Publishing Company, Inc., Rockefeller Center, New York 20, N.Y.

This newspaper is published and printed by Quigley Publishing Company, Inc., Rockefeller Center, New York 20, N.Y.

TWA

SHORTEST, FASTEST COAST-TO-COAST

TO CHICAGO

4 HRS. 35 MIN.!

Now — 8 Fast Flights a Day!

Now there's a fast TWA flight to Chicago any time you want to go! TWA's new, frequent, convenient departures actually make it possible for you to commute by air to Chicago!

TWA's Nonstop "Sky Chief" leaves 9:20 a.m., from TWA's new terminal at Chicago mid-day that night! Also Nonstop "Gold Coast" at 9:45 a.m., arrives at New York 1:25 a.m., and other convenient fast flights. ...$46.95

Schedules Shown are Standard Times
10% Discount on Round Trips!
Phone Travel Agency at MU 6-1649 or TWA Transcontinental & Western Air, Inc.
704, E. 42nd St. — Air Desk, Penn. Station

UNITED TO CHICAGO

Only 4 hrs. 35 min.

shortest air route

fastest average service

famous mainliners

NON-STOP:

THE '12:15' THE '3:15'

THE '5:15'!

Call United, travel agents, (M.E.T.)

Registered U. S. Patent Office

PUBLISHED DAILY EXCEPT SATURDAY, SUNDAY AND HOLIDAYS BY QUIGLEY PUBLISHING COMPANY, INC., ROCKFELLER CENTER, NEW YORK 20, N. Y.

In the interest of public health and morals, the editors of this newspaper will not accept advertisements for any business, commodity, or service that may encourage vice or immorality.

© 1939 by Quigley Publishing Company, Inc.

TWA

SHORTEST, FASTEST COAST-TO-COAST

MOTION PICTURE DAILY

Thursday, July 20, 1939

WASHINGTON, July 19—Cooperation of Allied in the Government's effort toward about an improvement of conditions in an industry is tendered Department of Commerce officials today by Col. H. C. Dunlap during a conference at which he outlined the position of his independent exhibitor group on the various problems which have been under consideration.

Col. Dunlap was accompanied with Willard L. Thorp, Ernest A. Tuppen and Nathan D. Golden for about two hours by the head of the group as to the over effect of various practices in the industry on the smaller exhibitors.

His visit followed that of Harry A. Brandt of the T.T.O.A., who likewise pledged the cooperation of his organization.

Following the conference, Department officials said Colonel Cole's discussion of conditions had been enlightening and that he may later be asked to submit supplementary material.

Tomorrow the Department group will meet with representatives of the British film exploitation and of matters which were touched upon in the conference with Ed Kuykendall last month.

Hutchinson Marks 20 Years With Fox

Walter Hutchinson, 20th Century-Fox foreign head, observed his 20th anniversary with the company yesterday.

He joined Fox July 19, 1919, and was assigned at G.H.Q. Chalcot, France, during the World War.

His first position was as a salesmen working in the Canadian territory. Soon after he was made home office representative and branch manager for Canada and then became assistant foreign manager at the home office. In 1921 he went to Australia as home office representative and opened common branches at the Sydney, the East Indies, Singapore, Bangkok, Manila, Hong Kong, Shanghai and Japan.

In 1925 he was made managing director of the British office, and in 1929 he became European general manager. He was given his present post as director of foreign distribution by Sidney R. Kent, 20th Century-Fox president, in December, 1935.
WHAT HAPPENS AT WARNERS' NEW YORK STRAND TOMORROW!

CAGNEY against RAFT in the picture that tops 'Angels with Dirty Faces' EACH DAWN I DIE'

with Jane Bryan, Geo. Bancroft, Directed by W.M. Keighley

JACK L. WARNER in Charge of Production  HAL B. WALLIS Executive Producer  DAVID LEWIS Associate Producer
First Time in the Hi

12 Showmen's Specials

dead men tell no tales
luck of the navy
black limelight
one night in paris
the hidden menace

"Dead Men Tell No Tales"
EMLYN WILLIAMS — Sara Seeger — Hugh Will
From the Francis Beeding novel, "The Norwich Victims"

"Housemaster"
OTTO KRUGER — Phillips Holmes — Diana Churchill
From the play known on Broadway as "Bachelor Born" by Ian Hay

"The Terror"
WILFRED LAWSON — Bernard Lee — Arthur Won
From the Edgar Wallace thriller

"Luck of the Navy"
GEOFFREY TOONE — Clifford Evans — Judy Kelly
From the play by MRS. CLIFFORD MILLS

"One Night in Paris"
JOHN LODGE — Hugh Williams — Joan MacNiven

"The Hidden Menace"
OTTO KRUGER — GERTRUDE MICHAN
With John Clements — Patrick Barr

For distributors and all exhibitors who really are showmen!!

1270 Sixth Avenue, New York City
Telephone: Circle 7-3945
DRY OF THE INDUSTRY!

NOW AVAILABLE FOR 1939-40
SEE BEFORE YOU BUY

"BLACK LIMELIGHT" starring
RAYMOND MASSEY — Joan Marlan — Walter Hudd
From the stage success by GORDON SHERRY

"JUST LIKE A WOMAN" starring
ERUDE MICHAEL — John Lodge — David Burns
From the story by PAUL HERVEY FOX

"SPIES OF THE AIR" starring
HARRY K. BARNES — Roger Livesey — Basil Radford
From the play by JEFFREY DOLL

"BLACK EYES" starring
TO KRUGER — Mary Maquire — Walter Rilla
Directed by HERBERT BRENON

"MYSTERY OF ROOM 13" starring
HERB McLAUGHLIN — Sara Seagar — Peter Murray Hill
From the famous story by EDGAR WALLACE

"LITTLE MISS MOLLY" starring
HRIE STUART — Maureen O'Hara — Phillip Reed
Tom Burke —

ILMS CORP. • BUDD ROGERS
VICE PRESIDENT and GENERAL MANAGER

ALLIANCE FILMS CINCINNATI
<table>
<thead>
<tr>
<th>Date</th>
<th>Columbia</th>
<th>M-G-M</th>
<th>Republic</th>
<th>RKO Radio</th>
<th>20th-Fox</th>
<th>U.A.</th>
<th>Universal</th>
<th>Warners</th>
<th>Monogram</th>
</tr>
</thead>
<tbody>
<tr>
<td>June 16</td>
<td>Awful Truth</td>
<td>Tarzan Finds a Son</td>
<td>Invitation to Happiness</td>
<td>The Girl and the Gambler</td>
<td>Charlie Chan in Reno</td>
<td></td>
<td>Nancy Drew</td>
<td>Trouble Shooter</td>
<td>Stunt Pilot</td>
</tr>
<tr>
<td></td>
<td>(reissue)</td>
<td>O’Sullivan</td>
<td>Stewart MacMurray</td>
<td>Steffi Dana Carrillo</td>
<td>Ricardo Cortez</td>
<td></td>
<td>Bonita Granville</td>
<td>Frank Thomas, Jr.</td>
<td>John Trent</td>
</tr>
<tr>
<td>June 23</td>
<td>Clouds Over</td>
<td>Maisie</td>
<td>Grand Jury Secrets</td>
<td>Five Came Back</td>
<td>Susannah of the Mountains</td>
<td></td>
<td>The Kid from</td>
<td>O'Brien</td>
<td>The Man from</td>
</tr>
<tr>
<td></td>
<td>Europe</td>
<td>Ann Sothern</td>
<td>Heritage of the Desert</td>
<td>Chester Morris</td>
<td>Shirley Temple Scott</td>
<td></td>
<td>Kokomo</td>
<td>Texas (O)</td>
<td>Tex Ritter</td>
</tr>
<tr>
<td></td>
<td>Valerie Hobson</td>
<td>Robert Young</td>
<td>Ray Rogers Mary Hart</td>
<td>Lucille Ball</td>
<td>(D)</td>
<td></td>
<td>Wayne Morris</td>
<td>(G)</td>
<td></td>
</tr>
<tr>
<td>June 30</td>
<td>Parents on</td>
<td>Stronger than Desire</td>
<td>Bulldog Drummond’s</td>
<td>Wyoming Outlaw</td>
<td>It Could Happen to You</td>
<td></td>
<td>House of Fear</td>
<td>Wm. Cargan</td>
<td>Mr. Wong in</td>
</tr>
<tr>
<td></td>
<td>Trial</td>
<td>Virginia Bruce</td>
<td>John Howard Heather Angel</td>
<td>John Wayne</td>
<td>Gloria Stuart</td>
<td></td>
<td>Irene Hervey</td>
<td>Chintatown (O)</td>
<td>Chintatown</td>
</tr>
<tr>
<td></td>
<td>Good Girls</td>
<td>Walter Pidgeon</td>
<td>(A) (D)</td>
<td>(O)</td>
<td>Stuart Erwin</td>
<td></td>
<td>Bob O’Brien (D)</td>
<td>Boria Karloff Marjorie</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Go to Paris</td>
<td>(G)</td>
<td></td>
<td></td>
<td>(G) (D)</td>
<td></td>
<td>Reynolds (Aug. 4)</td>
<td>Revylmda</td>
<td></td>
</tr>
<tr>
<td>July 7</td>
<td>A Woman Is</td>
<td>On Borrowed Time</td>
<td>Man About Town</td>
<td>Mickey, the Kid</td>
<td>Second Fiddle</td>
<td></td>
<td>Forgotten Woman</td>
<td>Sigrid Gurie</td>
<td>Waterfront</td>
</tr>
<tr>
<td></td>
<td>the Judge</td>
<td>Lionel Barrymore</td>
<td>Jack Benny Dorothy Lamour</td>
<td>Anne Shirley</td>
<td>Henie Power Face</td>
<td></td>
<td>Gloria Dickson</td>
<td>Hell’s Kitchen</td>
<td>(G)</td>
</tr>
<tr>
<td></td>
<td>Rochelle Hudson</td>
<td>Hardtke</td>
<td>(C) (G)</td>
<td>Bruce Cabot</td>
<td>Of Human Bondage</td>
<td></td>
<td>(G) (D)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>July 14</td>
<td>They All Come</td>
<td>Million Dollar Legs</td>
<td>She Married a Cop</td>
<td>(G) (C)</td>
<td>The Lost Squadron</td>
<td></td>
<td>I Stole a</td>
<td>Million George Raft Claire Trevor</td>
<td>Daughters</td>
</tr>
<tr>
<td></td>
<td>Out</td>
<td>Legs</td>
<td>(D)</td>
<td>(Phil Regan)</td>
<td>(reissues)</td>
<td></td>
<td>Million</td>
<td>Courageous John Garfield</td>
<td>Courageous</td>
</tr>
<tr>
<td></td>
<td>Rina Johnson</td>
<td>Betty Grable</td>
<td>Jean Parker</td>
<td></td>
<td></td>
<td></td>
<td>Richard</td>
<td>Priscilla Lane (G)</td>
<td>Richard</td>
</tr>
<tr>
<td>July 21</td>
<td>Blondie Takes A</td>
<td>Andy Hardy</td>
<td>Million Dollar Legs</td>
<td>Brooklyn</td>
<td>News Is Made</td>
<td></td>
<td>Winter Carnival</td>
<td>Ann Sheridan</td>
<td>Cowboy</td>
</tr>
<tr>
<td></td>
<td>Vacation (G) (C)</td>
<td>Gets Spring</td>
<td>Legs</td>
<td>Alan Mowbray</td>
<td>2nd Night Prison</td>
<td></td>
<td>Carnival</td>
<td>Richard Carlson (G)</td>
<td>Quarterback</td>
</tr>
<tr>
<td></td>
<td>The Man from</td>
<td>Fever</td>
<td>(A) (D)</td>
<td></td>
<td>Foster Way Case</td>
<td></td>
<td>Ann Sheridan</td>
<td>Marie Wilson</td>
<td>Bert Wheeler</td>
</tr>
<tr>
<td></td>
<td>Sundown</td>
<td>Robert Young</td>
<td></td>
<td></td>
<td>Chie Brook</td>
<td></td>
<td>(G) (D)</td>
<td>Gloria Dickson (G)</td>
<td>Marie Wilson</td>
</tr>
<tr>
<td>July 28</td>
<td>Escape from</td>
<td>Island of Lost Men</td>
<td>Should Hasbunds</td>
<td>The Spellbinder</td>
<td>Frontier Marshal</td>
<td></td>
<td>Indianapolis</td>
<td>Speedway Ann Sheridan</td>
<td>Headless</td>
</tr>
<tr>
<td></td>
<td>Alcatraz</td>
<td>Anna May Wong</td>
<td>(A)</td>
<td>Work?</td>
<td>Randolph Scott Binnie Barnes</td>
<td></td>
<td>Pat O'Brien (G)</td>
<td>Pat O'Brien</td>
<td>(G)</td>
</tr>
<tr>
<td></td>
<td>Brian Donlevy</td>
<td>Trux Blor</td>
<td></td>
<td>Lee Tracy Barbara</td>
<td></td>
<td></td>
<td>(G) (D)</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Jacqueline Wells</td>
<td></td>
<td></td>
<td>Read</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Aug. 4</td>
<td>Hidden Power</td>
<td>Colorado Sunset</td>
<td>Colorado Sunset</td>
<td>Bachelor Mother</td>
<td>Elsa Maxwell’s</td>
<td></td>
<td>Modern Cinderella</td>
<td>Charles Beyer Irene Dunn</td>
<td>Playing with</td>
</tr>
<tr>
<td></td>
<td>Jack Holt</td>
<td>(O)</td>
<td>(O)</td>
<td>Ginger Rogers David Niven</td>
<td>Hotel for Women Ann Sothern</td>
<td></td>
<td>Dynamite</td>
<td>Jane Wysan Allen Jenkins</td>
<td>Dynamite</td>
</tr>
<tr>
<td></td>
<td>Gertrude Michael</td>
<td>Gene Autry</td>
<td>(A) (C)</td>
<td>(Ann Sothern)</td>
<td></td>
<td></td>
<td>(G) (D)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Aug. 11</td>
<td>Behind Prison</td>
<td>Night Work</td>
<td>Night Work</td>
<td>Bachelor Mother</td>
<td>Four Feathers</td>
<td></td>
<td>(G) (D)</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Gates</td>
<td>Mary Boland</td>
<td>(Gene Autry Smiley Burnett)</td>
<td>Ginger Rogers</td>
<td>Ralph Richardson</td>
<td></td>
<td></td>
<td>Ralph</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Brian Donlevy</td>
<td>Charlie Kugles</td>
<td>(A)</td>
<td>David Niven</td>
<td>Aubrey Smith</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Jacqueline Wells</td>
<td></td>
<td></td>
<td>(Cary Grant)</td>
<td>Men in the Iron Mask</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Aug. 18</td>
<td>These Glamour</td>
<td>In Old</td>
<td>In Old Monterey (O)</td>
<td>New Frontier (O)</td>
<td>Chicken Wagon</td>
<td></td>
<td>Modern Cinderella</td>
<td>Charles Beyer Irene Dunn</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Girls</td>
<td>Monterey (O)</td>
<td>(O)</td>
<td>John Wayne Ray Carriar</td>
<td>Wagon Family</td>
<td></td>
<td>(G) (D)</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Lee Ayres</td>
<td>Renegade</td>
<td>(O)</td>
<td>(John Wayne)</td>
<td>June Withers</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Lena Turner</td>
<td>Trail</td>
<td></td>
<td>Noah Beery, Jr.</td>
<td>Leo Carrillo Marjorie Weaver</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Tom Brown</td>
<td></td>
<td></td>
<td></td>
<td>Louis Hayward</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>(D)</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>
Thursday, July 20, 1939

MOTION PICTURE DAILY

Trust Action
On Calendar
Since March

(Continued from page 1)

eral Judge C. K. Mays on Monday, Williams, of course, had intended to seek a preference for the case on the calendar. These factors are to be considered in determining the effect, if any, that the presence of the court calendar for the past four and one-half months might have, firm attorneys said yesterday.

Foremost among the whether or not Ramish's answer is a valid one in the face of the fact that he no longer a member of Unifilm's ""R"." If, however, the answer is a proper one and to remain on the calendar, the Government's motion for a preference might be viewed by the court as furnishing an undue advantage, in the light of the circumstances, if it were to be granted.

The preference is considered only for those cases which, in the opinion of the court, warrant them for "exceptional and Unifilm's interests." If granted, the case would be put at the foot of the reserve calendar for trial on a certain date. If Unifilm's objections are sustained the court directs otherwise. There is a possibility, attorneys say, of the case being tried perhaps a month earlier than heretofore anticipated, if the granting of the preference is considered of the case on the calendar, in the event the Government's preference is granted.

Ramish's answer stated merely that as a director of Universal he had attended only one board meeting, that in 1936, and that there had been no discussion of a "monopoly" at the meeting. He asserts that he went to no other directors' meetings and was at a loss to understand why he had been made a defendant.

Picture Pioneers
Boost Membership

Terry Ramsaye, Leon Netter and Harry Braverman, members of the executive committee of Picture Pioneers, newly formed organization of former industry veterans, had a luncheon at the Astor yesterday.

Jack Cohn, "house manager" of Picture Pioneers, announced that the membership would remain open until September when the next "conference" session will be held. The following six have been admitted to membership recently:


Hollywood Review

"Beau Geste"
(Paramount)

Harry C. Cooper, July 19.—"Beau Geste," first of Paramount's new season, is stirring, colorful, entertaining, robust and vigorous, yet retaining the tender pathos of Percival Christopher Wren's classic adventure novel, the picture, produced and directed by William A. Wellman, incorporates those audience interesting and commercial values necessary to exceptional entertainment for all audiences.

Robert Carson's faithful transcription of the original story comes to life under Wellman's skillful handling with such marquees as Gary Cooper, Ray Milland, Robert Preston, Brian Donlevy (who practically steals the show by his fine characterization of the brutal "Sarge"), Henry Wilcoxon, Broderick Crawford. There is ample evidence that neither time, money, nor brain power were stinted in its making.

A novel application of the flashback technique is used to tell the story. In the prologue, the principal characters are identified and the reason for "Beau," "John" and "Digby" joining the Foreign Legion is established. Then the story, with all its adventurous excitement, romance and sacrifice, is set in a desert fort, where a rescue party finds all the Legionnaires dead.

Then, in retrospect, the audience sees all that happened. Description and dialogue therefore and it is made clear why "Beau" (Cooper) directed to the tragedy of "Digby" (Prescott) and why "John" (Milland) returned with Cooper's story of family devotion again to resume his love match with "Isobel" (Miss Hayward).

Beginning with the prestige of Wren's story, capitalizing upon the drawing power of the characters, "Beau Geste" is shownmen should be well armed. Also, there is the lure of the dashing adventure yarn, with a full share of mystery and a touch of love interest, to arouse patronage enthusiasm.

Running time, 115 minutes. *G.*

G. McC.

*IOTNA Names Three
For U.S. Parleys* Report of discussions with Department of Commerce officials was rendered by Lionel Toll to a membership meeting of I.T.O.A. at the Hotel Astor yesterday. Decisions were reached. Department officials were highly sympathetic.

Industry matters discussed included opposition to the Neely bill, labor conditions, trade practice code and arbitration clauses, condition of the film exchange, the quality of features, legislation and pending law suits.

In a letter to Frank W. Pinner, chairman of the committee with the department will be held, a committee of three, Leon Rosenblatt, Irving Renner and Arthur Ray, was designated to go to Washington on future dates. Harry Brandt, president, will serve on the committee.

A special meeting of the I.T.O.A. has been called for August 2 to consider the trade practice code, arbitration provisions, and film buying.

Ohio Trusts Fear
Bigger Tax Burden

COLUMBUS, July 19.—Ohio exhibitors are considerably disturbed over the "matching process" advocated in Federal proceedings for state relief similar to that under which it is anticipated would mean a 4,000,000 additional burden in this state.

This would definitely pave the way for a boost in the admission tax to the previous 10 per cent, and the possibility of new and increased taxes along the lines affecting the theatre, to help defray the added state obligation Ohio industry leaders will take steps to discourage the plan if a special session of the legislature is called to consider it. The matter is being closely covered by the industry in general, and by P. J. Wood, secretary of the I.T.O. of Ohio.

Birdwell to Handle
Publicity on 'Cavel'

George J. Schaefer, president of RKO, has closed a deal with Russell двигов and Associates, whereby the firm will handle a special advance publicity campaign for "Nurse Edith Cavell," the Herbert Wilcox film starring Myrna Loy and Errol Flynn.

Birdwell will operate on the assignment from his Hollywood office, as L. B. McCarthy, working from the RKO studios, was named as an auxiliary, it is believed by Charles Leonard.

V. K. Richards Dies

TOKIO, O., July 19.—Funeral services were held here yesterday for V. K. Richards, theatre, music and art critic of the Toledo Blade and Times, who died after a long illness. His widow and a daughter survive.

Film Leaders
To Eckhardt Fete Monday

CHICAGO, July 19.—Herman Wester, general sales manager of 20th Century-Fox, William Gehring, Truman Talley, Paul Terry, George Donen of Universal, director of the Foreign Film and theatre men will attend the testimonial dinner for Clyde Eckhardt at the Hotel Sherman to celebrate the 20th Century-Fox exchange here, now celebrating his Silver Jubilee anniversary.

The dinner will be held in the Casino of the Congress Hotel next Monday night. More than 500 are expected to attend, advance reservations indicated.

Beside honoring Eckhardt for his 25 years of service as an executive with 20th Century-Fox, the day will serve to open the new exchange building the company has erected on the corner of Wabash Ave. and 13th St. It is modernly designed throughout and with the latest equipment. Open house from noon until 4 PM Monday, according to exchange officials.

Heifetz Film Benefit
To Draw Notables

Many notables of the city already have purchased tickets for the benefit world premiere of the Samuel Goldwyn (United Artists) production, They Shall Have Shoes. At the Rivoli next Tuesday evening. The film features the screen debut of Jascha Heifetz, famous violinist.

The benefit will aid the Greenwich Music School and the High School of Music and Art. Purchasers of seats includes Herbert L. Sat-

erlee, Mrs. Paul D. Cravath, Mrs. Franklin D. Roosevelt, Mrs. Gerard ""Bow"", Mrs. Benjamin Harrison, Mrs. William T. Bush, Mrs. Walter W. Naumberg, George Gordon Battle, Mrs. Lionel Perera, Adele Milton and the Greenhow House Music Committee; and License Commissioner Paul Moss. Mr. and Mrs. Samuel Goldwyn will attend from Hollywood.

UMPTO Approves
Code, Hits Rentals

PHILADELPHIA, July 19.—The first meeting of the board of managers of United Motion Picture Theatre Owners today discussed the selling formula and a survey of the 1939-40 season. A committee was appointed to study the problem of high rentals not only from a local standpoint with an attempt to obtain the cooperation of other groups for national action.

The trade practice code was discussed and approved, although it was said that it is not a complete solution.

Lewin Prior, president, was authorized to attend the Department of Commerce meeting tomorrow at Washington.
Green Backs AFA as Still ‘Part of AFL’

(Continued from page 1)

A.F. of L. Internationals may develop through the efforts of both sides in the controversy to gain support for their respective causes.

In view of Green's telegram, AFA delegates to central labor councils throughout the country still will be seated at the Fourth-A's oyster of the organization. The wire inferred that under A.F. of L. laws AGVA delegates would have no official standing.

AFA Writ Hearing Scheduled Tomorrow

Associated Actors and Artists of America, American Guild of Variety Artists and other member unions of the 4-A's were yesterday ordered by Justice Timothy A. Leary to show cause in the New York Supreme Court on Friday why a temporary injunction should not be granted pending trial of the suit filed by American Federation of Actors.

The A.F.A. suit, also filed yesterday, reiterated the charges against the 4-A board which have been made to the press in the past few weeks.

The complaint seeks nine forms of relief including the revocation of the A.F.A. charter; declaration that the organization of A.G.V.A. is of no effect; damages for injuries to the A.F.A. in an order that no A.F.A. member be denied privileges guaranteed under A.F.A. constitution; injunction against setting up of books or funds of A.F.A. or interference with A.F.A. employer contracts; restraint against solicitation of A.F.A. members to join A.G.V.A.; injunction against threats to employers who refuse to contract with A.G.V.A.; injunction against solicitation of employers to break A.F.A. contracts; and an injunction against proceeding under the 4-A resolutions or withholding details from the A.F.A. or its members.

Please for a temporary injunction follows the same lines. Abraham J. Halpin, A.F.A. attorney, will ask the court who hears the application to grant a temporary stay until he decides the motion. Unless this is granted, the defendants will be under no restraint to continue organization efforts until an adverse decision is granted.

Ralph W. Hubbard, A.F.A. executive secretary, declared in an affidavit that the only reason for withdrawal of the charter was that A.F.A. was found not to have a sufficient number of members to justify its jurisdiction "sufficiently aptly and properly." He pointed out that the union had 90 contracts in New York and 250 in the 4-A area, and that the A.F.A. was the largest group within the 4-A board.

Kuhn Details Ordered

Fritz Kuhn was ordered yesterday by Judge Newton of the Federal District Court to file and serve a detailed bill of particulars concerning his $5,000,000 libel suit against Warner Bros. Pictures Corp., for alleged defamation of character in "Confessions of a Nazi Spy." Under the order Warner Bros. will have twenty days after service of the bill of particulars to file its answer.

BANNER RADIO LINES

BY JACK BANNER

FISHERS "SCOOP" . . . There was no holding George Fisher yesterday when he opened his Mutual network program of Hollywood gossip. He had highly confidential information which he was passing on to newspaper editors everywhere. The item, it developed, was the story of the marriage of Whitney Bourne and Stan Griffin, the Paramount executive. We've learned, the newspaper editors everywhere were thoroughly excited by the "tip." Fisher made his revelation hours after the story had been on the front pages of newspapers everywhere.

"JAMMING" COUGHLIN OPPOSED . . . WNCW, a New York City station, is investigating and trying to track down the identity of a mysterious voice cited in previous editions of the "Jamming" column. Dr. Harry F. Ward, whose forum, "Answering Father Coughlin," is a feature on the station. From reports received from its listeners, WNCW is positive that the "Jamming" voice is present and is being carried out in accordance with a plan. Listeners have informed the station that Dr. Ward's questions are allowed to go out undisturbed and then the answers are "blotted out." It has happened with such frequency and with such regularity that the station has ruled out the possibility of accidental jamming. Jamming is a frequent practice in Europe, and rare here. Dictator countries often jam broadcasts from the democracies, and Latin-American nations have frequently complained that broadcasts from the United States are blotted out by jamming from Germany and Italy.

ABOUT MUTUAL . . . Yesterday we reported that Mutual's offer of free time to Father Coughlin on a sustaining period, remained unanswered. It now develops that Father Coughlin did reply by declining to accept the offer, which was tendered him by Alfred J. McCooker of Mutual via telephone conversation.

PERSONALS . . . Jack Benny got in from Waukegan, Ill., yesterday. Radio division of TAC and the Radio Committee of the League of American Writers is tendering a reception to Norman Corwin today at the Progressives Club. Corwin is the author of the CBS production, "They Fly Through the Air With the Greatest of Ease." . . . Ed Wilde, formerly in the Hollywood office of Tom Fizdale, has been named general manager of Fizdale's Chicago office; the latter is the American Radio News Agency's Chicago station representatives, back to the Coast after a number of days here on business. . . . Irwin Nathenson, manager of Tom Fizdale's New York office, sails for a five-week European vacation on the Ile de France Saturday. . . . Ethel Owen, Chicago radio actress, settling in New York. . . . Tom Mavity, Lord & Thomas radio producer, visiting in New York.

Stanton Griffis Wed To Whitney Bourne

Whitney Bourne, screen player, daughter of Mrs. Harvey D. Gibson and George G. Bourne, was married yesterday morning to Stanton Griffis, of San Francisco, obtained by members of the immediate families, was performed by the Rev. Dr. Deyo. Mr. and Mrs. Griffis sailed yesterday on a twelve-month extended honeymoon in Europe. Griffis also is chairman of the board of directors of Madison Square Garden Corp., of the finance committee of Cornell University, and a special partner in Hemphill, Noyes & Co. The bride's aunt is president of the Manufacturers' Trust Co., and chairman of World's Fair finance committee.

Trade Sees 'Beau Geste'

PHILADELPHIA, July 19.—Leading exhibitors of Philadelphia and adjoining cities, representing nearly 200 theatres and including practically all the first-class picture houses of the city, were yesterday attending a special trade screening of Paramount's "Beau Geste" with which this film company will launch its 1939-40 season. This is the third of a series of special trade screenings. Picture was previously previewed in Albany and Boston and will be shown in all key cities within the next few days.

Pennsylvania Allied Debates

Trade Issues

HARRISBURG, Pa., July 19.—Exhibitors are still the subject of discussion at a meeting called by the Allied independent theatre owners and managers, sponsored by the Allied independent theatre owners of Eastern Pennsylvania, which (1) named Robert D. Brown, owner of the Penn Theatre, Wilkes-Barre, Hazelton and Scranton, its new president, and (2) announced that a meeting will be held next week in Wilkes-Barre.

Sidney E. Samelson, of Philadelphia, business manager and former president of the national organization, is in charge. The meeting held a roundtable discussion of the Nebraska bill, just adopted by the U.S. Senate, and sentiment was strongly in favor of adoption of the measure.

Exchanges in general were criticized for what some of the exhibitors regard as too drastic demands upon exhibitors for the new season, arguing that boxoffice conditions do not warrant such exclosures.

Speakers also protested delays by exchanges in the sending of prints with promised, and kindred annoyances. An outline was given of what the local exchanges are doing in scheduling the session of the Pennsylvania legislature, recently adjourned. In this session no legislation hostile to the industry was introduced.

Speakers also voiced a desire for a better grade of pictures from the box-office point of view, and also as to their rights under their contracts with producers. Six members were received into the organization at the Harrisburg meeting.

Griffith Dickinson, Commonwealth Deal

KANSAS CITY, July 19.—An agreement was reached here today between Griffith Dickinson Theatres, Inc., and Allied Exhibitors Corp., whereby Griffith Dickinson will lease or sell four theatres to Common-wealth, and the latter similarly will lease or sell four to the former.

The houses which will be taken over by Commonwealth include: Dickinson and Varsity, Lawrence; Dickinson, Great Bend, Kan.; Dickinson, Herrington, Kan., and Dickinson, Ellsworth, Kan.

Griffith Dickinson will take over: Wareham, Manhattan, Kan.; Beldorf, Independence, Kan.; Kansas, Osawatomie, Kan., and Uptown, Marceline, Mo.

The deal is effective immediately.

Farewell to Lobby

Lobby of the Palace Theatre, 1527 S. Wabash, is looking forward to the completion of the building, which will be Olsen and Johnson, Harry Richman, Lou Holtz, Milton Berle, Sumner, Ann Pennington, Judy Canova and others who played the Palace. WMCA will broadcast the event, with Martin Starr as emcee.
Bondy O.K.'s RKO Election Of Directors

Vote Today or Monday; Fast Reorganization

Final moves in the reorganization of RKO were speeded yesterday with the approval by Federal Judge William Bondy of a petition providing for the immediate election and installation of new members of the company's board of directors.

Meetings will be called for today or Monday with remaining members of the old board electing the newly designated directors to fill existing vacancies. The new members will, of course, carry over when the new RKO company is incorporated and begins functioning.

Organization of the new board, in addition to providing members with an opportunity to familiarize themselves with RKO operations, will give them a chance to pass upon new corporate policies after they have been approved by the court, and will permit a prompt election of new officers of the company.

Hamiton C. Rickaby, attorney for Atlas Corp., proponent of the plan of reorganization, submitted copies of the proposed certificate of incorporation for the new company, the proposed form of the new stock certificates, the new scrip certificates, the substituted warrants and the new company's by-

(Continued on page 4)

Skouras, Warner May Heal Breach

National Theatres division chiefs will meet here Monday and Tuesday with Spyros Skouras, head of the circuit, to discuss new screen policies and product deals. Possibility of healing the breach with Warners is on the agenda.

Warners and National Theatres are seeking to bury the hatchet, in which event a deal for 1939-40 may be made.

One of the major factors involved is the circuit's demand for adjustments in the 1937-38 contract. There have been conferences with Warner sales executives on this subject.

Attending the National Theatres meeting here will be Charles Skouras, Fox West Coast; Los Angeles; Frank Newman, Seattle; H. Fitzgerald, Milwaukee; Rick Rickerson, Denver; Arch Bowles, San Francisco, and E. C. Rhoden, Kansas City, who is returning with his family from a Ber-

(Continued on page 4)

L.A.T.S.E. Threatens Soundmen's Strike; Asks Pact by July 24

Los Angeles, July 20.—Having won the first battle over the hiring of non-union men in studios following abrogation of the basic agreement, L.A.T.S.E. today pushed forward demands for a collective bargaining agreement with Soundmen's Local 695 upon threat of a strike at all studios.

The incident which brought matters of negotiation to a head was the inadvertent hiring by Metro-Goldwyn-Mayer of several non-union sound men for the recording department.

July 24 Deadline Set

This was met by telegram to Metro and to Pat Casey, producers' labor contact man, stating that unless removal of non-union workers and general soundmen strike would be called. Metro today matters by hiring the men.

However, the Soundmen's Local gave producers a deadline of July 24 for the consummation of negotiations for new working agreements. The L.A.T.S.E. will insist that all contracts be retroactive to March 15 in matters of wage scales and hours.

Superior Judge Willis today continued until July 31 the hearing on an order to show cause why they should not be held in contempt against J. W. Ruzell, Los Angeles Central Labor Council executive, and six L.A.T.S.E. officials upon the request of A. Brigham Rose, attorney for Local 37.

Bank Night Illegal, Rhode Island Ruling

Providence, July 20.—In Rhode Island's first judicial ruling on the matter, Bank Night was held to be a violation of the state lottery law in a decision handed down in Superior Court by Judge G. Frederick Frost.

The court found the Big Chief Corp. guilty of lottery law violation in the operation of Bank Night in June, 1938.

The State's Attorney General two years ago declared Bank Night illegal and a few Rhode Island theatres using the game discontinued its use at that time.

MPTOA May Drop Meeting This Year

WASHINGTON, July 20.—M. P. T. O. A. will dispense with a national convention this year unless arrangements are completed within the next few weeks for a meeting in one of the larger Pacific Coast cities, national officers said today.

Arrangements are now being discussed by which a three-day meeting would be held in San Francisco in October, permitting delegates to visit the World's Fair there, then continuing on to Hollywood for three days of studio visiting. There is no assurance yet, however, that these plans will be consummated. If they are not, it is highly unlikely, officers said, that a national convention will be held this year.

U.S. to Open 2 Fresh Suits in California

Columbia Denied Motion For Bill of Particulars

WASHINGTON, July 20.—It was disclosed today that the Department of Justice is planning two moves against the industry in California. One is an anti-trust action and another involves the relations between motion picture producers and certain labor leaders. Neither suit is ready for filing.

The suits will be in charge of Federal officials in Los Angeles, who will initiate the actions at such time as it seems appropriate.

It was denied that Attorney General Frank Murphy would handle the case. Such a procedure, while unusual, is adopted only in the case of an extremely important proceeding.

Columbia Loses Plea For Bill of Particulars

Columbia's motion for a further bill of particulars from the Government in the industry anti-trust suit was denied by Federal Judge John M. Clancy yesterday.

The cryptic decision denied the motion "in all respects," holding that the Government had given "reasonable notice" to Judge William Bondy's order for an original bill of particulars from the Government. The Government contended that Columbia files its answer within 10 days.

In addition to asking further particulars of the anti-trust law violations with which it was charged, Columbia asked that portions of the Government's complaint be eliminated for failing to comply with Judge Bondy's order; to strike out parts of the Government's bill of particulars as being "sham and frivolous"; to forbid the Government from offering evidence on items which it failed to answer in its bill of particulars and to eliminate reference to Columbia's part in the Interstate Circuit case on the ground that the case has been disposed of in the courts.

A similar application for a further bill of particulars by United Artists is still pending before Federal Judge Edward A. Conner.

Trust Suit Assured Early 1940 Trial Here

Fact that the Government anti-trust suit against the industry has been on the Federal court calendar for four years and one-half months unknown to lawyers for both sides will make no material difference in

(Continued on page 4)
Gillmore to Protest Green Ruling AFA ‘Still Part of AFL’

Retusal of Theatre Authority to accede to the resolution of the American Federation of Actors and the decision of Frank Gillmore, president of Associated Theatres, to convene next week with William Green, president of American Federation of Labor, were the outstanding developments in the 4-A-A.F.A. dispute yesterday.

Theatre Authority, organization which has regulated benefit performances and allows proceeds for actors’ relief, refused the resignation and ordered an investigation with a hearing scheduled for tomorrow.

Six charges were filed which included the alleged failure to segregate funds in a special account from June, 1935, to February, 1939; alleged use of charity funds for salaries and overhead; alleged use of relief funds to re-employ the actor and pay for moneys used for flowers and expenditures prior to June, 1935; alleged use of relief funds for bonuses or loans persons not entitled to such funds; and alleged retention of proceeds from two benefits in Florida.

Six members of the ruling committee include Brook Pemberton, producer; Walter Vincent, vice-president of Actors’ Fund, and George Farmar, secretary of Catholic Actors Guild.

Gillmore will convene with Green about possible reconsideration of a ruling yesterday by the latter in the Los Angeles Central Trades and Labor Council that the A.F.A. was still part of the A.F. of L. and that its delegates were entitled to be seated.

The 4-A office pointed out yesterday that Section 5 of Article 4 of the A.F. of L. constitution specifically provides that delegates from a union suspended by an international may not be seated by the C.W.L. and that its delegates were entitled to be seated.

Hearing on the injunction suit brought by A.F.A. will be held in the New York Supreme Court this afternoon. A 4-A council requests an adjournment.

Moss Delays Action On Games Until Fall

N. Y. City License Commissioner Paul Moss does not intend to take any further action for the elimination of games from theatres, clubs or churches until the end of the summer, he declared yesterday. The next colorful wave of games will be kept on the situation in the midtown area, where games were taken out of film houses on July 3, and the King Carnival, and that its delegates were entitled to be seated.

Hearing on the injunction suit brought by A.F.A. will be held in the New York Supreme Court this afternoon. A 4-A council requests an adjournment.

Short Wave Boosts Given Jubilee Plans

Industry’s Golden Jubilee observance, to start early in August, is al- ready well under way with short-wave broadcasts sponsored by the industry over CBS in six languages.

It is expected that theatre and film men will organize local committees to sponsor the observance. The 300 newspaper and fan magazine writers in Hollywood are being given full in- formation regarding the event.

**Purely Personal**

NICHOLAS M. SCHENCK, president of Loew’s, is due today from a trip to the studio.


HARRIS WILBERGER, M-G-M branch manager in Kansas City, and D. C. Kennedy, M-G-M branch manager in Des Moines, lunching with Ed Saunders, sales executive, at the Hotel Astor yesterday.

FAY BANTER, immediately after finishing her current role at Paramount, will go East for a New York stage play, her first since she left Broadway three years ago.

EDWARD G. ROBSON, arrives today for an extended vacation here and abroad. He expects to sail for Europe in about 10 days and will return to the studio in September.

HERBERT RIECHEL, head booker at the United Artists branch in Chicago, is expected here today. He also will visit Hollywood.

JOHN L. DAY, Jr., Paramount’s general manager in South America, arrives next Monday morning aboard the S.S. Argentina.

HERB MORGAN, in charge of M-G-M shorts publicity, arrives today from Pittsburgh.

W. C. HERMAN, original operator of the Hawthorne, Hawthorne, N. J., has again taken over the theatre.

**Mort Blumenstock, Warner eastern advertising and publicity director, is due early next week from a coast trip.**

CHARLES H. RYAN, Warner assistant zone manager in Chicago, and Herbert W. Wheeler, Warner district manager in the same city, were visitors yesterday at the Manager’s Round Table.

GRADWELL L. SEARS, Walters general sales manager, is expected Monday from Chicago. Ben Kalmenson, division manager, who accompanied him, is expected to tour the South for a couple of weeks.

RALPH RIPPS, booker at M-G-M’s Indianapolis branch, has been shifted to the Fair Century branch. William Schwartz of the home office will take over Ripps’ former post.

HARRY JOE BROWN, associated pro-ducer at Twentieth Century-Fox, last year, held his contract extended for two years.

**Leo, Jr.**

**MGM Crowns Lion Cub At Fair Tomorrow**

Crowning of Leo, Jr., who will be the only masterpiece for M-G-M’s shorts, is scheduled to be a colorful event at the World’s Fair tomorrow.

The three-month-old lion cub was chosen in a contest sponsored by the Lions International, which had a convention in Pittsburgh this week. After a lively piano recital he will be sent by plane to the M-G-M studio to carry on the trademark tradition by growing into one of the stars.

The crowning ceremonies will have a host of celebrities on hand, with speeches by Mayor F. H. LaGuardia, Grover Whalen and Ed Kuykendall, president of the M.P.T.O.A.

CIO Unionizes Usher-Casher Forces in City

United Usheurs, Doormen and Cashiers Union, C.I.O. is organizing metropolitan theatres. Three RKOs were the object of the hunger strike and the first of a series of events yesterday.

The union claims to have organized 650 employees in the RKO, Skouras, Cocalis, Loew and Brandt circuits.

Wage scale sought by the union is $25 for chief ushers, $25 for assistant chiefs, $25.50 for ushers, ticket takers and barbers, $19 for captains and $1 for ushers. Maximum of 40 hours weekly and vacations with pay also are requested.

I.A.T.S.E. was granted jurisdiction over usheurs, doormen and cashiers by the A.F. of L. but no local for such employees was set up in New York, Brooklyn or City, although such locals exist in other cities. The C.I.O. group is continuing its organizational efforts to the five boroughs at the present time.

‘Each Dawn I Die’ Goes Into Strand

"Each Dawn I Die" opens today at the Strand with George Raft, co-star, in the film with James Cagney, making a personal appearance at one of the show’s shows. At the Roxie, "Sea-ond Fiddle" continued strong in its third week. With an estimated $32,000 gross, it will be held over for fourth week. "Frontier Marshall" will go into the Roxo on July 28. "Indianapolis Speedway" drew an estimated $42,000 at the Strand.

Omaha Golf Aug. 21

OMAHA, July 20.—Omaha Variety Club will hold its annual golf tournament and dinner at the Ralston Club on Aug. 21, starting with Harry J. Shumow, chief barker. The committee includes Shumow, Glenn Rogers, Joe Jacobs, Joe Scott and Sid Rose.

"Each Dawn I Die" (Warners)

(Continued from page 1)

William Keighley, "Each Dawn I Die" presents James Cagney and George Raft in two memorable performances. Never before in their careers have their personal and professional characters been so perfectly adapted to parts as in the roles they play with such conviction in this picture. Each surpasses his previous best. Their support, Jane Bryan, George Bancroft, Maxine Cooper, Alan Baxter, Victor Jory, John Wray, Edward Pawley, Willard Robertson, Paul Hurst and Joe Domingo, also, do superior work.

A story synopsis of "Each Dawn I Die" is available for the asking. As a matter of fact, the Jerome Odlum novel, upon which Norman Reilly Raine, writer of the reading of the book or its synopsis, won't give anybody very much of an idea of what will be seen and heard in the picture. When the screen does one of its great jobs the best way to find out about it is to see it on the screen. Then nobody has to depend upon anybody's word. But, if you want to, you can take our word for it—"Each Dawn I Die" is a money-in-the-bank picture.

Running time, 90 minutes. "G."* G. McC.

* "G" denotes general classification.
OPENING AT RADIO CITY MUSIC HALL NEXT WEEK!

TWO REELS of the world’s most famous birthday party... showing the Dionne darlings at childhood’s cutest age!... And who’s their playmate?... None other than Alexander Woollcott, world-famous wit and man-about-the-world... highlighting the things they do with the sort of glowing comment that rates him millions of readers and radio listeners!... THE ONE BIG EXTRA ATTRACTION FOR EXTRA MONEY FOR EVERY THEATRE THAT PLAYS IT!

The DIONNE QUINTUPLETS

CELEBRATING THEIR FIFTH BIRTHDAY

FIVE TIMES FIVE

with

ALEXANDER WOOLLCOTT

RKO PICTURES
Produced by Frederic Ullman, Jr.
Directed by Frank Donovan

Distributed by RKO Pictures
Bonds O.K.'s RKO Election Of Directors

(Continued from page 1)

laws to Judge Bondy yesterday. The latter leaves on a vacation early in August and much of the final work will be cleared through the court by then. Judge Bondy set July 31 for trial hearings.

The underwriting agreement for $1,500,000 of new common stock, which will be offered to general creditors approved by the court, will be ready for Judge Bondy's study in a week. It will be presented by Atlas Corp., which will be the underwriter of the issue. Sale of the stock is to provide additional working cash for the new company.

The corporate name, Radio-Keith-Orpheum, will not be changed in the process of reorganization, leading creditor factors said yesterday.

Skouras, Warner May Heal Breach

(Continued from page 1)

a madcap cruise. Spyros Skouras will preside.

Regional conventions of the circuit scheduled for next month in Kansas City and Los Angeles have been called off. Instead, Skouras will leave on a field trip in August, during which he will attend annual division meetings in Milwaukee, Kansas City, Denver, Seattle and Los Angeles.

At these meetings discussions will be on plans for the new season, the annual business campaign to start in the fall and operations generally. Plans were closed for the new season will be detailed.

Pays as Admission Tax Is Ruled Legal

DENVER, July 20.—With a ruling by the Colorado Supreme Court that the service tax of two per cent on amusements is constitutional, Everett Cole, mayor of Alamosa, Colo., appeared at the state treasurer's office with a $3,418.78 check paying taxes in full for the period since the law went into effect in May, 1937. Cole operates theatres and dance halls at Alamosa.

Party for Autry Today

Gene Autry, Republic western star, will be honored at a press party at the Warwick Hotel this afternoon. Autry sails Wednesday on the Manhattan for a farewell appearance tour in England. H. J. Yates will accompany him. They will be gone six to eight weeks.

Co-Star Taylor, Garson

HOLLYWOOD, July 20.—Robert Taylor and Greer Garson will be co-stars for the second appearance tour in England. H. J. Yates will accompany them. They will be gone six to eight weeks.

Insider's Outlook

GEORGE K. SCHAEFFER, president of RKO, goes to the Coast Monday, "Reports that I am going to stay on the Coast permanently are untrue," he told inquirers.

ALEXANDER KORDA has called an emphatic denial of the report that he is involved in a deal with Charles M. Woolf for the release of pictures. Mr. Korda states that the deal was never contemplated.

IRVING TRUST CO. is not participating in any Educational-Grand National financing.

ED SULLIVAN, in a recent Daily News column, says: "The Nick Schencks are in Hollywood for a few days. . . . M-G-M's Nick Schenck is one of the finest men in the industry, so highly regarded that other companies, when they have a dispute with M-G-M, pick him as the referee. . . . They know that his decisions will be unaffected by his connections." (That's not news . . . we've known it for years — Editor.)

ARE double features a novelty? Stuff and nonsense, says Paul See

hausen, history teacher in Shortridge High School in Indianapolis.

The first double feature in Indianapolis was in 1923, he says, when a traveling stock company set up shop in Carter's Tavern. They played "The Doctor's Courtship" and "The Jealous Lovers." Admission was 37 1/2 cents.

There's no record of Bingo or of Indian pottery being given away, Mr. Seehausen says.

THERE was a meeting of the new board of directors of RKO yesterday, at which all the boys got acquainted.

TONY GALENTO, his manager, Joe Jacobs, Frank Buck and Floyd Gibbons were among those who saw a private showing, in the United Artists home office, of Jaacha Heifet's picture, "They Shall Have Music" (Goldwyn-United). The decision was made by Archie Mayo. Galento took one swift glance at the luxurious seats in the United Artists projection room and said:

"These are the kind of cushions I ought to have in my saloon."

WEDDING bells in the Fall for Sid Rechtien of Warner Bros. publicity department.

AT the Paramount Theatre on Broadway, managed by Bob Weitman, they have discovered that just as good business can be done with a small but good band, surrounded by popular stage specialties, as with the very large bands which command tremendous salaries. That house no longer is spending $10,000, $13,000 and $14,000 weekly salaries for bands.

In the spring of 1932, when vaudeville was still flowering, Eddie Cantor and George Jessel, as a team, drew a $10,000 salary. Recently, when Eddie Cantor appeared at Loew's theatre, he walked out with $25,000. Other salaries at that time: K. V. Smith, $4,000; $7,000; Lou Holtz, $5,000 to $6,000; Olsen & Johnson, $4,000; Weaver Bros., $5,000; Paul Whiteman, $7,500; Ben Bernie, $6,000; Fannie Brice, $3,000 to $5,000; Clayton, Jackson & Durante, $5,000 to $7,000; Beatrice Lillie, $4,500; Four Marx Brothers, $10,000; Harry Richman, $5,000; Morton Downey and Camel Radio Hour, $7,500; Ruth Etting, $3,500.

AGING Hollywood! How do you like Jim Roosevelt's new hat?

ROADWAY was denuded yesterday of all temporary electric display and other theatre paraphernalia. The dimming of the Gay White Way was ordered by the City Building Department, which claimed violations, and now the boys in the theatres are laying awake nights trying to figure out how to attract World's Fair visitors to Broadway houses, without the big electric letters.

If there's a man up in the tree in your neighborhood, just take it smilingly. He's just one of the many stunt men who are about the countryside, these days, impersonating Tarzan, for "Tarzan Finds a Son."

A FEICA Speaks: Four pictures with African locales are due for Broadway showings Aug. 2, 3 and 4. They are "Bean Goose (Para); "Four Feathers" (Korda-U. A.); "Stanley and Livingstone" (20th-Fox); and "Lady of the Tropics" (M-G-M).
**Ascap Battles In Nebraska And Montana**

Ascap will file suit for copyright infringement against Montana broadcasting stations which have continued to use Ascap music on their programs despite repeated demands that their licenses were cancelled by a society several weeks ago, according to Schwartz & Frohlich, Ascap counsel.

The stations' licenses were cancelled following enactment of a Montana law which Ascap officials said made further operation of the stations impossible.

The trial of Ascap's action to test the constitutionality of Nebraska's anti-Ascap law has been set for Sept. 18 in Lincoln. Louis D. Frohlich of Ascap counsel will represent the society.

Trial of a recent action in Florida anti-Ascap has been set down for October, but with a definite date as yet.

**House Turns Down Bondholder Study**

WASHINGTON, July 20.—A 600-page report compiled by J. L. Tuppy, chief investigative counsel for the committee to investigate bondholders' reorganizations, yesterday, was unsuccessfully offered the House by Congressman Adolph J. Sabath of Illinois, chairman.

Since the committee's authority expired Jan. 3, last, and it was claimed, the report has not been given the approval of committee members, objections to its acceptance, either as a report or as a House document, were sustained by Speaker Bankhead.

The report is a sharp arraignment of many of the reorganizations investigated by the committee, which went into a number of company operations, including Balaban & Katz and Paramount-Publix.

**J. Cheever Cowdin Is Due Wednesday**

J. Cheever Cowdin, Universal board chairman, will arrive in New York next Wednesday on the Chicago, following a six weeks' business trip abroad. Cowdin conferred with C. M. Woolf and other Universal associates in England and completed arrangements in Paris for the resumption of work by Danielle Darrieux on her Universal contract. It is reported that Miss Darrieux will make one picture for Universal in Hollywood and a second in Paris under the agreement reached.

**Open Monogram Branch**

Chicago, July 20.—Capitol-Monogram Pictures of Chicago will celebrate the opening of its new building on Monday with a cocktail party. Henri Elrean is exchange manager.

**Hollywood Preview**

**"Way Down South"**

(Principal-RKO)

Hollywood, July 20.—Bob Breen's seventh starring picture, "Way Down South," is laid against a background of pre-Civil War life on a Southern plantation, and many of its characters are slaves. Tied together by a thin plot involving a thieving executer of a youngster's estate, the picture presents beautiful renditions of old Negro spirituals long familiar to American ear-producing.

Contributing to the effectiveness of the music and the background is the Hall Johnson Choir, group of noted colored singers who appeared with the youngster in a previous picture, "Rainbow on the River." Richard Halliday, Clarence Muse, Stell Daniel, Sally Blane, Edwin Maxwell, Charles Middleton, Lillian Yarbo and Stymie Beard supports Breen effectively.

In portraying a featured role, Muse wrote with Langston Hughes the original screenplay and two songs for the film. Bernard Vorhaus directed, working from a script by Thomas Scott.

In some of the well-known songs in the film are "Oh, Den Golden Slippers," "Nobody Knows De Trouble I Hab Seen," "Peter, Go Ring Dem Bells," and "Sometimes I Feel Like A Motherless Child."

Orphaned by an accident to his father, Breen finds to his dismay that the prosecutor of the estate is dealing harzily with the slaves and intends to sell many of them. He enlists the aid of an inn keeper and subsequently exposes the crime.

Running time, 62 minutes. G.*

*G* denotes general classification.

**Newsreel Parade**

New issues vary in contexts, with no outstanding event. The reels and their contents follow:

MOVIETEX INC, No. 30—Douglas Fairbanks, Jr., Tobacco crop auction. Crowds escape heat at Coney Island. Presi


PARAMOUNT NEWS, No. 101—Bob Hope at Fair, Louisiana under probe. Cor
gian married. Dempsey in camera interview. East Side needy on vacation. Stan
ton Griffis marries. Tobacoo chant contest. also PATHE NEWS, No. 5—California harvests attract crowds. Japs reconstructed. Neh, was killed in the crash of an automobile and truck. His wife and son survive.

**Song Infringement Suit**

Federal Judge Edward A. Conger yesterday ordered John Joseph Davila, a mild of particulars to his song infringement suit, against Warner Bros. Pictures, Inc, RCA, NBC, CBS, and a large number of other defendants. Davila contends that "Desert Song" was pirated from his song, "If I Were a Spider and You Were My Fly."

**Merlin Schreiber Killed**

OMAHA, July 20.—Merlin E. Schrei
er, 39, exhibitor and banker at Wis
tee, was killed in the crash of an automobile and truck. His wife and son survive.

**MPTO Chiefs Second Time At Washington**

WASHINGTON, July 20.—Last of the current series of conferences by the Department of Commerce with industry groups was held here today with M.P.T.O. delegation. This was a return visit by the organization. Discussions with the various groups were scheduled to be resumed in several weeks.

Headed by Ed Kuykendall, presi
dent, the three-day invited to visit officials were invited to visit officials at any time so that the De
partment may keep abreast of developments.

**750 Reservations For ITOA Outing**

Total of 750 reservations has been made by key exhibitors, film men and others for the annual I.T. O.A, out

**July-August Biggest Para. Output Period**

The most crowded July-August period in the history of Paramount, with eleven productions before the cameras, ten starting during the next four weeks, was announced yesterday by William Le Baron, director of production.

**'Dictator' Starts Monday**

HOLLYWOOD, July 20.—Charlie Chaplin's new production, "The Great Dictator" is on its way to production on Monday. Chaplin is completing the script. Two sets are ready for the camera. Pauline Goddard and Henry Daniell have the leading roles opposite Chaplin in the picture.
Motion Picture Daily
Friday, July 21, 1939

Pittsburgh Changes
Pittsburgh, July 20.—Jules Green has resigned as manager of Warners’ theatre in the Point on Wilkins-
•)

1168

ace.

Good-)

Critic

Jour-

aan.

or

For

rents Escape Tax

Pending Ohio Case

Rival Circuits Book

Same Two Pictures

![Cinema and entertainment news](https://via.placeholder.com/150)

**Theatre, Personnel Notes**

**Pittsburgh Changes**

Pittsburgh, July 20.—Jules Green has resigned as manager of Warners’ theatre in the Point on Wilkins-

1168

ace.

Good-)

Critic

Jour-

aan.

or

For

rents Escape Tax

Pending Ohio Case

Rival Circuits Book

Same Two Pictures
"Important"

- - - "MOTION PICTURE HERALD IS AS IMPORTANT TO A THEATRE OWNER AS A SPARE TIRE TO A TOURIST. A GOOD PUBLICATION—WELL WORTH YOUR PRICE INCREASE"

O. J. BARRE

Motion Picture Herald, $5.00 a year Domestic, $10.00 Foreign; 52 issues with which is combined Better Theatres, 13 issues yearly.

EDGAR THEATRE
EDGAR, LOUISIANA

MOTION PICTURE HERALD
ROCKEFELLER CENTER
NEW YORK
DENVER, July 20.—“Andy Hardy Gets Spring Fever” and “Panama Lady” were big in the last four days of last week at the Orpheum, with $8,200, and was held. “Man About Town” took $5,500 in the second week at the Denham.

Total first run business was $34,950. Average is $3,275.

For the week ending July 19:

“The Milkade” (Univ.): ALADDIN—$(25-30-40c) 7 days, week Gross: $3,000, (Average, $450). "Man About Town” (Para.): DENHAM—$(4-5-6c) 7 days, Gross: $6,500, Average $936. "Young Mr. Lincoln” (2-5-6c) 7 days, Views show: Gross $9,000 (Average, $1,286). “Goodbye, Mr. Chips” (M-G-M):

Mr. & Mrs. L. E. Denham—sold 1,500 tickets for the screening of “The King of the Castle” by Walter Myron—whispered to passersby: “Mr. Raft is expected to come out of the Strand any minute now.”

In a few minutes thousands of fans poured into the Strand entrance. The photographer got a swell crowd shot.

**Motion Picture Daily**

**BANNER RADIO LINES**

**By JACK BANNER**

**THORGERSEN SIGNED FOR AIR** . . . Ed Thorgerson, sports commentator for Fox Movietone newscast, has been signed by Bayuk Cigar Co. for a Fall series of sports resumes and commentaries. Show starts Sept. 30 from 5:45 to 6 P.M., and Saturdays thereafter at that time. A 19-station network will carry the program.

**CHANGE IN "INFO PLEASE"** . . . Recently NBC adopted a new policy permitting the playing of transcription over its Pacific network. First sponsor to take advantage of the new policy is Canada Dry, sponsoring "Inform- Please." The 11 coast stations now carrying the series will be reduced to seven Aug. 15, and these will carry transcribed versions of the program. The music portion of the program will be in transcrip- tion, the show can now be spotted at a good hour for western listeners. Until now, with the difference in time between the East and West, the program was heard on the coast at 4:30 in the afternoon, a poor listening time.

**JOLSON AUDITION FAILS** . . . The audition which Al Jolson made last week for the American Tobacco Co. failed to make the grade with George W. Hill, head of the Parade will continue, doubtlessly with Mark Warnew as the band leader.

**TELEVISION** . . . The parade of feature length films for television con- tinues with the addition yesterday to the NBC schedule of “Mlle. Mozart,” a Danielle Darrieux picture leased from the French Picture Corp., and “Grand Illusion,” made by the World Picture Corp. Both films will be presented on NBC in Arch models. The first showings are a result of the change in the NBC schedule, effective Aug. 14.

For the past few months, participants in the “People’s Platform” programs on CBS, no matter how well they might know each other, are provided with slips of paper on which appear the names of the others on the program. The precautionary measure originates from the time that Mervyn Douglas, Walter Wagner, and other Hollywoods appeared in the “People’s Platform” forum about motion pictures. Throughout the program, Douglas is decked out in a formal suit, attended by Mr. Lynley Bryson, who conducts the forums . . . embarrassing when one considers that the program strives to give the effect of old friends gathering about the dining table, informally discussing topical subjects.

**GOFT SURVEYS** . . . If proof is need to show the fallacy of most au- dience surveys, consider the most recent report which discloses that Bob Crosby, with only four broadcast challdes for Camel cigarettes, has a rating that tops the programs conducted by Guy Lombardo, Paul Whiteman, Fred Waring and Hal Kemp. It simply doesn’t make sense.

**PERSONALS** . . . Joy Hathaway, capable actress wife of Charles Kelly, brother of Nick of the Daily Mirror, has been signed for the principal feminine lead in Jay Victor’s fantasy, “Tomorrow’s a Woman,” opening in Spring Lake in August. Bob Strong, Jimmie Mitchell’s special over the air, is producer of the play . . . Al Schneider of the CBS Artists Bureau, flew to Hollywood yesterday to join Orson Welles and conduct Bureau business in the film city . . . Campbell Ritchie, of CKLW, and Mrs. Ritchie, leave New York today to return to Ontario, after week here.

**MUSICIANS’ UNION LETS DOWN BARBS** . . . Local 802 has relaxed the ban against broadcasting of musical programs from the World’s Fair and will now permit the broadcasting of the Fair, Joseph Lattam’s and B. A. Rolfe’s, to broadcast over the networks, providing they are used within the time limit of their engagements for the Fair. CBS used one of the bands last week, Mutual will make use of next week, and NBC is also planning some musical programs from the Flying grounds.

**GEORGE JESSLE** was signed yesterday for 26 additional weeks on the Vitalis program. The series is broadcast on NBC.

**New Serial on Monday**

Harvey and Dell,” a new serial of the family type, will start over NBC’s Blue network on Monday on a daily basis, 8:45 to 9 P.M., fed from WBZ, in Boston.

**NBC Promotes Saudek**

Robert Saudek, of NBC, was named yesterday to serve as assistant to Tom Long, the newly appointed director of the Blue network, which is now being pushed heavily by NBC.

**Paramount Oshawa Reorganization Ok’d**

TORONTO, July 20.—Permission has been granted under the Companies Act for a reorganization of the capi- tal structure of Paramount Oshawa Theatres Ltd., a subsidiary of the Famous Players Canadian Corp., operat- ing the Regent Theatre at Oshawa, Ont. It provides for the redemption of 1,250 shares of 7 per cent preferred stock by cash pay- ment and the cancellation of 750 un- paid per cent preferred shares, if their stock a new issue is created of $25 7 per cent cumulative redeemable preferred shares of $100 par value, the total capitalization to be $72,500.

**B-K, Majors Accused By Illinois Exhibitor**

CHICAGO, July 20.—Deposits in the suit of Frank Ford, Evanston exhi- bitor, against Balaban and Katz and others, filed on Friday, were taken in by the defendants Thursday. All Chicago branch man-agers will be called along with Edna Howard, Edna Howard, and Mr. Myers who operates an opposition house to Ford’s Stadium Theatre. Ford’s suit charges monopoly, restraint of commerce, and interference similar to the Independents’ suit here.

**Juddel Gets Junior Cowboy**

Hollywood, July 20.—Ben Juddel today signed Bobby Clark, world’s champion junior cowboy, to star in a series of eight western melodramas to be produced by the Producers Pictures Cor- porate. The 13-year-old boy starts work on his first film Aug. 14.

**Censors Reverse Selset**

TOKOYXO, July 20.—On an appeal by H. J. Allen of Grand National Films Limited, the Board of Moving Picture Censors for Nova Scotia has reversed its decision on the new version of “Damaged Goods,” released in Canada by the company. However, no per- sonal appearances were scheduled for performances in Nova Scotia.

**Globe Trotter on Air**

A new of fellow globe trotters, Col. Theodore Roosevelt, Sir Hubert Wilkins and Dr. Roy Chapman Andrews will substitute for Lowell Thomas on NBC’s “The World Around Us” broadcasts beginning Monday, while Thomas goes on vaca- tion for one week.

**Smart Photographer**

Photographers are certain- ly an intriguing lot. Last night at the Strand theater, a cameraman, com- missioned to take a picture of the crowd expected for the premiere of “Each Dawn I Die,” stood in front of the theatre waiting. But there was no crowd. He was on the wrong side of the street.

Being an enterprising chap, he conceived a splendid idea. He stood outside the door, along the street and had him whisper to passersby: "Mr. Raft is expected to come out of the Strand any minute now."
MOTION PICTURE DAILY

NEW YORK, MONDAY, JULY 24, 1939

TEN CENTS

46. NO. 15

Alert, Intelligent and Indispensable to the Motion Picture Industry

Studios' AFL Unions Unite To Battle CIO

Meeting Set Wednesday For Strong Action

Los Angeles, July 23—Seventeen representatives of locals of nine international labor organizations whose members work in Hollywood studios have decided to establish a united front to resist "to the extreme" efforts of the CIO to organize among production crafts.

The meeting Friday was called by Frank Carothers, secretary of the Motion Picture International Committee on studio labor basic agreement.

Primarily discussed was the formation of the United Studio Technicians Guild which is admittedly supported by CIO funds, and which has filed a petition with the National Labor Relations Board for certification as the bargaining agent for crafts now held by L.A.T.S.E.

A statement issued by Carothers said that the 17 representatives decided to form a formidable front to combat organizations, not members of the American Federation of Labor, seeking to enter the film industry.

Representing approximately 15,000 studio workers, conference were: Al (Continued on page 9)

FBI Probe on Fox Corp. Receivership

The Federal Bureau of Investigation is investigating the Fox Theatres Corp. receivership, Jerome Doyle, assistant U. S. attorney general, told Federal Judge John C. Knox Friday. Judge Knox denied a motion made by Gustavus A. Rogers, chairman of a stockholders' committee, and Trust Co. of Georgia, a creditor, for removal of Trustees Milton C. Weisman and Kenneth Stenreich or a stay of further proceedings pending a referee's report, on the ground time for appeal from the order appointing these trustees had expired.

The court declared, however, that if the F.B.I. came forward with evidence of misfeasance it would reopen the question of removal.

N. Y. Supreme Court Justice Timothy A. Leary Saturday extended the time of Weisman and Stenreich to submit a plan for operation and liquidation of the Fox Theatres estate until Aug. 25. Justice Leary directed that a budget showing receipts and expenditures until the end of the year be submitted.

Mexico Plans to Drop Duty on Film Imports

Mexico City, July 23—Assurances have been given by the Ministry of Finance that it is drafting a measure to allow duty-free imports of 35mm. films. Action on the measure is expected next month.

AFL Council to Air AFA Controversy

The American Federation of Labor has threatened to file an answer to charges filed against it by American Federation of Actors, the A.F. of L. executive council will consider these charges, as well as the suspension of the A.F.A. by the 4-A, at a meeting on Aug. 7.

Action by William Green, A.F. of L. president, was revealed Friday at a hearing on an application for a temporary injunction in the N. Y. Supreme Court.

Justice Edward J. McGoldrick reversed decision on the application by the A.F.A. against the 4-A, American Guild of Variety Artists and other 4-A unions. He did not grant the A.F.A. request for a temporary stay pending his decision.

Principal question argued during a one-hour hearing was whether the court had jurisdiction to issue an injunction. Actual merits of the case were not discussed.

Henry Jaffe As Justus Sheffield, at a (Continued on page 3)

U. S. Seeks Nov. 1 As Date To Start Trust Suit Trial; House Has Neely Bill Key

Government tomorrow will ask Federal Judge John C. Knox to set Nov. 1 as the date of trial for the anti-trust suit against the majors. Motion for a preference was filed Friday and will be opposed by the defendants.

Paul Williams, special assistant attorney general in charge of the case, will have his plea for a preference on the ground that the case is of great public interest and that anti-trust suits are entitled to early trial.

In his affidavit, Williams declared that the film industry "has become one of great importance not only because of the large amounts invested therein, and the large number of individuals who are now engaged in the industry, but also because of the tremendous influence which is exerted by motion pictures over the social, cultural and educational advancement of the people."

"It is respectfully submitted that this action, brought for the purpose of presenting alleged violations of the Sherman anti-trust act, is one of general public interest," the affidavit says. Furthermore, it is desirable, according to the government, that the anti-trust suit be tried before the end of the term of the present Congress, if at all.

Williams also pointed out that Sec. (Continued on page 9)

 Warners Reports $2,912,186 Profit

Net operating profit of $2,912,186 for 39 weeks ending May 27 was reported by Warner Brothers, after deducting all charges including amortization, depreciation and Federal income taxes. Figure for the corresponding period last year was $3,282,765.

Gross income for the period, after eliminating intercompany transactions was $78,387,000, as compared to $78,429,889 the previous year. Net profit before deductions was $8,137,766. During the period, a credit of $524,858 was made to earned surplus. Earnings are equivalent to $28.24 per share on 103,107 preferred shares and 70 cents per share on 3,701,090 common.

“The Four Feathers”

[Korda—United Artists]

The broad expanse of the Egyptian Sudan forms the sweeping back- ground for Alexander Korda's “The Four Feathers,” an exciting and dramatic adventure centering around General Kitchener's spectacular capture of Khartoum. In color, the film pulsates with power and punch, has been built on spectacular lines, and offers additionally, those elements of personal interest which permit the showman to guarantee to his patronage splendid entertainment.

The magnificent sweeping scenes of battle on the Sudan carry a sharp impression of reality, as indeed they should, since cameras crews used North Africa itself as the scene of operations.

Zoltan Korda directed with a sure grasp of the diverse elements and the huge masses at his command. R. C. Sherriff adapted the novel of A. E. W. Mason to the screen with skill. Irving Asher served as associate producer.

The film reaches its highest pitch of excitement and spectacle in the battle between Kitchener's army and the hordes of Dervishes, who sweep (Continued on page 2)
SUCCESSFUL operation of a theatre circuit is a greatly matter of manpower, and we don't mean just the "top-man" power. Loew--particularly recognizes the efforts of its assistant theatre managers—that group of young fellows just developing their showmanship. C. C. Moskowitz, in charge of the Loew New York circuit and J. R. Vogel, chief of out-of-town houses, have made it a policy to watch and help in the development of these lads. At Loew's virtually all managers are filled from the ranks of assistants.

The young assistant of today is the showman of tomorrow, as Oscar Doob says, and in the New York area, meetings of assistant managers of the Loew's circuit in each zone are held weekly and presided over by a member of the advertising department. These meetings are, in a way, schools of showmanship, in which exploitation and ticket-selling are taught and developed.

LYNN FARNOL has completed one year as head of the United Artists advertising and publicity department. His salary increases for the second year.

PARAMOUNT'S net earnings for the second quarter will run to about $1,000,000.

ARAMDO, famous theatrical advertising artist (Buchanan & Co.) is another of our yacht-owning friends. Armando has a beautiful boat, "The Whippet," on which he has spent many thousands dollars in the last two years in decorating and Grace Nissen, actress, were among the passengers on the Ile de France, which sailed for Europe on Saturday.

RUTH CHATTERTON opens today as guest star at the Matmuck, R. L. summer theatre in "You Can't Eat Goldfish," a new comedy getting its pre-Broadway tryout.

H. M. ADDISON is substituting for Ed McBride while the latter is on vacation from his post as manager of Loew's, Providence.

MARY ROGERS, daughter of the late Will Rogers, has arrived in New York from Virginia to join her mother, Mrs. Betty Rogers.

EDWARD G. ROBINSON, Warner star, arrived Friday for a vacation trip and will sail Tuesday, Aug. 1, for England and France.

BEULAH BOOCH has been signed by Paramount for a role in "Remember the Night" which starts production Thursday.

All Games Dropped by Rochester Allied

ROCHESTER, N. Y., July 23—The Rochester Allied unit has adopted a resolution agreeing to discontinue all games, premiums and giveaways. A $1,000 bond to fulfill this agreement will be put up by each independent theatre owner. The following committee was appointed to seek similar pledges from the other Enterprise theatres, RKO and Loew's, Inc., houses: Max Fogel, William Tishkoff and Howard Carroll.

Uphold Suit's Dismissal

U. S. Circuit Court of Appeals on Friday upheld the dismissal of the plagiarism suit brought by Albert Bein against Warner Bros. Pictures, Inc., in which defendant was charged with infringing upon the plaintiff's novel, "Youth in Hell," in the picture, "Mayor of Hell."
House Holds Key to Fate Of Neely Bill

(Continued from page 1)

of California, chairman of the Interstate and Foreign Commerce Committee, successfully repelled efforts to force action on the block booking legislation sponsored by Representatives Andrew Elmendorf of California and Frank Cox of Illinois. Whether any action is taken on the bill next session will depend upon the decision of a committee by persons in New York. Whether this is true it will be of great interest to the committee, now which is in charge of the Neely bill.

The California Congressman this year said he would not take action on the bill without hearings and that the committee had too much more urgent legislation to handle to permit the holding of a lengthy investigation of the film industry's troubles.

Petition Could Force Bill Out

The suggestion has been heard that if the bill is not brought up for consideration it may be forced out of the committee by petition. Such a step is resorted to only occasionally, when a committee deliberately attempts to hold back legislation in which a large number of members are interested.

Such a move would not avail at the present time, since the few remaining days of the session would not permit the holding of hearings. In other words, the charge that the committee has put their bill in the back of the calendar and put it up, and, in fact, there is no disposition on the part of House sponsors of the measure to make such a drastic move.

Quick Way of Killing Bill

As a matter of fact, it is said in some quarters, an action to get the bill up, this session or next, might well prove a quick way of killing it. There is, it is admitted, a large number of Congressmen who would vote for block booking legislation because of pressure from "back home" but who are not convinced that it is desirable. These men, it is represented, would not sign a petition and, since 218 signatures are necessary to make a petition effective, such a move would probably fail.

House Has Three Groups

Members who were willing to discuss the situation informally pointed out that the House is divided into three general groups. Some believe that whatever is wrong with the film industry can and should be ironed out within the industry itself; others, who believe there is a situation which should be dealt with by the Department of Justice, with Congressional action outside of it. The third cannot secure needed reforms, and those who believe block booking should be reduced believe these men cannot secure the action of pictures made by the exhibitors themselves, guided by community organizations.

Agains the approval of block booking by the NLRB, or the withdrawal of the examiner, is that the only way to control the situation in which the industry is not at least partially responsible for it. Hence the power of the industry to do what it wishes should be restricted as much as possible by the federal government.

The Four Feathers

[Korda—United Artists]

Consolidated Film Report

$356,117 Net

Consolidated Film Industries, Inc., and subsidiaries report consolidated first quarter earnings which ended June 30, 1939, of $356,117, after deducting depreciation and normal taxes but before providing for federal surtax on undistributed profits. The net is equal to 89 cents per share on the 400,000 shares of No. 2 preferred stock outstanding. The earnings compare with net profit of $317,442, or 79 cents per share on the same number of preferred shares, for the corresponding period in 1938.

With respect to the company's investment in Republic Pictures, Herbert J. Yates, president of Consolidated, said: "The management feels that the prestige of Republic Pictures is an asset to the consolidated industry in general, both in this country and abroad, has been further enhanced during the calendar year 1939 and with the elaborate program now scheduled for the 1939-40 season embracing several major productions in color..."

Seidelman Returns From Trip Abroad

Joseph H. Seidelman, Universal vice-president and foreign manager, returned from the 24th, Paris, Monday, July 23, following a two-months' business trip to England and the Continent.

While abroad, Seidelman conducted a sales meeting for the European organization in Paris and another for the company's British representatives at Blackpool, describing Universal's new season production plans to both meetings.

In England Seidelman concluded arrangements with Arthur Dent by which Universal would distribute a selected list of 10 or 12 Associated British Pictures' productions in Australasia. Universal retains a rejection right as part of the deal.

Legion of Decency Approves 6 Films

The National Legion of Decency approved six and condemned one film of the pictures reviewed and classifi ed by the Legion for the 1939-40 season. The three were approved for general patronage and three for adults. Classified by the Legion the following pictures were approved for general patronage: "A Woman's Face," "The Green Pastures," "Red Sky," "The Great Dictator," "The Story of Louis Pasteur," "The Thirteenth Chair," "The Bachelor" and "The Lady from Shanghai." A new committee of five has been named to review the pictures for the Legion for the 1939-40 season.

Warners Far Ahead Of Production Dates

With over a month to go before the 1939-40 season officially starts, Warner Bros. are currently far ahead of schedule with nine new season features completed and ready, seven before the cameras, and nine in preparation for early shooting. Never before in the history of the company have the Warner Burbank studios been so far in advance of production.

Tamat Core Delay Denied to Circuit

State Labor Relations Board on Friday adjourned until tomorrow at 2 P.M., a formal hearing on the petition for certification of Theatrical Managers, Agents and Treasurers Union in Illinois, under the National Labor Relations Act. The circuit requested a three-week adjournment, but this was denied and the date set peremptorily against the employing company, which means that the hearing must proceed on the date set.

Daniel K. Kornblum, S.L.R.B. executive secretary, declared that all employees who signed the petition for certification are employed by the employer, and that the union claimed a majority of employees within its jurisdiction.

Best Director Prize At French Festival

WASHINGTON, July 23 — The best director of all countries will receive the Louis Lumiere First International Prize at the French International Film Festival in Cannes in September, D. J. Reagan, U.S. attaché at Paris, informed the Department of Commerce yesterday.

The prize will be given for the best film offered by each country, the best actor and actress, the best scenario, and very interesting musical animation. Animated cartoons, scientific and other films also will receive awards.

NLRB Election Held

Paramount warehouse employees designated the Bookkeepers, Stenographers and Accountants Union, A. F. of L., as their collective bargaining agency by a vote of 12 to 6 at an election held by the National Labor Relations Board Friday.
:

Motion Picture daily

4

Large Slump
In Admission
Tax Collection

New

Monday, July

24, 1939

U. S. Confident!

York Reviews

Of New Japan)
Pact on Films

The Ware Case
( Gaumont-British )

"The Ware Case" is a very excellent mystery drama free from even
American sales representatives in
Washington, July 23.— Reversing the faintest aura of the conventional, treatment of murder-mystery storthe normal seasonal trend, federal ad- ies. It has an unusual and interest-compelling plot, a cast tailored to the the Far East are hopeful of a new
in
June
collections
tax
mission
film import agreement being reached
story, and a smash surprise ending.
dropped to $1,491,260 from $1,605,988
Clive Brook should come as a complete surprise to audiences who are with Japan in the near future, Al JT
in May in contrast with 1938 when, in
familiar with his pictures of earlier Hollywood days. He looks younger, Far Eastern representative for Trathe same month, revenues increased
from $1,394,659 to $1,624,453, it was fresher and gives a more completely satisfying performance than he ever versal, who is here for a home office
reported

the

by

yesterday

Internal

Revenue Bureau.
Below the corresponding month

of

the preceding year, in ten of the
twelve months, collections for the fiscal
year ended June 30, last, were $1,329,978 under those of the fiscal year 1938,
totaling $19,470,801 against $20,800,779, the Bureau announced.
Heaviest losses were suffered during
the last months of 1938, it was shown.
Receipts for the first six months of
the current calendar year, aggregating

$9,156,227, were only $190,500 under
the $9,346,762 collected in the corresponding period a year ago.
(Broadway)
In the third
York district, the Bureau reported,

New

collections dropped from $492,012 in
May to $457,258 in June, but were
some $33,000 over the $424,171 reported for June, 1938.
The major part of the loss from
May to June was in boxoffice collections, which dropped from $425,376 to
$393,376, but collection from tickets

in Hollywood.
Jane Baxter, who plays the role of Brook's wife,
handles herself capably before the camera.
Brook, as Hubert Ware, is an Englishman nobleman of the old school,
impoverished and unable to adjust himself to changed conditons.
He
continues blithely to spend money he doesn't have and is frivolous with
other men's wives. His wife, despite her love for her husband's attorney,
Michael, played by Barry K. Barnes, loyally remains beside her husband. All of this, we know, sounds very sordid, but it doesn't appear to
be so as the story is enacted.
rich relative of Ware's wife is murdered on the Ware estate. Although all signs indicate that Ware killed him to inherit money to relieve his financial embarrassment, the jury exonerates Ware. Upon
his return home he at last learns of the love existing between his wife
and his attorney. In the dramatic close, Ware is called to the balcony
of his house by a jubilant street crowd which has just learned of the
jury verdict. To the crowd he avows his murder guilt and plunges to
the ground.
Running time, 70 minutes. "G."*
Jack Banner

gave

He

reported that film stocks are
rapidly being depleted and the situation will be acute for American distributors by the end of the year unless a new agreement is effected in
the meantime. The import provisions
were extended on a somewhat indefinite basis on their expiration at the first
of the present year and the Japanese

A

'

said Saturday.

visit,

Government now is behind on the
number of film permits issued to date,
as compared with permits issued during a corresponding length of time last
year.
Under the old agreement about 200
features were admitted during the latter part of 1938.
Daff reported that there is no antiAmerican feeling apparent in Japan
and that American business interests
there are operating under no severe
handicaps. He predicted that Universal
would do the greatest amount of business in its history in Japan this year.
"fair settlement" of currency withdrawal regulations is anticipated by
film distributors, he said.
Daff said that hostilities in China
have dealt a severe blow to the development of new film markets in the interior and have seriously confined the
Had it
existing markets elsewhere.
not been for the war, he said, large
scale theatre construction would have

This Man Is News"

A

(Piwbrook-Paramount)

from $15,578 to
newspaper story with American slang used in English style is this
on permanent use or lease
of boxes and seats, from $1,857 to merry tale of London's Fleet Street and its crack reporter who is all
nothing, and on admissions to roof but murdered by a dangerous gang of criminals.
The pace is fast and
gardens and cabarets, from $46,512 to the plot moves swiftly through a series of three killings, several shootings,
$42,668.
a fire and the inevitable daily deadlines of a morning newspaper.
The only gains were on free or
Properly classified, "This Man Is News" belongs in that field of light
reduced rate admissions, from $2,528
entertainment which Summer audiences are supposed to like. It is excitto $5,760, and on tickets sold by proBarry K. Barnes and Valerie
prietors in excess of the established ing, humorous, and the wedded bliss of
Hobson adds the touch of romance. The plot leans heavily on coinci- been begun two years ago in interior
price, from $161 to $3,375.
cities which have never had a motion
dence and can scarcely be called realistic, but the action holds together
sold by brokers fell

$12,079

A

;

Big Last Week Draw
at Cincinnati's Palace

sufficiently.

Barnes, who has been following a story in which he expects a criminal to be murdered, is fired by his editor, Alastair Sim, for refusing to
23.— "Second work on other assignments. Under the inspiration of some champagne,
Cincinnati,
July
Fiddle" gave the RKO Palace a smash Barnes phones in a story that the murder had taken place and is shocked
and "Good Girls Go To to learn the next morning that the killing actually did occur. He is sus$13,500,
Paris" had a good $3,100 moveover pected, there are several attempts on his life, but the story wends its
week at the RKO Grand, the final way to a happy climax.
attraction at that house, which is to
Barnes gives the role of a carefree but able reporter convincing treatbe razed.
ment, and Miss Hobson is altogether delightful as his patient wife. Sim,
Estimated takings for the week endas the Scottish editor, provides considerable flavor and humor.
David
ing July 18-22:
Macdonald directed and Anthony Havelock-Allan produced.
"Susannah of the Mounties" (20th-Fox)
Roger
RKO ALBEE— (3,300) (35c-42c) 7 days. MacDougall and Allan MacKinnon wrote the story.
Gross: $8,400. (Average, $12,000)
Running time, 74 minutes. "G."*
Ed Greif
"Second Fiddle" (20th-Fox)

RKO PALACE— (2,000)

Gross: $13,500.

(35c-42c)

RKO CAPITOL— (2,000)

.2nd week.

Gross: $5,800.
"Stronger Than Desire"

RKO LYRIC— (1,400)

Gross:

RKO GRAND— (1,200)

2nd week.

Gross:

(M-G-M)
(35c-42c)

7

days.

(25c-40c)

7

days,

(Average, $2,750)
"Undercover Doctor" (Para.) (2 days)
"6,000 Enemies" (M-G-M) (3 days)
"Trapped in the Sky" (Col.) (2 days)
RKO FAMILY-(1,000) (15c-25c). Gross:
$1,600.
(Average, $2,400)
$3,100.

"On Borrowed Time" (M-G-M)

KEITH'S— (1,500)

$5,000.

(30c-40c) 7 days. Gross:
(Average, $6,000)

'QuaV Best French Film

Mr.

tion,

according to Nat Sanders, gen-

manager

of Film Alliance.

Chips,"

23.

in

second

its

week

at

Fox's Palace took $5,000 despite com-

'Courageous' Tallies

Big $6,200 at —Omaha
23.
"Daughters
July

Omaha,

Courageous," coupled with "Code of
the

Secret

Service,"
$6,200

an exceptional
deis.

The

bill

was

was good

for
the Branheld a second
at

—

23.
July
Estimated takings for the week endFiddle" and "Mr. Moto Takes a Vacation" drew $7,500 at the Majestic. ing July 19-20:
Estimated takings for the week end- "Naughty But Nice" (W. B.)
"Ex-Champ" (Univ.)
ing July 19-20:
WARNER—
(25c -35c -50c), 6 days.
_

(2,400)

Gross:

"On Borrowed Time" (M-G-M)
"They All Come Out" (M-G-M)

ORPHEUM— (3,000)
$8,400.

(Average,

(25c-40c)
$7,600)

7

days.

petition

Leads Providence
Providence,

"Daughters Courageous" (F. N.)
"Code of the Secret Service" (F. N.)

Gross:

from the Midsummer Festival
which drew thousands nightly. Bill
Carlsen's band at the Riverside with

'Fiddle' at $7,500

week.
Estimated takings for the week ending July 26-27

Marcel Carnes' "Quai des Brumes,"
BRANDEIS— (1,200) (2Sc-35c-40c) 7 days,
which will be released in September 2d week. Gross: $6,200. (Average, $4,000)
Hardy Gets Spring Fever" (M-G-M)
"Andy
here by Film Alliance of the United
"Prison Without Bars" (U. A.)
States as "Shadows in the Fog," has
OMAHA— (2,200) (25c-40c) 7 days. Gross:
been selected as the best French film $7,100. (Average, $6,000)
of the year by the Ministry of Educa- "Calling Dr. Kildare" (M-G-M)
"Tell No Tales" (M-G-M)
eral

Milwaukee— Gross
"Goodbye,
July

Milwaukee,

7 days,
(Average, $6,500)

(Average, $5,000)
"Good Girls Go To Paris" (Col.)

theatres

'Chips' Hits $5,000

(35c-42c)

$3,300.

existing

tinued and the sales representatives
are "hopeful" of an agreement being
reached eventually.
Daff leaves for the coast at the end
of the week and will sail for Japan
from San Francisco early in August.

*-"G" denotes general classification.

(Para.)

of

elsewhere were abandoned.
Daff said there is no immediate
prospect of American distributors reentering the Manchukuo market although negotiations are being con-

7 days.

(Average, $10,000)

"Man About Town"

In addition, plans for

picture theatre.
the rebuilding

_

t

MAJESTIC— (2,250)
$7,500.

LOEWS

days.

(25c-35c-50c)

"Goodbye, Mr. Chips" (M-G-M)

PALACE— (2,400)

days.

2nd week.

(Average, $7,000)

STATE-(3,230)

Gross:

7

$9,300.

CARLTON— (1,526)
Gross:

(Average, $11,000)

(25c-35c-50c)

$4,000.

(25c-35c-50c),

7

days.

7

(Average,

$5,000.

$4,000)

Fear" (Univ.)
7

days.

Gross:

$7,100.

(25c-30c),

Stage: Bill Carlsen's band.
(Average, $6,500)

7

"Maisie" (M-G-M)
"Tarzan Finds A Son" (M-G-M)

STRAND— (1,400)

days.

Gross: $5,200. (Average, $6,000)
"Good-bye, Mr. Chips" (M-G-M)
"Five Came Back" (RKO)
2nd week.

of

RIVERSIDE— (2,700)

(25c-35c-50c)

(25c-35c-50c)

Gross:

"The House

"Good Girls Go to Paris" (Col.)
"Romance of the Redwoods" (Col.)

STRAND— (2,100)

(Average, $4,500)

Gross: $4,000.

"Second Fiddle" (20th-Fox)
"Mr. Moto Takes a Vacation" (20th-Fox)

Gross:

$1,300.

(25c-35c-50c),

7

days.

(Average. $1,500)

"Second Fiddle" (20th-Fox)

"The
7

Gorilla" (20th-Fox)

WISCONSIN— (3,200)

days,

(Average, $3,500)

I

days.

Gross:

$5,000.

(2Sc-35c-50c),

(Average, $5,500)

8


Everything the screen can ever give you... All in one Magnificent Picture... from Alexander Korda....
P I C T U R E  A S

presents

FEATHERS
IN TECHNICOLOR
the blood-pounding story of a coward, his three friends and the girl he loved.

Kipling’s famous Fuzzy Wuzzies, fiercest of African warriors, fighting on a battlefield ten miles wide.

four white feathers that sent him into a thousand perils to seek redemption.

1,800 camels in a frenzied stampede on the white man’s stronghold.

Lord Kitchener’s roaring victory at Omdurman photographed in actual locations with flaming realism.

the horrors of the fanatical Mahdi’s hideous torture chambers never before revealed.

8,000 savage Dervishes filmed for the first time with every detail of their cruel warfare.

4,000 natives pulling flatboats up the treacherous cataracts of the Nile.

actual locations in the remote interiors of the Egyptian Sudan where the camera could only penetrate by plane.

EVERYTHING REAL! EVERYTHING TAKEN IN ACTUAL LOCALES! SIGHT AFTER SIGHT THAT THRILL-HUNGRY AUDIENCES HAVE NEVER SEEN BEFORE!
Games Suffer More Attacks In Wisconsin

Janesville, Wis., July 23—Games of chance were dealt another blow in Wisconsin with a decision here by Circuit Judge Jesse Earle labeling as illegal and void a special court order by the Wisconsin Theatre Enterprises' State, Rex and Majestic in Beloit.
Action was for $18,000 allegedly due to theatre by District Attorney John Matheson after charges of violation of state anti-trust laws by the operators. In a 15-page opinion, Judge Earle ruled that the state anti-trust laws do not allow for the issuance of any court order to bar a theatre from the business of exhibiting motion pictures.

If War Comes! Lloyds to Store Records in Pinewood Studios

London, July 23—Pinewood Studios, latest and largest of Britain's production centers, in time of national emergency will house Lloyd's world-famed registry of British shipping and meeting place of City underwriters.
Lloyd's of London, to preserve its records from the wartime case of Pinewood Studios and will transfer all business staffs and documents there if the occasion arises.

Denham Studios will be used by the Government to store food, Amalgamated Studios, opened by the Soaks and yet to see a motion picture camera is already used by the Office of Works as a store house for Government records.

AFL Studio Unions Unite to Battle CIO

(Continued from page 1)

Speede, business representative, Local 40, IBEW; J. Scott Milne, International IBEW representative; Nathan Milne, William Helm, Studio Utilities Employees Local 724; Ben Martinez, Studio Plasterers Local 75; Robert Castles, Studio Carpenters Local 946; Joseph F. Camblano, Carpenters International representative; Herbert Sorrell, Moving Pictures, Local 644; John Gillette, Musicians International representative; Jack T. Neeny, Musicians International representative, Local 78; J. T. O'Neill, Plumbers International representative; D. T. Plaehn, machinists Local 1185.

U.T.S.-E. representatives: Bert Offord, Costumers Local 705; Thomas C. Bryan, Laboratory Workers Local 1; William Carothers, Painters Local 644; Bob Maloney, Plumber Local 78; J. T. O'Neill, Plumbers International representative; D. T. Plaehn, machinists Local 1185.

AFL Council to Air AFA Controversy

(Continued from page 1)

Theatre, Personnel Changes

Manages Windsor Theatre

Toronto, July 23—Robert Brown has been appointed manager of the Windsor Theatre, independent house at Windsor, Ont., by John Stein- hardt who recently became manager of the Manor Theatre, a Toronto suburban house. Brown was formerly assistant manager of the Vanity, both theatres are units of the 20th Century Theatres' co-operative group.

Shubert Reopens Aug. 4

Cincinnati, July 23—The 2,150-seat RKO Shubert, which went dark about two months ago after a season of stage shows and pictures, will re-open Aug 4, with straight films until early in September, when the regular combination policy will be resumed.

Stock Suits Merged

Three stockholders' suits brought against Columbia Pictures Corp. ordered consolidated Friday by N. Y. Supreme Court Justice Mc- Goldrick. The suits charge payment of excessive salaries and bonuses, mismanagement and improper use of stock warrants.

Heads Trade Paper Relations

Milwaukee, July 23—Richard L. Weber, Jr., has joined the Eisenberg-Champion Company, local advertising agency, as director of trade paper relations.

Smith Joins RKO

Omaha, July 23—Joseph P. Smith of Boston is now assistant sales staff here, replacing Ralph Olson, re- signed. Olson is now with Universal in Des Moines.

If War Comes! Lloyds to Store Records in Pinewood Studios

London, July 23—Pinewood Studios, latest and largest of Britain's production centers, in time of national emergency will house Lloyd's world-famed registry of British shipping and meeting place of City underwriters.
Lloyd's of London, to preserve its records from the wartime case of Pinewood Studios and will transfer all business staffs and documents there if the occasion arises.

Denham Studios will be used by the Government to store food, Amalgamated Studios, opened by the Soaks and yet to see a motion picture camera is already used by the Office of Works as a store house for Government records.

AFL Studio Unions Unite to Battle CIO

(Continued from page 1)

Speede, business representative, Local 40, IBEW; J. Scott Milne, International IBEW representative; Nathan Milne, William Helm, Studio Utilities Employees Local 724; Ben Martinez, Studio Plasterers Local 75; Robert Castles, Studio Carpenters Local 946; Joseph F. Camblano, Carpenters International representative; Herbert Sorrell, Moving Pictures, Local 644; John Gillette, Musicians International representative; Jack T. Neeny, Musicians International representative, Local 78; J. T. O'Neill, Plumbers International representative; D. T. Plaehn, machinists Local 1185.

U.T.S.-E. representatives: Bert Offord, Costumers Local 705; Thomas C. Bryan, Laboratory Workers Local 1; William Carothers, Painters Local 644; Bob Maloney, Plumber Local 78; J. T. O'Neill, Plumbers International representative; D. T. Plaehn, machinists Local 1185.

AFL Council to Air AFA Controversy

(Continued from page 1)

Theatre, Personnel Changes

Manages Windsor Theatre

Toronto, July 23—Robert Brown has been appointed manager of the Windsor Theatre, independent house at Windsor, Ont., by John Stein- hardt who recently became manager of the Manor Theatre, a Toronto suburban house. Brown was formerly assistant manager of the Vanity, both theatres are units of the 20th Century Theatres' co-operative group.

Shubert Reopens Aug. 4

Cincinnati, July 23—The 2,150-seat RKO Shubert, which went dark about two months ago after a season of stage shows and pictures, will re-open Aug 4, with straight films until early in September, when the regular combination policy will be resumed.

Stock Suits Merged

Three stockholders' suits brought against Columbia Pictures Corp. ordered consolidated Friday by N. Y. Supreme Court Justice Mc- Goldrick. The suits charge payment of excessive salaries and bonuses, mismanagement and improper use of stock warrants.

Heads Trade Paper Relations

Milwaukee, July 23—Richard L. Weber, Jr., has joined the Eisenberg-Champion Company, local advertising agency, as director of trade paper relations.

Smith Joins RKO

Omaha, July 23—Joseph P. Smith of Boston is now assistant sales staff here, replacing Ralph Olson, re- signed. Olson is now with Universal in Des Moines.

U. S. to Seek Nov. 1 Date for Trust Trial

(Continued from page 1)

U.S. District Court on Saturday will proceed as soon as may be, to the hearing and determination' of anti-trust cases, and asked that the case be 'expedited in every practicable manner to avoid any delay.

Defense counsel will urge that the case is not of such extraordinary public importance as to require a per-1 nance and will resist the Nov. 1 date on the ground that the defense could not be prepared sufficiently by that time. The case is now number 394 on the calendar and, in normal course, would be reached for trial about March, 1940, without a preference.

Houston Theatre Sues Under Anti-Trust Act

Houston, Texas, July 23—Joy Amusement Co., Houston, filed suit in the United States District Court under the Sherman Anti-Trust Act against Interstate Circuit, Inc., Dallas; Hor- white-Texas Theatres Co., Houston; Metro-Goldwyn-Mayer Corp., Texas; RKO Radio Pictures, Republic Pic- tures Corp. of Texas; Loew's, Inc., International Theatres Corp., Philadelphia, Inc. and 20th Century-Fox Film Corp., all of which are exhibitors or distributors of motion pictures.

Damages of $17,366.61 are asked by the Joy Amusement Co., claiming that from December 1, 1927, to December 31, 1938, profits declined as a result of these various companies refusing to permit the plaintiff to book first class features at its local theatre here.
From the Blazing Tropics to the Frozen North...
RIUMPHANT STORY OF THE SERVICE THAT NEVER SLEEPS!

STARDARD

RANDOLPH SCOTT • FRANCES DEE • RALPH BELLAMY • WALTER CONNOLLY

Screen play by Richard Maibaum, Albert Duffy, Harry Segall

Directed by Edward Ludwig
Federal Rules For Builders Of Radio Sets

Trade practice rules for the radio receiving set manufacturing industry were promulgated Saturday by the Federal Trade Commission after a series of conference meetings and public hearings. The rules provide for "the elimination and prevention of false advertising and other unfair trade practices, and are issued in the interest of protecting the public and ensuring fair competitive conditions in the industry."

Deceptive Labels Banned

They are applicable to sets, parts and accessories to their distribution and sale by manufacturers, jobbers, distributors, dealers and other marketers.

Eight rules were laid down. False or deceptive labels or trade marks are banned under Rule 1. Rule 2 sets forth how wave length reception must be labeled. The third rule prohibits labels like: this type of radio equipment; and advertisements dealing with reception, interference, defects, number of tubes, reduced prices, lateness of model, extra charges, list prices and trade-ins.

Rules Are Described

Misleading advertisements about sponsorship of the sets by prominent manufacturers is forbidden under Rule 4. Alteration of brand name or use of chasis or cabinet of another set for purposes of deception is banned under Rules 5. Rule 6 bars imitation of trade marks. Rule 7 condemns bribery of employees who do the buying. Rule 8 forbids use of "spill" or "push money" to promote sales of the manufacturer or dealer.

Another series of rules indicate that for 1937, the industry's total sales of receiving sets, accessories, etc., amounted to slightly more than $460,000,000, retail.

At the present time there are about 41,000,000 radio sets in use in the United States.

KSTP to Get New Giant Transmitter

Minneapolis, July 23—Awarding of contracts and start of construction on the new 50,000-watt transmitter for KSTP, Minneapolis-St. Paul, was announced today by Stanley E. Hubbard, president and general manager. The station will begin its increased power after the "spill" or "push-up" power has necessitated a re-location of the transmitter.

William Menagh Dies

Denver, July 23—William Menagh, 66, retired theatre owner, died at his Boulder, Col., home, following a long illness. Operating in the Denver area, Menagh retired several years ago. His son, Eldon, operates at Ft. Lupton, Col., while a son-in-law operates a home at Albuquerque, N. M. Menagh is survived by the son and three daughters.

Banner Radio Lines

By JACK BANNER

Sol Lesser's film... Last week here it was reported that NBC had obtained for television purposes the film, "Dude Ranch," featuring George O'Brien and Irene Hervey, and that it was the first to be obtained from a major radio network... 20th Century-Fox... 20th Century-Fox... 20th Century-Fox... 20th Century-Fox... The error was regretted. Although 20th Century-Fox did release the film in 1935, it was produced by Sol Lesser and subsequently was turned back to him by 20th Century-Fox.

'Strange As It Seems' On CBS... John Hix's cartoon feature, "Strange As It Seems," will form the basis of a new series just signed by Colgate-Palmolive-Peet for presentation over CBS. It will be heard on August 15th, and following immediately under another Colgate program, "Ask-It-Basket." Hix will provide material, but won't appear in the series. Talent remains to be signed. Benton & Bowles placed the business.

Paramount Buys Radio Time... For the world premiere in Van Buren, Ark., of Bob Burns' picture, "Our Leading Citizen," Paramount has purchased time over CBS for 43 stations, coast-to-coast, Aug. 7, from 10 to 10:30 P.M. Program will be broadcast from the stage of the Bob Burns theatre, and will present Burns, Irvin S. Cobb, Susan Hayward and Joseph Allen, Jr. Bob Hussey will produce the show.

Radio Gallery Opens... Formal opening of the radio galleries of the Senate and House of Representatives will take place today at 10:15. The galleries, installation of which has been in progress for some weeks, are located on the west side of the Capitol, opposite the Senate wing. The galleries will be open briefly for the session tonight at 10:15. Lewis is now president of the Radio Correspondents Association.

Gilmann Reappointed... Don Gilmann, NBC's West Coast vice-president, has been reappointed chairman of the Statewide Radio Committee for the California State Chamber of Commerce for the next year.

Radio Writers Ask For Local Autonomy

Proposed changes in the Radio Writers Guild setup will be considered by the council of the Authors League, a special meeting being held today. The Guild council has approved a constitutional change which will divide the Guild into three regional groups—New York, Chicago and Los Angeles.

Each group is to elect 10 members to serve on a national council and to name a vice-president who will be in charge of local matters. The groups will have autonomy for local problems, while the national council will have jurisdiction over national issues. Constitutional changes must be approved by the Authors League coun-

Radio Actors Elect Tuesday at Chicago

Chicago, July 23—American Federation of Radio Actors will elect officers here Tuesday night, at which time union officials expect to have completed negotiations with station officials and agencies in regards to benefits recently asked for by AFRA.

It is believed that AFRA will re- treat considerably on its demands, as it is felt that recent developments make some of their requests ex-

Wallace S. Hart, of Chicago, was re-elected president of the union.

F C C Calendar

Washington, July 23—The Federal Communications Commission will hold hearings Sept. 25 on the application of the Board of Radio Engineers Inc., for a 1,730-kilocycle station, with 100 watts night, 250 watts day, at Scranton, Pa., and Samuel M. Emison for a 1,950-kilocycle, 100-watt station at Vinncennes, Ind.

Authority to change frequency from 1,250 to 710 kilocycles and increase power from 1,000 watts night, 5,000 watts day to 10,000 watts, has been granted by the commission of WTCN, Minneapolis.

Also filed with the commission were requests of WABI, Bangor, Me.; WUKB, Detroit, and WLVA, Lynden, Wash., for increases of night power from 100 to 250 watts.

Applications for lower increases are coming in to the commission in considerable volume.

Applications received include the requests of WPIC, Sharon, Pa., for an increase from 250 to 1,000 watts, and KFDM, Beaumont, Tex., for an increase of 500 watts, and KFDM's request for increase of power from 100 to 250 watts were granted. KRMD, Shreveport, La.; KMBL, Monroe, La.; WFOY, St. Augustine, Fla.; KLUF, Galveston, Tex.; WDNC, Durham, N. C.; WGNC, Gastonia, N. C.; WBOA, Evansville, Ind.; WHLB, Virginia, Minn., and KPO, Watonah, Wash.

Foods Prove Biggest User Of Radio Time

Industrial classifications of NBC gross increase during the first six months of 1939 disclose that foods and food beverages, with an expenditure of $78,852,472, and all classifications, with the other first division leaders comprising cosmetic, toiletries and drugs, $6,957,427; laundry soaps and allied goods, $6,894,391; tobacco products, $5,062,047.

Total client expenditures for the six-month period amounted to $22,425,117, which compares to the total expenditures for the like period last year, of $21,023,674, an increase for this year's period of 7.5 per cent.

The classifications, and amount spent in each, follow:

Automotive, $586,366; building materials, $457,747; cotton, $371,989; confectionery & beverages, $225,749; cosmetics, etc., $6,957,427; foods and food beverages, $78,852,472; furniture, $213,688; jewelry, $2,894,391; laundry soaps and cleaners, $2,594,391; stationery and publishers, $218,688; books, periodicals, $23,430, and miscellaneous, $74,855.

British Reels May Supply BBC Films

London, July 23.—The Newsreel Association, composed of five British newsreels, will consider the practicability and policy involved in supplying a biweekly issue containing excerpts from the Paramount, Movietone, Gaumont British, Pathé and Universal newsreels for regular use in television by the British Broadcasting Corp.

The suggestion followed the unyielding objection of exhibitors to the continued loan for television of newsreels identical with those regularly released to theatre audiences. The proposal, if approved, may forestall the production by BBC of its own television newsreel, which is now tentatively and unofficially contemplated.

Stoopnagle to Rule 'On Quixie Doodle'

Colonel Stoopnagle has been signed by the Memen Co. to conduct the "Quixie Doodle" program. The show, which has been on Mutual under the program's return to the air this Fall, Stoopnagle replaces Bob Hawk, who had the series last year. Program will be heard over eight stations of the network—WOR, WGN, WLW, CKLW, WOR, WBYC and WJKY. The H. Kiesewetter agency placed the account. Air time will be Fridays at 8 P.M.

Television Corporation

Dover, Del., July 23.—Radio Television Corp. was incorporated here to deal in all forms of program and entertainment material. The corporation listed a capital of 1,000,000 shares of no par value. The incorporators were David H. Samuel, of Philadelphia, and John E. Cosgrove of New York City.
Alert, intelligent and indispensable to the Motion Picture Industry

NEW YORK, TUESDAY, JULY 25, 1939

TEN CENTS

First in Film and Radio News Brief, Accurate and Impartial

MOTION PICTURE DAILY

Plea for Date Of Trust Trial Before Knox

U.S. to Use 14 Attorneys When Hearing Starts

Government attorneys in charge of the anti-trust suit have not yet decided whether objections from trial of defendants will be used but are convinced that, if they are, they can easily be completed before Nov. 1, the date when the Government is seeking to set for the trial.

Attorneys arrived yesterday to argue the motion on the date before Federal Judge John C. Knox today.

A battery of 14 attorneys will probably be on hand to try the case when it opens in court. They will probably be headed by Paul Williams, special assistant attorney general in charge of the film suit, and David L. Podell, prominent New York trial counsel with wide experience in trust suits. About a dozen assistants from the attorney general's office will aid them.

Pre-trial examinations will be kept to a minimum, Government attorneys indicated, and may be abandoned altogether in an effort to speed the trial.

United Artists has already been examined, but the examination has not been formally closed. Exception was made in the case of U.A. because that company refused to respond to a questionnaire.

It was also indicated that the hearing on the motion will be concluded by this morning may be adjourned for a short period, but no definite decision had been made up to a late hour yesterday.

500 Fete Eckhardt; Film Chiefs Speak

CHICAGO, July 24.—The largest crowd in Chicago's cinema history, approximately 500 persons, turned out tonight to pay tribute to Clyde W. Eckhardt on his silver jubilee testimonial dinner in the Congress Casino.

Following the dinner, special entertainment included a novel issue of Fox Movietone News. Speeches by many of the leading executives in the film industry were heard.

Felix Mendelssohn was toastmaster and introduced Herman Wober, William Gehring, Lew Lehr, Jack Kirsch, John Balaban, Turett, Tally, Jack

(Continued on page 2)

AFA Gets IATSE Support; AFL Chief Non-Committal

Possibility that the I.A.T.S.E. may once more challenge the jurisdiction of Associated Actors and Artistas of America for performers looms as an aftermath of the suspension by the 4-A of the American Federation of Actors.

Late in July, the I.A. became involved in a similar dispute with Screen Actors Guild but no decisive action resulted.

Ralph Whitehead, A.F.A. executive secretary, on Saturday formally placed the application of his organization for affiliation with the I.A. after a surprise conference with George Brown, I.A. president. It is understood that Brown reaffirmed the I.A.'s claim to jurisdiction over actors and responded favorably to Whitehead's suggestion for affiliation.

On Sunday, William Green, A.F. of L. president, met with 4-A officials and stated that he recognized the right of international unions to suspend branches. However, he declined the suspension or on counter-charges made by A.F.A. against the 4-A. Green insisted that this issue was for the A.F. of L. council to decide when it meets in Atlantic City Aug. 7.

Refusal of Green to take a definite stand, however, was interpreted in union circles as pressuring a fight of no mean proportions at the council meeting. It is known that the A.F.A.

(Continued on page 2)

British Films Act Called Blameless For Trade's IIs

LONDON, July 24—England's new Films Act is exonerated of responsibility of the present condition of the British production industry in the Films Council's report of the first year's workings of the Act, published today.

The report stresses that steps are imperative to facilitate voluntary (non-quota) production and doubts current problems are solvable by legislation. Among the Films Council's activities of the past year are examined in the report, which speculates on the British industry's future, views the Quota Act and its influence. It points out that limits should be applied to legislation.

The report gives the opinion that lower production is due to operations of the Quota Act, but insists that intermittent production, studio inactivity and unemployment are problems pertaining to the industry itself.

"Free and easy" financing of the boom period is criticized and it is stated that the reduction of "voluntary" production resulted from the consequent losses and withdrawal of backing. The report emphasizes that the decline in voluntary production is the true source of the industry's difficulties, insisting that without a substantial volume of voluntary British films, the establishment and maintenance of a permanent industry here is impossible.

The Quota Act offers the protection necessary for secure establishment of production in the home market, but the present is an undetermined factor in launching such a move, according to the Films Council. The report sees

(Continued on page 2)

Forest Hills Protests Manager's Transfer

More than a thousand residents of Forest Hills, L. I., tennis center, have protested by petition to Skouras Theatres against transfer of their local manager, Major Adolpho Caruso, to another Skouras theatre. The village is indignant over the transfer as Caruso is particularly active in local civic matters and American Legion activities.

The local paper paid tribute to Caruso with a headline: "Forest Hills demands Caruso remain."

Goldwyn Favors Illinois Duals Bill

By WILLIAM CROUCH

CHICAGO, July 24.—Samuel Goldwyn, passing through here yesterday on route to New York and expressing his personal viewpoint, said he would urge Governor Horner's signature on the bill to limit film shows to two hours and 15 minutes.

Goldwyn, a pioneer crusader against double features, said he thought this was a good way to stop the practice.

Local film men believe that the Governor plans to let the bill become law without his signature. The Governor's action is expected this week.

Meanwhile, exhibitors in Milwaukee who asked the state Council for an ordinance limiting the length of programs to about two and a half hours. If enacted, the measure

(Continued on page 7)

Cole to Meet Cohen Today, Debate Code

MAY SETTLE DIFFERENCES OVER TRADE PACT

Differences between national Allied and New York Allied on the trade practice code will be discussed at a conference today between Col. H. A. Cole, president of national Allied, and Max A. Cohen, head of the state unit.

Despite national Allied's rejection of the code, Cohen recently announced that his organization intends to negotiate a code for exhibitors in New York State,

Col. Cole, who is visiting in New York, said yesterday that Allied's convention action on the code has been endorsed by the Allied managers within the New York I.T.O.A. and other exhibitor groups.

The national Allied head, who plans to leave the city tomorrow, said that his organization will present a passage of the Neely bill in the House in the January session. He expressed confidence that it will pass and thus, with Senate approval already given, will become law.

150 ATTENDING F.P. CANADIAN MEETING

NIAGARA FALLS, Ontario, July 24.—For the first time in the company's history, managers from coast to coast have gathered here for the annual meeting of the Famous Players Canadian Corp.

Labeled a "royal year sales convention," the parlory opened with Clarence Robson, Eastern division manager, welcoming the delegates at today's luncho

Registration show 150 managers and head office officials, as well as other representatives at the General Brock Hotel.

The history of the convention is

(Continued on page 5)
New Film Act Is Blameless, Says Council

(Continued from page 1)

promise for British films, but reserves judgment on the wider issues pending further operations of the Act.

The Council lectures the industry on the need for cooperation between its various sections and deplores the lack of a comprehensive producer organization. It reiterated that a solution to problems lies in the industry's own hands and not state help.

The Council, incidentally, records its unwillingness to vary the present quota rates, but will reconsider the renters' quota later. It reports that no sub-quota films were granted certificates under the special entertain- ment clause and reports that advice was given to the Board that Trade readjustment of the treble quota section to remove penalization. The report reserves judgment on apprentice- ship questions and shows a division of opinion on cooperative booking.

500 Fete Eckhardt; Film Chiefs Speak

(Continued from page 1)


Eckhardt responded in appreciation for the tribute paid him. The banquet was the most outstanding of its kind ever held here, veteran showmen said.

FLY TO THE GOLDEN GATE!

VIA GRAND CANYON BOULDER DAM!

Less than a Day—By TWA!

Double your fun — when you travel to the San Francisco Pan-Pacific, and see Grand Canyon and Boulder Dam. 2 scenic thrills you mustn’t miss! Only TWA offers you such a trip! Latest departure from New York — all full evening at home.

LOS ANGELES OR SAN FRANCISCO—Overnight via Skysleper! Board TWA’s “Sky Chief” at 4:10 p.m., arrive Los Angeles early next morning...in San Francisco at 11 a.m. Schedules Showen Standard Time.

PHONE TRAVEL AGENT or MG-U-1640

TRANSCONTINENTAL & WESTERN AIR, INC.

70 E. 42nd St. ... Air Desk, Penn. Station FARE $149.95 ONLY

10% Discount on Round Trips!

Purely Personal

H. M. RICHEY, RKO director of exhibitor relations, is due back tomorrow from a trip to Chicago, Cincinnati and Indianapolis.

BABBET KIESLING, M-G-M rep- resentative, was guest of honor at a luncheon in Cleveland late last week. District Manager John J. Maloney, Branch Manager Frank D. Drew, and local exhibitors were present.

ABRAM FOX, head of the accounting department at Republic's New York branch, left over the weekend for a ten-day vacation. ANNA PLISCO, Rep- public booker, is also vacationing.

ARTHUR LEVY, Columbia manager in Pittsburgh, won low gross prize at the annual Variety Club tournament there. MRS. LAWRENCE KATZ and LEVY were co-chairmen.

FRED STORM, former studio publicity representative for Samuel Goldwyn, will leave New York for the Coast this week to begin his new assignment.

TEX FLETCHER is making personal appearances in New England in connection with Grand National’s “Six-Our Rhythm.”

ROBERT M. WEITMAN, managing director of the Paramount, is vacation- ing at Fenwick, N. Y. He is due back Friday.

HARRY UNTERBOOM of Keith’s Thea- tre, Syracuse, was a visitor at a- Mike Vogel’s Round Table offices yesterday.

FRED MEYERS, director of advertising and publicity for the Cleveland Public Library, is touring Hollywood studios.

PHILIP S. SLASU and MRS. SLASU of the Fishman circuit, New Haven, are visiting at Racquette Lake, N. Y.

WILLIAM KATZ, Brooklyn booker for Columbia, is vacationing in his own at Swan Lake, New York.

RAYMOND WILLIE, formerly of San Antonio and now with Interstate in Dallas, is visiting San Antonio.

BRUCE CAROT, who is at the Wald- orst-Astoria, will sail for England soon to work in a picture.

EDWARD L. HYMAN has resigned his managerial post at Prudential & Playhouses Operating Co.

G. ROYMOND BALDWIN of Con- necticut will spend part of his vaca- tion in Hollywood.

MAURICE GLEEVES, manager of the Uptown, San Antonio, will visit three weeks in Dallas.

LIO SPITZ arrived yesterday from Chicago.

W. WARD MARSH, Cleveland Plain Dealer film editor, and his family are in Hollywood.

ABE FISCHMAN of the Fishman cir- cuit, New Haven, is vacationing at Cape Cod.

GLADYS SWARTHOUT is singing at the Zoo Summer Opera in Cincinnati this week.

NEW YORK—E. D. KUYKENDALL, M.P.T.O.A. president, leaves New York to- day for his Columbus, Miss., home.

HERMAN RIFF, New Jersey sales- man for M-G-M, was tendered a testim- onial dinner in Albany last night by a committee at the M-G-M Albany branch where he was until recently stationed.

NORMAN ABERNARD, buyer and booker for the Brecher circuit, and his wife, HILDA BLOOM, secretary to LEO BRECHER, have left for a two- week cruise to Bermuda.

MAX MILLER, general manager of Warner Brothers, leaves Hollywood for New York Thursday and sails Aug. 9 on the Queen Mary.

RUSSELL HOLMAN, MAX A. COHEN, E. K. O’Shea, DAVID WEINSTEIN, SAM HARRIS at Nick’s Hunting Room in the Astor for luncheon yesterday.

LOU DIAMOND, head of Paramount’s show business department, returned yesterday from a six-week visit to Hollywood.

MATTY FOX of Universal entombed on the Coast for the East last night for conferences with J. CHEEVER COWDEN.

LOUIS L. LIFTON, director of advertis- ing and publicity for Monogram, returned yesterday after a two-week vacation.

Lobby’s Doom

vaudeville Stars See Palace Farewell

The gilt lobby of the Palace is gone. Wreckers started demolition yesterday under the supervision of the present owner, the lobby. Old vaudevilleians gathered in the lounge to exchange reminiscences as the comedians flitted about testing their lines for the week-end. The house, which will celebrate its 26th birthday September 1, was the first theatre on the vaudeville cir- cuit in its day.

The performers appeared before the WMCA microphone from 4 to 4:30 P. M. with Martin Starr as master of ceremonies. J. L. O’CONNOR, presi- dent in charge of theatres for RKO; C. B. MCDONALD, division manager, and Harry Mandel, director of the-atre publicity, were in charge of fes- tivities, together with John Cassidy, Fred Myers, Max Fellerman, Peggy Folde, Ed Sniderman, Bucky Harris, Blanche Livingston, Hal Seroy and Bill Kernen.


SEC Reports Loach Stock in Monogram

WASHINGTON, July 24—Thomas P. Loach held 400 shares of Monogram common stock and options for 6,173 shares of common when he became a director of the company on June 27. That fact was reported tonight by the Securities and Exchange Commission.

The summary monthly report of the S. E. C. carried no reports of transac- tions of film company officers or di- rectors in the securities of their cor- porations. M. J. BUTCHER, Washington, CBS vice-presi- dent, disposed of 200 shares of Com- pany, owning Class A stock in May, wiping out his stock interest in the organization.

RKO Reorganizes Board Tomorrow

Meeting of the old RKO board of directors to elect and organize what Paul Whiteman reorganized company board will be held tomorrow in the event all remaining members of the old board do not attend.

Original intention was to hold the meeting last Friday but Leo Spitz, one of the members of the old board, was called away for the week-end.

MOTION PICTURE DAILY

Published daily except Saturday, Sunday and holidays by Quigley Publishing Company, Inc., Rockefeller Center, New York City.

Telephone Circle 3-1000. Cable address: “Quigpubco, New York,” Martin Quigley, Editor-in-Chief and Publisher; Colvin Brown, Vice-President; Frank H. Quigley, Treasurer; M. J. BUTCHER, Advertising Manager; WALTER R. HOENDAM, Advertising Manager; Chicago Bureau; E. S. McGUIRE, Advertising Manager; New York Office: Mr. H. C. WEAVER, editor; London Bureau, 410, Golden Square, London W1, Hope Williams, mast.; New York City: Mr. J. J. PETERSON, mast.; William W. COOK, mast.; C. A. CRANGLE, mast.; Mr. J. E. COWDEN, mast.; Marcella Perino, mast.; all contents copyrighted 1939 by Quigley Publishing Company, Inc., except other Quigley Publications; Motion Picture Herald, Better Theatres, Teatro Al Dia, International Motion Picture Almanac and Fashion, as second class matter Aug. 23, 1930, at the post office at New York, N. Y., under the Act of March 3, 1927. Published weekly at price per year $6 in the Americas and $12 foreign. Single copies 35c.
HERE'S NO TWO WAYS ABOUT IT.

NOTHING COMPARES TO THE NATIONAL SCREEN TRAILER AS A SEAT-SELLER... AS A PROFITMAKER... AS A BUSINESS BUILDER... AS RAPID-FIRE, QUICK-ACTION, FORCEFUL, DRAMATIC THEATRE ADVERTISING.

IT REACHES MORE PEOPLE, COMBINES THE SALES APPEAL OF THE HUMAN VOICE, PLUS THE PRINTED WORD AND COSTS LESS THAN ANY OTHER ADVERTISING YOU CAN BUY. SUCCESSFUL SHOWMEN USE NATIONAL SCREEN TRAILERS... THEY ARE EFFECTIVE AND CHEAP!

NATIONAL SCREEN SERVICE
PRIZE BABY OF THE INDUSTRY
CLEVELAND, July 24.—“Maisie” took the lead here last week, it went twenty per cent over par at Loew’s State to a $12,000 gross.

“The Saint in London” at the Allen, only other new picture on the entertainment menu did well with $4,400.

“Man About Town” at Loew’s Stillman, performer from the previous week at Loew’s State, finished with par at $5,000.

“Daughters Courageous” in its second week at Warners’ Hippodrome came through with $8,000. The RKO Palace played a split week with “Naughty But Nice” for four days and “Hell’s Kitchen” for three days to a total take of $6,000.

Weather was clear and cool. For competition there was a weekly pop symphony concert, Cain Park Little Theatre and the usual outdoor park entertainments.

Total first run business was $35,400. Average was $3,600.

Estimated takings for the week ending Saturday:

“The Saint in London” (RKO) ALLEN—(3,000) (36c-3c-4c) 7 days. Gross: $8,000. (Average, $1,143.)

“Daughters Courageous” (W. B.) WARNERS’ HIPPODROME—(3,000) (36c-3c-4c) 7 days, 2nd week. Gross: $8,000. (Average, $1,143.)

“Naughty But Nice” (W. B.) 4 days.

“Hell’s Kitchen” (W. B.) 3 days.

“Man About Town” (Para.) LOEW’S STATE—(500) (36c-3c-4c) 7 days, Gross: $5,000. (Average, $714.)

“Minnie” (M-G-M) STILLMAN—(3,000) (36c-3c-4c) 7 days, 2nd week. Gross: $5,000. (Average, $714.)

N. J. Allied to Hold
Conclave Sept. 6-8

Allied Theatre Owners of New Jersey will hold its 20th annual convention and meeting at the Kitz-Carlton Hotel, Atlantic City, Sept. 6 to 8. This is the week of the Beauty Pageant.

E. Thornton Kelly, executive secretary of New York Allied, has been appointed convention chairman by the New Jersey unit. He will, among other things, have charge of the convention year Book. Kelly formerly was with the New Jersey unit and has handled its conventions.

Lee Newbury of Belmar is chairman of the convention committee. Other members are Irving Doffinger, Linden, and Maurice Miller, Passaic.

New Jersey Allied will hold its next meeting Aug. 2 at Asbury Park.

‘Ski Chase’ for World

Humphrey Bogart’s famous skier, now in this country after his release from a Nazi concentration camp, is featured in “Ski Chase,” produced by Allied. Films in Paris, will be released in this country shortly by World Pictures.

FP Post to M’Cusland

HOLLYWOOD, July 24.—Harry Ed- ington has named Alfred A. M’Cus- land as vice-president and member of the board of directors of Famous Pro- ductions to release through Universal.

‘Maisie’ Yields
Good $12,000
For Cleveland

Hollywood Previews

“Frontier Marshal” (Twentieth Century-Fox)

HOLLYWOOD, July 24.—Did your customers go for “Stagecoach”? Did they lay it on the line for “Dodge City”? If they did, the thing for you to do about “Frontier Marshal” is to remind them of this circumstance and go on from there. This is the story of Tombstone, Arizona (obvi- ously, it couldn’t be titled ‘Tombstone’ without scaring the clients away) and it’s all of shooting, killing, roistering and romance as any recent film in its topical channel, fuller of legitimate story than most. Don’t let the studio’s lack of exploitation excitement about it deceive you—it’s possible the studio didn’t know what it had. The preview audience didn’t.

Randolph Scott comes into his own as the shootin’ sheriff who brings law to Tombstone by killing off the lawless residents. Cesar Romero hits a new wave length as the West’s ace killer who strings along with the sheriff in the pinches. Eddie Foy, Jr., does a neat job with the single comedy part, impersonating the late Eddie Foy, Sr. Bonnie Barnes finally gets a chance to swing her stuff, as the blonde lady of the bar, and Nancy Kelly lives up to some of that premiere publicity in the gentler feminine assignment.

The film is from executive producer Sol M. Wurtzel’s desk and a tribute to his showmanship. Director Allan Dwan gave it full benefit of his scarcity, permitting nothing trivial to stop the rolling progress of his story, and Sam Hellman’s screen play is as headlong as a stagecoach headed downhill. If the Tombstone, Ariz., of 1878 wasn’t like the one pictured, it wasn’t the place it could have been, and if it was, few of its then residents survive to give witness. Nobody but the sheriff and his gun are driving things there still at the facade, and they hadn’t quite got together yet, which is an approximately perfect way to end a sure-nough western sockeroo.

Running time, 70 minutes. “G.”

Roscope Williams

“In Old Monterey” (Republic)

HOLLYWOOD, July 24.—Action and excitement, fight and music, romance, suspense and surprise are the constituents of this Gene Autry picture. Although in “In Old Monterey” Gene is seen as an army ser- geant and he temporarily forsores his horse for a fighting tank while bombing planes take up the chase, the story material used is of that type which elevated the Republic hero to eminence in the ranks of western stars. Shown as an announced “snack” at the Criterion Theater, Santa Monica, where never before has an Autry show adored the screen, the diverse entertainment merit of “In Old Monterey” pleasantly surprised the audience.

While Autry, the Hooiser Hotshots and the radio hillbilly team, Sarie and Sally, supply the melody to songs with Autry, Smiley Burnett, George Hayes and Jonathan Hale at the bottom of the melodrama and Autry, of course, sharing the romance with June Storey, the show is full of those audience pleasing elements that mean money at the box office.

The Army needs additional land for bomb-testing exercises, but the cattlemen and ranchers, headed by Hayes, want to retain their holdings. The Army is accused of bombing outages that destroy settlers’ property and Autry, aided by Burnett, discovers that the depredations are perpetrated by mine owner Hale. Thereupon, it doesn’t take Autry long to convince the Hayes forces just who their friends are, after which Gene, in the tank, heads the path that rots the Hale contingent.

Running time, 65 minutes. “G.”

G. McC.

“Fiddle” Plays
$34,600 Tune
For Chicago

CHICAGO, July 24.—“Second Fiddle” brought sweet box-office music into the Loop last week and the Chi- cago, where the picture played, grossed slightly over $19,000. In the Motor the popular “Swing Mikado” show on the stage, and “Rose of Washington Square” did great business to garner $18,000.

Estimated takings for the week ending July 19-22:

“Chicago” (M-G-M)

APOLLO—(1,400) (35c-3c-75c) 7 days, Gross: $8,450. (Average, $1,207.)

“Second Fiddle” (20th-Fox)

GARRICK—(650) (35c-4c-65c) 7 days, Gross: $7,300. (Average, $1,043.)

“Rose of Washington Square” (20th-Fox)

CAPITOL—(1,900) (35c-75c) 7 days, Stage: Vaudeville Reeve. Gross: $4,000. (Average, $571.)

“Stolen Life” (Para.)

ROSE—(2,450) (35c-75c) 7 days, Gross: $6,400. (Average, $1,178.)

“Man About Town” (Para.)

STATE-LAKE—(2,700) (35c-4c-65c) 7 days, Stage: Vaudeville Reeve. Gross: $13,060. (Average, $1,866.)

“About Town,” $13,800,
Tops in Pittsburgh

PITTSBURGH, July 24.—Cool weather and the Lions convention helped Tri- angle first-run theatres to their best grosses in two months. Leading the field was “Man About Town” with $13,800 for Loew’s Penn, followed by “Swing Mikado,” Time at Stanley with $13,000. Almost as good was $6,950 for second week of “Daughters Cour- ageous” at Warner, and Alvin totalled $5,100 on a split week.

Estimated takings for the week ending July 20:

“Stage Door” (Udele)

Core-Bettina Fight Pictures

ALVIN—(900) (35c-3c-9c), 4 days, Gross: $4,300. (Average, $1,075.)

“Charlie Chan in Reno” (20th-Fox)

ALVIN—(1,900) (35c-3c-9c), 3 days, Gross: $4,500. (Average, $1,500.)

“Man About Town” (Para.)

STATE-LAKE—(2,700) (35c-3c-9c), 7 days, Gross: $13,000. (Average with stage show $1,500.)

“Daughters Courageous” (W. B.)

RITZ—(2,000) (35c-3c-9c), 7 days, 2nd week, Gross: $6,900. (Average, $985.)

AFL Studio Ranks
Split in CIO Battle

LOS ANGELES, July 24.—As United Studio Technicians Guilds continued their membership drive following the initial membership meeting Sunday of the Anti-Asiac measure, the Senate Judiciary Committee has recommended passage of the Peters anti-Asiac measure.

C. F. Maertz, president of the T. P. Local of Chicago, has recommended that Trampe, Milwaukee exhibitor, appear before the committee in favor of the measure.

The measure would make it unlawful for two or more persons holding or claiming separate copyrighted works to band together or pool their interests for the purpose of fixing prices on the use of copyrighted mu- sical numbers.

Set CEA 1940 Meet

London, July 24.—The 1940 con- ference of the Cinematograph Exhibitors Association will be held in London under a film split today that when Herbert Sorrell, business representa- tive of Moving Picture Painters Local 644, declared himself out of the deal. The meeting is on the recommendation of A. F. of L. representatives called by J. W. Buzzell, Central Labor Coun- cil secretary, following an argument oversplit of picture price in his addressing the USTG meeting yesterday in which he purportedly said he would side with USTG and other film and group until “democratic unionism is re- stored to all Hollywood locals.”
**Philadelphia, July 24.—** "Good Girls Go to Paris," plus a good variety show headed by Bert Lahr and Hilde- gale, took the 8 p.m. figure of the town, taking $19,000 at the Fox.

Holding up well with $12,500 for its third week, "Goodbye, Mr. Chips" earned a minimal deposit is discovered nearby and then as the forces of greed, cowardice and jealousy come into conflict with honesty, bravery and comradeship, death strikes quickly and mysteriously until the ranks of the posse are completely decimated and only Barrat, now almost a madman, is left alive to be saved by a rescue party.

Told in grim and forceful style with no concessions made to anything that might be light or pleasant, the piece is vividly acted by Barrat, Addison Richards, Noah Beery, Jr., Douglas Walton, Wyo McDonal, Glenn Williams, Paul Hurst, Andy Clyde, Frank Ford and Robert Coote.

It is easy to see that story writer Clarence Upson Young and director Lew Landers had the gripping appeal of "Lost Patrol" in mind when they prepared the story and made the picture.

Running time, 65 minutes. "G."  

G. McC.

---

**The Spellembler**

(RKO Radio)

Hollywood, July 24.—"It's not easy to make a lot of implausible things seem possible, and even logical, but the way the job is done in The Spellembler" by Lee Tracy, Barbara Renf, Patric Knowles, Morn- con Conway, Linda Hayes, Amin Lay and others makes the show a believable piece of entertainment fiction. Some fact and quite a bit of wishful thinking are the substance of Joseph Anthony's original story which Thomas Lennon and Joseph A. Fields adapted with a good deal of imagination stretching, but which Jack Hively, who had the benefit of Chin, subplot the story, judiciously, a lawyer is to have himself from execution.

Sophisticated audiences may view "The Spellembler" as an attraction they can get along with or without; yet there's sufficient melodrama, comedy, suspense and human interest in it to hold attention of rank and file patronage.

Running time, 65 minutes. "G."  

G. Mcc.

---

**Wash. , Grosses Off; 'Chips' Best Again**

WASHINGTON, July 24.—"Goodbye, Mr. Chips," a holdover at Loew's Bal- lace, scored for the second con-secutive week, taking $13,500. "The Kid from Kokomo," with $8,000 at the Warners' Met, was the other attraction which better par in an unusually brulat week.

Estimated takings for the week end- ing July 20:

"They All Came Out" (M-G-M) LOEW'S CAPITOL—(1,450) (32c-66c), 7 days. Gross: $12,500. (Average, $1,785.00).

"Terrace Flower" (M-G-M) LOEW'S COLUMBIA—(1,240) (26c-96c), 7 days. 2nd run. Gross: $5,400. (Average, $771.43).

"Good-bye, Mr. Chips" (M-G-M) MCMURRAY'S PALACE—(1,591) (5c-5c), 7 days. 2nd week. Gross: $5,150. (Average, $735.71).

"Clouds Over Europe" (Col.) RKO-KENTUCKY—(1,800) (26c-66c), 7 days. Gross: $5,500. (Average, $785.71).

"Daredevil" (W. B.) WARNERS' METROPOLITAN—(1,391) (2c-4c-6c), 7 days. Gross: $6,000. (Average, $857.14).

"The Kid from Kokomo" (W. B.) WARNERS' METROPOLITAN—(1,391) (2c-4c-6c), 7 days. Gross: $6,000. (Average, $857.14).

**'Chips' Leads Field Again in New Haven**

NEW HAVEN, July 24.—Second week of "Good-bye Mr. Chips" and "Parents on Trial" at the Collige made the best showing at the downtown, taking $4,700 over the usual by $1,300. The house is the only one of the downtowns with no air-conditioning. Thenzhen and farmers continue to complain about lack of rain.

Total first run business was $19,300. Average is $1,930.

Estimated takings for the week end- ing July 21:

"Good-bye, Mr. Chips" (M-G-M) PEACHTREE THEATRE—(2,000) (34c-5c-6c), 7 days. Gross: $6,000. (Average, $857.14).

"Second Fiddle" (20th-Fox) MIANOS MOTEL—(1,900) (3c-4c-6c), 7 days. Gross: $4,600. (Average, $657.14).

"Motel Takes a Vacation" (20th-Fox) LOEW'S COLLEGE—(1,850) (2c-6c-8c), 7 days. Gross: $7,000. (Average, $1,000).

"The Man Who Dared" (W. B.) HILTON'S THEATRE—(1,125) (2c-6c-8c), 7 days. Gross: $5,100. (Average, $731.43).

"Tom and Jerry" (M-G-M) EARLE THEATRE—(1,600) (3c-6c-8c), 7 days. Gross: $7,000. (Average, $1,000).

"Butcher with a Knife" (Para.) WARNERS' METROPOLITAN—(1,391) (2c-4c-6c), 7 days. Gross: $6,000. (Average, $857.14).

**Shouras Theatres Set Product Deals**

National Theatres' product deals for 1939-40 have been set with Col- umbia, M-G-M and United Artists. This being worked out with the companies and are being discussed at the division managers' meeting being held here bySpyros Shouras, circuit chief.

David Ideal, operator of the Fox Defender, was here yesterday to talk with the sessions. The six division chiefs, film buyers, bookers and others of the home office are sitting in.

"U" Closes Schine Deal

Cleveland, July 24.—Dave Miller, Universal district manager, has closed a three-year deal with George Lynch, booker for the Schine circuit, involving 150 theatres. Miller also concluded a deal involving 20Comford houses in New York State.

Completion of Code Anticipated Today

Additional strenuous hours were devoted yesterday to prepare the revised industry trade practice code for imme- diate submission to exhibitors.

The meeting scheduled yesterday between Ed Kuykendall, M.P.T.O.A. president, and William F. Rodgers, chairman of the distributors' code nego- tiating committee, did not take place yesterday due to the inability to fin- ish the code.

It is expected that the code will be ready for presentation to Kuykendall today.

**Safier Appointment**

Hollywood, July 24.—Morris Saf- ner, Grand national western division sales manager, today announced the appointment of Edward Safner as Den- ver branch manager, succeeding Glenn Gregory, resigned.

---

**Motion Picture Daily**

Tuesday, July 25, 1939

**Phila. Grosses AtGoodLevel; 'Girls,' $19,000**

**Phillips Grosses AtGoodLevel; 'Girls,' $19,000**

**Hollywood Previews**

"Badlands" (RKO Radio)

Hollywood, July 24.—"Badlands" is a men-without-women picture. If one can remember back as far as "Lost Patrol," he may easily form a complete idea of the picture's entertainment character and its exploitation possibilities. The major locale is a slough in the Arizona desert and the time coincides with that when the West was wild, rough and tough.

While trailing a murderer, a posse rounded up by Sheriff Robert Barrat which is continually harassed by marauding Apaches takes refuge at the way. A valuable mineral deposit is discovered nearby and then as the forces of greed, cowardice and jealousy come into conflict with honesty, bravery and comradeship, death strikes quickly and mysteriously until the ranks of the posse are completely decimated and only Barrat, now almost a madman, is left alive to be saved by a rescue party.

Told in grim and forceful style with no concessions made to anything that might be light or pleasant, the piece is vividly acted by Barrat, Addison Richards, Noah Beery, Jr., Douglas Walton, Wyo McDonal, Glenn Williams, Paul Hurst, Andy Clyde, Frank Ford and Robert Coote.

It is easy to see that story writer Clarence Upson Young and director Lew Landers had the gripping appeal of "Lost Patrol" in mind when they prepared the story and made the picture.

Running time, 65 minutes. "G."  

G. McC.

---

150 Attending FP Canadian Meeting

(Continued from page 1)

Thursday when a special luncheon, an afternoon of sports and the eve- ning banquet with prominent industry executives as speakers are scheduled.

Speaker being worked out with the companies and are being discussed at the division managers' meeting being held here by Spyros Shouras, circuit chief.

David Ideal, operator of the Fox Defender, was here yesterday to talk with the sessions. The six division chiefs, film buyers, bookers and others of the home office are sitting in.

"U" Closes Schine Deal

Cleveland, July 24.—Dave Miller, Universal district manager, has closed a three-year deal with George Lynch, booker for the Schine circuit, involving 150 theatres. Miller also concluded a deal involving 20 Comford houses in New York State.
Theatre, Personnel Notes

New House for Victoria, Texas

Victoria, Tex., July 24.—The Long-Griffith theatre interests, owners of the Rita and Queen here, will construct a new theatre with a seating capacity of approximately $100,000. It will have a seating capacity of 1,200.

Sells Theatres: To Retire

Denver, July 24.—John Anderson of Fort Morgan, Colo., is making another effort to retire from the theatre business. This time he has sold his Cover and U. S. A. theatres in Fort Morgan to J. C. Parker, who also operates in Texas. A few years ago Anderson sold to Edwin Black and retired to California, but the theatre lure was too strong and he soon bought the houses back.

Ross Service Enlarges Office

Chicago, July 24.—Ross Federal Service, due to increased business in their credit research department, has enlarged their offices in the Buckingham building, Walter I. Brown, local manager, announces.

Manages Remodeled Geneva

Geneva, Ill., July 24.—Truman "Pud" Pedrucci, manager of the Geneva Theatre which has just been remodeled. The Geneva was formerly known as the Fargo theatre.

Hughes Buys Illinois House

Lewistown, Ill., July 24.—M. W. Hughes, has purchased the Colonial theatre from Earl Weber. Plans for a second theatre here have been abandoned. Mr. Hughes will take possession of the theatre September 1.

New Sheffield, Ill., Manager

Sheffield, Ill., July 24.—Chas. Beninato replaces Randolph Pedracci as manager of the Roxy theatre here. Pedracci joins the Frisina circuit in Springfield.

Giroux in New Castle Post

New Castle, Ind., July 24.—Fred A. Giroux of Bloomingburg has been named manager of the Royal theatre which has been thoroughly remodeled. Giroux was formerly a theatre manager in Gary at the Gary theatre.

Theatre to Get Air Conditioning

San Benito, Tex., July 24.—The Rivoli, of which E. F. Brady is manager, is being air-conditioned at a cost of approximately $10,000.

Remodels Decolah, Ia.

Decolah, Ia., July 24.—H. A. Engbertson, who recently bought the Lyric theatre has remodeled it with a new metal front, new neon lights, and new lights in the interior.

Lewisburg Opening Aug. 28

Lewisburg, W. Va., July 24.—The Lewisburg theatre, which is operated by the Kanawha Theatre Co., Inc., will be opened August 28. Seating capacity 650. F. L. Helwig is resident manager.

Fire Destroys Theatre

Guntersville, Ala., July 24.—Fire destroyed the Wade theatre here last week. A short circuit in the projection room was given as the cause of the blaze. Plans for a theatre to replace the Wade have not been announced.

Gets Air Conditioning

Angola, Ind., July 24.—An air conditioning system has been installed in the theatre here which makes this house one of the most modern in this vicinity.

New Theatre in Illinois

Blanchardville, Ill., July 24.—J. J. Warren has purchased the Haldin-Jogwell building and will remodel and operate a theatre. Detailed plans for the theatre will be announced soon.

Buys Controlling Interest

Virginia, Ill., July 24.—Joe Reilly has purchased the controlling interest in the Virginia theatre, is president of the Blanchardville theatres from F. M. Mertz and will take over the executive management of these theatres. Mr. Reilly is a sound equipment expert and plans to install new sound equipment in some of these theatres.

Final Touches on Theatre

Louisville, Ill., July 24.—Final preparations are being made for the Palace Theatre which will open soon. The seats and projection equipment have been installed and the all-glass front is now being completed.

Remodeled, Gets New Name

Muncie, Ind., July 24.—Fire has been started on the new theatre to be operated by Leonard S. Sowar, will be started soon, according to Mrs. A. L. Kistel, who operates the Hi-Way theatre. The theatre, which has been thoroughly remodeled, will be operated by the Swinmore-Marcus Amusement Co. Charles Low will manage the theatre.

Theatre Near College

Muncie, Ind., July 24.—Work on the new theatre to be operated by Leonard S. Sowar, will be started soon, according to Mrs. A. L. Kistel, who operates the Hi-Way theatre. The theatre, which has been thoroughly remodeled, was opened by the Swinmore-Marcus Amusement Co. Charles Low will manage the theatre.

First Groton, Conn., Theatre

Groton, Conn., July 24.—John C. Hess and Mrs. Hess, operators of the theatre, have broken ground for a 500-seat house at Groton, which has had no theatre heretofore.
Hollywood Brevities

By WILLIAM CROUCH

CHICAGO, July 24.—Latest development in the furor over the legality of the NBC radio show "Dr. I. Q.", a quiz program in which the winners get cash prizes, is the filing of an injunction to restrain the city from stopping the program from being broadcast from the Chicago theatre.

The injunction was filed in Circuit Court of Cook County by the Grant Advertising Agency, which handles the advertising of Mars, Inc., sponsors of the program. Judge Rush granted the injunction.

Chicago's Corporation Counsel Barnet Hodes informed B. & K. last week that his office thought the program was a game of chance. The chance element entered in by the selection of the contestants was pointed out by the announcer. If the person selected to answer the question asked, did so correctly he was given a cash prize of amount which varied.

Trial date for the case has not been set. B. & K. officials anxious not to have anything to do with a program that was questionable as to legality, had planned to drop the program this week. All advertising was pulled early last week. It was the managers of the Fifty-five thousand attended the games and thousands were turned away. A studio survey indicated that the listening audience was the largest reported this year. The excellent weather and the Western Open Championship of the Midwest at Memorial Club also had effect on theatre business.

With the United Artists theatre opening its doors last week after being dark for two months speculation has centered on the opening date of the Palace theatre is now ripe. RKO officials are here and exchange officials as well say that no opening date has been set. It is understood that a new receipt list of the Elite interests which own the Palace building will have to be made before the theatre opens.

New Libson Theatre To Rise in Cincinnati

CINCINNATI, July 24.—The former Times-Star building, in a prominent downtown location, abandoned a few years ago when the daily moved into its new quarters, will be razed and the site converted into a 700-seat "inema" theatre in addition to store rooms. The theatre will be operated under a long-term lease by Gifts, Inc., of which Ike Libson is president. His brother, the Libson, is vice-president, and Ben L. Heldingsfield, attorney, secretary-treasurer.

Film Leaders Silent Upon Spanish Rules

Heads of major company foreign departments declined to comment yesterday on the new film export regulations announced in Spain last week, asserting that they have received no official word from either the Spanish Government or their European representatives.

They said that they regarded these rules as the same as the regulations previously announced in the port of Valencia and financial proposals. They added, however, that any official announcement would be made only when they had had the opportunity to study the regulations by Spain or their own representatives.

Illinois Duals Bill Favored By Goldwyn

(Continued from page 5) would avoid the double features in Milwaukee County.

The Illinois bill aimed to stop dual features in this state which were designed to keep exhibitors and Parent Teacher groups asked that he enter the bill. Passage of the measure was urged here.

Al Steffes, interviewed at the Eckhardt dinner tonight, said that North Hollywood plans in charge of a state legislation entered in Minnesota. Bills will be similar to the one passed in Illinois.

In Minnesota, though, Steffes explained, bills will be presented in various cities for passage by city or county action through the legislature. This will assure immediate action, Steffes said.

Goldwyn Announces "Great Music Festival"

Plans for production of "The Great Music Festival" employing some of the world's best known composers will be discussed with the press yesterday by Samuel Goldwyn on his arrival in New York from the Coast.

"I intend to bring to Hollywood some of the great artists of Europe, particularly those who have no place now in which to express their talents," Goldwyn said after settling down for the remainder of the week in a top floor apartment of the Waldorf Towers, to which the press was admitted in relays for interviews.

Questions, however, were not permitted to go by Goldwyn's production plans. All inquiries concerning his views on future releasing arrangements were ignored.

The producer compared his large-scale musical production to the Salzburg Festival. It will represent American as well as European music and musicians, he said, and will utilize an orchestra of children chosen for their ability from all over the world. An awards ceremony will be held in order to direct the musical features and selection of artists and orchestra were under the guidance of Jack Taylor, with whom Goldwyn is negotiating. The musical features will be incorporated in a story for the production.

The producer added that work may not be started on the picture for another year. In the meantime, his studio is busy preparing for production of "Raffles" and a film based on the life of Hans Christian Andersen, he said.

Goldwyn resolutely refused to discuss his releasing plans for these pictures, asserting that the subject of his association with United Artists followed delivery of "The Real Glory," with Gary Cooper, is "in the courts right now and he insists on not discussing the subject before the final action is decided.

Goldwyn was accompanied here by his wife and son. He said the only thing he want on the trip was his interest in the opera, "The Shall Have Music" at the Rivoli tonight and his son's wish to see the World's Fair and a baseball game, when they can.

Queried Sunday while passing through Chicago, Goldwyn declined to say whether he would confer with President Roosevelt while in the East, as reported there.
New Network To Challenge CBC Control

TODAY, July 24.—A challenge to the increasing control of radio operation by the Dominion Broadcasting Corp. is seen in the incorporation under the Canadian Broadcasting Act of a new company by the name of the International Broadcasting System, the stated purpose of which is to construct, equip and operate private broadcasting stations in Canada and elsewhere, and to establish a network of private stations.

The named incorporators include Britton Osler and John Osler, prominent lawyers of Toronto, and the new company lists its headquarters as Toronto.

According to the regulations of the Canadian Broadcasting Act, which is back by the Dominion Government, application must be made to the CBC for approval of the project, which will be considered throughout the country. Officials of the CBC declare that no such application has been received and it is rumored that the International Broadcasting System will make a test of Government control of the air which will shortly become practically a monopoly from the standpoint of the Canadian network and a battle, both political and legal, may develop over the question of a permit to operate from the CBC. The Government could not decline to issue a company charter to the new enterprise but permission to broadcast is an entirely different point.

It is obvious that the CBC is freezing upon the expansion of the broadcasting activities in the Dominion and what is going to happen to them about to be announced the matter may become an issue.

Plan Government Series

New series under the auspices of the Office of Government Reports, which sponsored the recorded talks by the President and the members of the cabinet, will start over WHN tonight at 10 P.M. John M. Carmony, administrator of the newly created Federal Works Agency, will be the first speaker. The heads of various government agencies will participate in subsequent broadcasts.

Radio Incorporations

Houston, Texas, July 24.—Houston Broadcasting Corporation has been incorporated by representatives of the city's leading radio stations as a step toward building service to the public. The new company will be known as the Great American Broadcasting Corporation and it is expected that the first station will be known as the Great American Broadcasting Co.

New Husing Series Set

Tea Taylor, radio gossiper, is doing a Hollywood Tattersall program over WJJD. A washing machine company sponsors.

P.G.A. restrictions caused NBC to broadcast the Western Open Golf tournament from outside the confines of the Medinah Country Club grounds last weekend. CBS, which had been at the microphone had full use of the club's facilities for their broadcasts some of which were from a portable transmitter with Bob Cunningham in charge. Hal Burnett made the arrangements for CBS.

Foster Joins CBC

Toronto, July 24.—A move long awaited by sport followers of the Dominion has been made by CBC, in the appointment of Ted Foster, a pioneer sports announcer of Toronto, as a staff sports commentator of the CBC national network, starting with a "Weekly Sports Parade" every Friday night at 10 o'clock.

Radio Firms In Television Corporation

Radio Wire Television Corp., encompassing the former interests of WIRE Broadcasting Inc., Wholesale Radio, Inc., and various subsidiaries of these enterprises, has been formed by Mr. E. O. Ewing, formerly president of the Winchester Repeating Arms Corp., Erpi, and Paramount Pictures will hold limited representation as to company president.

Under the new corporate structure, the various retail outlets of Wholesale Radio will take the name of the parent company. Wire Broadcasting will operate together with its principal subsidiaries including Teleprogram Corp., Inc., Teleprogramming Co., Ltd., and Mutual Wire, Ltd., Inc.; Wire Broadcasting, Inc., and Television-Music Corp., will continue under their present titles.

In addition to these operating subsidiaries, the new company acquires all the interests in Canadian Broadcasting Corp., a manufacturing unit; Tele-Capital Corp., a financing unit; and Syndak Corp. Latter is understood to be a large group of patents relating to motion picture projection, sound and lighting. These units will also operate under separate corporate titles.

In addition to the patents acquired by the new company, the organization is licensed by ERP.

Latin America Gives Record for 'Juarez'

"Juarez" has set a record for playing time for Warner pictures in Latin America, the foreign department reported yesterday. More than 2,700 theaters have already shown the film, which is in the early weeks of its distribution there.

Adventures of Roy Rogers, at the present time, has exceeded 4,200 houses in Latin America during a comparative period.

New 'Sherlock' Series

"Sherlock Holmes," a new radio series which will star Basil Rathbone, has been signed for 26 weeks over NBC this fall for Grove Laboratories, former sponsor of Fred Waring, Edith Meiser will write the scripts, and Tom McNight will produce. The account was placed by the Stock-Gable agency.

Leo Jr. to Culver

At the World's Fair Saturday, Leo Jr., the young selection to act as audible trademark for M-G-M's future short subjects, was given his own show, "We're Leo Jr.," and sent out by airplane to the Culver City studios to start his film career.

Grainer Back Tonight

J. R. Grainer, president of Republic Pictures, left Saturday for conferences with the top executives at Atlanta and franchise holders at Dallas. He will return tonight.
R. Y. Circuits
Watch TMAT Case Hearing

Ruling Likely to Affect Hundreds of Theatres

First formal hearing before the N. Y. State Labor Relations Board on question of certification of Theatrical Managers, Agents and Treasurers Union as collective bargaining agency started yesterday before Trial Examiner John Levy with the Rugoff & Becker circuit as respondents.

The case is generally regarded as a test suit to determine whether T. M. A. T. is to be certified on the basis of individual corporations operating particular houses, or on the basis of a complete circuit.

Rugoff & Becker contend that the separate corporate entities constitute the proper basis as there are differing interests in many of the houses. The union, on the other hand, argues that managers and assistants received their orders from one source and that it should be certified on the basis of an election of all employees of the circuit.

Thirteen houses are involved in the hearing. They include the Avenue U, Rugby, Avenue D, Surf, Tuxedo, Granada, Olympia, Georgia, Roosevelt, Brooklyn; 8th Street Playhouse, Manhattan; Gen, Far Rockaway, Laurel and Lido (closed), Long Beach; and

(Continued on page 3)

‘Each Dawn’ Nears $50,000 Strand Toll

“Each Dawn I Die” is setting a fast pace at the Strand with a gross of over $39,000 indicated for the week, and a likelihood that it will set a new house record since inauguration of the main band policy. A three-week run is assured and there is a strong possibility that it may go on for four.

The Magnificent Fraud” grossed an estimated $4,000 at the Paramount and is held over for a second week. In its 10th week at the Astor, “Goodbye, Mr. China” drew an estimated $12,000.

‘Waterfront’ at the Globe grossed an estimated $5,900.

World premiere of “Stanley and Livingstone” has been set for Aug. 4 at the Roxy. “Frontier Marshal” will go there Friday after four weeks for “Second Fiddle.”

Winter Carnival’ starts at the Music Hall Friday. World premiere of “They Shall Have Music” took place at the Rivoli yesterday and its regular run starts there this morning.

New RKO Board Slated
To Elect Officers Today

Election of officers of Radio-Keith-Orpheum, parent company of RKO, is scheduled today by the new board of directors, providing authorization for such a meeting has been obtained from Federal Judge William B. Bondy.

A petition to hold such an election by the new directors was to have been presented yesterday to Judge Bondy.

Officers to be elected include George J. Schaefer, president; Richard C. Patterson, chairman of the board; Peter N. Rathvon, chairman of the executive committee, and Charles E. Richardson, treasurer.

Schaefer has been president of RKO Radio Pictures, the principal operating subsidiary, and other RKO subsidiaries, but becomes president of the parent company for the first time with today’s election.

Hearing on Trust
Trial Date Delayed

Government’s motion for a preference on the Federal court trial calendar for its anti-trust suit against the industry, which was scheduled for hearing yesterday before Judge John C. Knox, was postponed to Aug. 1.

Defense attorneys are scheduled to meet with Paul Williams, Assistant to the Attorney General, on Friday and again next Monday to explore the possibility of the two sides agreeing on a date for start of the trial.

The Government has mentioned Nov. 1 as a proposed trial date, but this is regarded in legal circles merely as an arbitrarily selected date at which the Government would begin bargaining for a mutually agreeable one.

Industry attorneys have mentioned a number of dates ranging from late next Spring to the Fall of 1940 which, contrasted with the Government’s suggestion, indicates the possibility of a compromise on a mid-Winter trial date.

Postponement of yesterday’s hearing before Judge Knox was attributed to the absence from the city of a number of company attorneys who are occupied with a preliminary legal skirmish in the so-called Gittone anti-trust suit in Federal court, Philadelphia, in which Warners Theatres and major distributors are defendants.

Studio Unions Win
Rulings by NLRB

WASHINGTON, July 25—National Labor Relations Board today issued four orders designating collective bargaining agencies in as many labor segments of the film industry.

The board certified the Society of Motion Picture Art Directors as the sole agency selected by a majority of chief art directors, unit art directors and follow-up men employed by Columbia, RKO, 20th Century-Fox, M-G-M and Paramount.

Elections will be held within 20 days among similar employees at Universal, Warners and United Artists to determine whether they also desire to be represented by the Society.

Publicity department employees at

(Continued on page 6)

Premiere of ‘Music’
Lures N. Y. Notables

Steven Goldwyn’s “They Shall Have Music (United Artists) had its world premiere at the Rivoli last night before a large and distinguished ‘first night’ audience.

Preview of the picture, which marks the screen debut of Jascha Heifetz, world-famous violinist, was for the benefit of the Greenwich House Music School and the High School of Music and Art. In the audience were 50 prize students of Federal Music

(Continued on page 10)

Code Ready
For Adoption
By August 9

More Changes Suggested
By Kuykendall

A completed trade practice code with definite information on the first arbitration board, which will be set up and the mode of putting the code provisions into effect will be placed in exhibitor hands by Aug. 9, William F. Rodgers, chairman of the distributors’ negotiating committee, told Ed Kuykendall, M. P. T. O. A. president, yesterday.

Rodgers disclosed that considerable work remains to be done on the code but that distributors hope to have it finished within two weeks. Work will be begun thereafter on the formation of local arbitration boards, all of which may be functioning by Sept. 1. All provisions of the code will be retroactive to cover new seasons’ contracts from their inception.

At his meeting with Rodgers yesterday, Kuykendall advanced suggestions for further code changes desired by M. P. T. O. A. At the conclusion of the meeting he stated that, while the final draft will not contain everything that M. P. T. O. A. is advocating, it will at least be “more acceptable” than the previous one.

Kuykendall stated that the arbitration section has been improved and

(Continued on page 9)

Philadelphia Trial
Hits at Monopolies

PHILADELPHIA, July 25—Injunction suit against Warners and major distributors brought by Eugene Mori, owner of the Landis theatre, Vineyard, N. J. and several officials of the community, started today in U. S. District Court before Judge William H. Kirkpatrick.

Harry Shapiro, attorney for Landis, hurled monopoly charges against defendants, alleging that Warner interests warned Mori against opening theatre in opposition to two chain houses in Vineyard.

The chief witnesses today were Frank McNamara, RKO exchange manager; A. J. Vanni, Warner zone manager, and Edgar Moss, Twentieth Century-Fox exchange manager.

Morris Wolf is representing Vitagraph and Warners while William A. Schneider.

Shapiro stated, “We want the court to restrain distributors from giving
Actors Equity In Executive Unit Changes

Walter Greaza was named executive assistant by Actors Equity council yesterday. The executive committee was reorganized to include Robert Keith, Hiram Sherman and Beverly Bayne. Robert T. Haines and Philip Loeb were dropped, while Greaza, Hugh Kenne, Bert Lyttle continue.

American Refugee Artists Guild was refused permission to engage in performances without individuals joining Equity. "Railroads on Parade," one of the concessions at the World's Fair, was permitted to pay its cast one-sixth of the pay for extra Sunday performances, instead of the usual time and one-half.

Another concession, Michael Todd, was told that he could reduce chorus minimums from $56 weekly for seven days to $30, if the cast agreed. Todd presented a petition from the cast requesting $40 minimums.

Dr. Dafoe Honored At RKO-Pathe Party

RKO-Pathe tendered a party at its offices here in honor of the premiere of the Dionne Quintuplet presentation, "Five Times Five," which will open at Music Hall tomorrow. Dr. Allan Roy Dafoe was the guest of honor at the affair.

Among guests were Gus S. Eysell and Fred Lynch of the Music Hall; Colvin Brown, vice-president and general manager of Quigley Publications; Jack Alcoate of Film Daily; F. Darius Benham, "Fire, Dust," First Folio of Bud Fox Enterprises, quintuplet licensee for bakery campaigns; Martin Starr of WMCA, John Johnstone of WOR, "Tex" O'Rourke, John Meshor of the New Yorker magazine, Tom Wenning of Newsweek, and representatives of various publications.

From the RKO home office were Harry Michaelson, short subjects manager; Leon Bamberger, sales promotion manager; Rutgers Nelsen, publicity manager and Michal Hoffay, foreign publicity manager. Receiving the guests for Frank Donovan, production manager, and Harry Smith, Clarence Ellis, Louise Rousseau and Mary Shannon.

Barney Balaban, Paramount vice-president, and Austin Keough, vice-president, leave for Niagara Falls tonight to attend the final day's events of the Famous Players Canadian convention.

Robert Wolfe, RKO's New York branch manager, was feted at a luncheon at Dinty Moore's yesterday in observance of his birthday. Those present included Leo J. McChesney, Moses, Irving Wormser, Nat Cohen, Harry Michelson, Cresson E. Smith, Joe Streisher, Clarence Ehrman, Joe Hornstein, J. Fabian and E. Schenitzer.

Al Mendelson and Peter Fessell, New Mexico and Long Island bookers, respectively, for 20th Century-Fox, return Monday from vacations. Rose Kaplan, also of the booking department, leaves Friday for a week's vacation.

John H. Rugge, president of Laboratory Technicians Union, Local 702, is returning at present to William Vermont, secretary-treasurer, returned yesterday from a vacation at Parkville, N. Y.

Walter Gould, Latin American division manager for United Artists, will leave Sunday for plane for Rio de Janeiro on a two-month tour of the company's exchanges in his territory.

Joseph Deitch of the A. H. Blank Circuit is in New York from Des Moines. Blank and Ralph Branyon, who have been here about 10 days, plan to leave this weekend.

Dar Austerlitz, Greenville, S. C., exhibitor, and his brother, D. B. Austerlitz of Concord, N. C., were visitors at the Paramount home office exhibitors' lounge yesterday.

Hugh Huber, secretary-treasurer of Hal Roach Studios, arrived in New York from the company's plant in Hollywood, which he visited for a 10-day business and vacation visit.

John Loder, actor, and his wife, Micheline Cheval, arrive today on the Champlain. Benoist-Leon Deutsch, Paris theatre director, also is aboard.

Leo Abrams, Universal short subjects sales manager, leaves today for New England sales tour, his first since taking over his new post.

Charles Styer, Eastern district manager for United Artists, left yesterday for a brief visit in Washington. He will return Friday.

Eddie Buzzell sailed yesterday on the Nieuw Amsterdam for a vacation after directing "Marx Bros. at the Circus."

Sally Eilers is playing the lead in "The College Widow" in the Mozak Drama Festival, directed by Charles Coburn.

Abe Schneider, Columbia exhibitor, arrived in New York yesterday following a brief visit on the coast.

E. V. Dinerman, RKO advertising chief at Cincinnati, is vacationing with Mrs. Dinerman in Canada.

Lou Phillips of the Paramount legal department has returned from vacation.

W. Ray Johnston, Monogram president, and George West, franchise holder, return Monday on the Normandie after a trip to London. Max Goldsmith is also aboard.

Herman Wobber, 20th Century-Fox general sales manager, returned yesterday from Chicago. Truman Talley, Movietone chief, arrives today. They attended the Clyde Eckhardt dinner.

Miriam Hopkins is here from Hollywood to attend the premiere of her picture, "The Old Maid," which opens on Broadway next month. She will remain in the East for a month.

Joseph Burstyn, associated with Arthur Mayer in foreign film importing and distributing activities, arrives in New York on the Champìnn today after eight weeks abroad.


George W. Weeks, Monogram general sales manager, returns Monday from a tour of branches in Dallas, Oklahoma City, Kansas and the West Coast.

Leo Abrams, short subjects sales head for Universal, left yesterday for a visit to the Boston and New Haven branches.

Kitty Flynn, head booker at Paramount's New York exchange, returns Monday from a vacation in Wisconsin.

W. C. Gehring, 20th Century-Fox central division manager, is in Chicago working on film deals.

John J. Freid of Minneapolis is in New York for conferences at the Paramount home office.

Frank Foley, Grand National distributor in Denver, has gone to Kansas City for Monogram.

Herma Silverman, New Jersey booker for RKO, is in Connecticut on vacation.

Harry Blake leaves for the coast today for a brief business visit.

Dick Foran has been signed to a four-picture contract by Warner Brothers.

Frank Rogers of the Sparks Circuit, Florida, is in town.

Jack level of the RKO publicity staff is vacationing.

Merchants Indorse Duals Bill in Illinois

Chicago, July 25—Action by Governor Horner is expected today on the bill prohibiting film shows to last longer than two hours and 15 minutes. Neighborhood and small town merchants have been besieging Horner with letters and telegrams, urging him to sign the bill, according to the governor's secretary, Arthur O'Brien. Long double feature shows, merchants contend, keep people out of stores with a consequent loss of trade.

Merchants In'dorse Duals Bill in Illinois

Chicago, July 25—Action by Governor Horner is expected today on the bill prohibiting film shows to last longer than two hours and 15 minutes. Neighborhood and small town merchants have been besieging Horner with letters and telegrams, urging him to sign the bill, according to the governor's secretary, Arthur O'Brien. Long double feature shows, merchants contend, keep people out of stores with a consequent loss of trade.

Motion Picture Daily

(Registered U. S. Patent Office)

Published daily except Saturday, Sunday and holidays by Quiquell Publishing Company, Inc., Rockefeller Center, New York City. Telephone: 500-500. Cable address "Quiglobal, New York." Milwaukee Office, 233 East Wisconsin Avenue. Walter J. Quigley, President; Charles J. Quigley, Vice-President; Richard J. Quigley, Secretary; George M. Quigley, Treasurer. All contents copyrighted 1939 by Quigley Publishing Company, Inc., Chicago, Illinois. All rights reserved. No part of this publication may be reproduced without the written consent of the publisher. Copyrighted material as indicated. Motion Picture Herald, Better Distribution, The Estro and International Motion Picture Almanac and Famed are registered trademarks of the Quigley Publishing Company, Inc.

PETER J. QUIGLEY, President.

3 Flights Daily

7 A.M. 5 P.M. 10 P.M.

Call your travel agent or Havemeyer 6-5000. Ticket Offices: 45 Vanderbilt Ave. and Rockefeller Center, W. 49th St.

FLY AMERICAN NEW YORK TO THE COAST

AMERICAN AIRLINES Inc.
Last Week!

This Week!

AGAIN
IT'S ALL M-G-M!
More box-office reports from Variety!
When a feller needs a friend—page M-G-M!

CHICAGO—"GOODBYE MR. CHIPS' continuing at great pace in the Apollo. 4th week. Excellent after getting solid gross last week."

SEATTLE—"MR. CHIPS' big. 3rd week. Last week great. 'HARDYS' big."

DETROIT—"ANDY HARDY GETS SPRING FEVER' UPS Michigan. Hardy series strong here."

Baltimore—"Holdover 'GOODBYE MR. CHIPS,' maintaining momentum heading for okay gross after biggest opening round in weeks."

INDIANAPOLIS —"'TARZAN' okay."

CLEVELAND —"Baseball, concerts cripple B. O.'s, but 'MAISIE' forte. Dandy ballyhoo. Collects smart prize money for week. Last week 'TARZAN' went well."

NEW YORK —"'CHIPS' a tablestakes special. 10th week same as previous week. 'ANDY HARDY GETS SPRING FEVER' started out good at Capitol Theatre."

WASHINGTON, D. C. —"MR. CHIPS' 2nd week sticking with strong gross. Last week same pic led town with great gross."

LINCOLN, NEB. —"DR. KILDARE'did very well."

PHILADELPHIA —"'CHIPS' bows out at the completion of three stanzas with a neat record for sustained strength. 'ON BORROWED TIME' at Karlton well above recent average of house."

LOUISVILLE —"'ON BORROWED TIME' rated tops by reviewers. Healthy gross. 'MR. CHIPS' rosy."

BOSTON —"'TARZAN' okay. 'MR. CHIPS' 2nd week dandy."

CINCINNATI —"Keith's is doing swell with 'ON BORROWED TIME'."

LOS ANGELES —"'ANDY HARDY' tonics L. A. 'ANDY HARDY GETS SPRING FEVER' is driving to big week, biggest take known here in past six months. 'CHIPS' 10th week. Looks like another okay gross."

SAN FRANCISCO —"'CHIPS' still going strongly. 4th week. Last week, very good."

PITTSBURGH —"'ON BORROWED TIME.' Raves without exception for this one. Sleek campaign. Plenty good gross and may result in h.o. Last week 'CHIPS' got good gross at Warner after two previous sessions at Penn. Last week 'MAISIE' all right."

 PROVIDENCE —"'ON BORROWED TIME,' at State, heads the list. Last week, 'CHIPS' strong."

KANSAS CITY —"'ON BORROWED TIME,' at 'HARDY FEVER' a natural winner and over the top for big gross."

DENVER —"'ANDY HARDY GETS SPRING FEVER' running strong. Last week 'CHIPS' (2nd week) did well above average."

MINNEAPOLIS —"'CHIPS' toast of the town in 2nd week. A four-week engagement is not at all unlikely. Raves by critics and customers."

Bookers! It's an M-G-M Summer! Turn the Page!
"Sorry Folks, You'll Have to Wait!"

Millions of dollars worth of entertainment for your hot-weather screen! That's M-G-M's policy again this summer! It's the policy that has endeared Leo the Lion to his exhibitor customers year after year. While "Andy Hardy Gets Spring Fever" is packing them in (Biggest Hardy Hit of All!) announce an M-G-M Summer Festival of Hits to your customers because there's only one outfit that's got a HIT WAVE to match the HEAT WAVE!

THE FRIENDLY COMPANY
Trade Notes From Mexico City

Skunk Odor!  Cincinnati, July 25.—'We've had no unfounded patrons' admissions in our various houses for many different reasons,' says a Theatre Manager, assuredly not to Maurice White, head of a number of circuits, 'but report from the Rand, at Great American, is too late. The manager's notation of a patron's complaint is: 'Man carrying skunk odor."

All Circuits Watch "TMAT's" Test Case

(Continued from page 1)

Austin Garden, Kew Gardens.

Only witness yesterday was Albert L. Greene, manager of the Oceana, and George A. Gerber, representing the Reptile and Surf. Greene was questioned by Gustave A. Gerber, T. M. A. T. manager of the Cort, and Robert J. Mitchell Klupt, of Howell, Clarkson & Klupt.

He testified that this present employ- ees of the organizing committee, not Rugoff & Becker. Rugoff sought to establish that orders were given by the circuit heads. Greene maintained that the knowledge of the电路 operation of the 13 houses, allegedly in the Rugoff & Becker circuit, was obtained through hearsay.

Most of yesterday's hearing was consumed by arguments of counsel on the question of the board's jurisdiction over the corporations operating the various houses.

Petitions for certification have been filed by T. M. A. T. against Raybourn's House; Prudential Playhouse, 30 houses; Five Boro, 7; Kayberr, 3; Landon, 1; Jewel, 1; Dartmouth, 1; Costello, 2; Windsor, 3; Times-Square of the Bancroft, Sheep's Head, 1; Heligus, 1; Rosenberg, 3; Nelson & Renner, 16; Sharburn, 1; Fa- ham, 2; and R. & N., 1.

These cases are not expected to be assigned for formal hearing until after completion of the Rugoff & Becker case. The hearing will continue today.

$30,000 Fund Voted By 3 for AGVA Aid

Organization fund of $30,000 for American Guild of Variety Artists was voted yesterday by Actors Equity, Chorus Equity and Screen Actors Guild. Each group is contributing $10,000. A.G.V.A. was recently chartered by Associated Artists of America and is the change of American Federation of Actors was suspended.

A.G.V.A. will open offices at 11 A.M. today at 11 W. 42nd St. The offices will be next door to the eastern office of S.A.G. Florence Marston, S. A. G. Director of Representatives, and as executive secretary of A.G.V.A., until permanent officers are named.

Ralph Whitehead, executive secre- tary, stated yesterday that if he is awaiting a reply from George Browne, president of L.A.T.S.E., on his application for affiliation.

The $30,000 fund voted for A.G.V.A. is in the form of a loan which will be made available to the new union as it requires the funds and which it will be expected to repay when its treasury is sufficiently established.

Theatre Personnel Notes

Would Build Open Air House

Kansas City, July 25—Harry A. McClure, district manager of Fox Midwest Theatres, announced this morning that he was building a 1,000-seat open-air theatre, but was stopped by injunction granted on basis of violation of a city ordinance regarding fronting on a city street.

Fox Promotes Morehead

KANSAS CITY, July 25—Harry A. McClure, district manager of Fox Midwest Theatres, announced this morning that he was building a 1,000-seat open-air theatre, but was stopped by injunction granted on basis of violation of a city ordinance regarding fronting on a city street.

$15,000 Michigan City House

COLUMBUS, Ind., July 25—Work on a new $15,000 theatre will be started here September 1, according to recent announcement of the Dune Lake corporation. The new theatre will be called the Lido and will be located on Franklin St. between Eighth and Ninth Sts. William Pereira of Pereira & Pereira in Chicago is the designer of the theat- re, the first built in the city of the most unusual in the country.

Manages Little Rock Houses

LITTLE RCK, Ark., July 25—James F. Glabon, formerly of Corpus Christi, is the new house manager of the Capitol and Royal theatres here. He was with the Rob Bowley Thea- tres, Inc., for a year and a half as manager of the Tower in Corpus Christi.

Booking for Bergen

Brandt circuit is now booking for the Bergen, Jersey City, N. J.

East Capital Backs New Bronston Firm

LOS ANGELES, July 25—Samuel Bronston today announced the formation of Bronston Productions, Inc., which, after taking over the assets of the recently-formed Commodore Pictures, Inc., which he also heads, will tell produce pictures for major release.  

Reportedly backed by $2,000,000 of East Capital, the new picture will be "Martin Eden" from Jack London's book of the same title. The company has taken options on all capital stock of Bronston Productions and the latter representing Eastern buyers. Headquarters will be at the General Service Studios.

Warners Bill Trade Shows in 32 Cities

Warners will hold bill trade showings of six features in 32 key cities early in September, according to plans being made by Gradwell & Show, general sales manager.

Motion Picture Daily
Wednesday, July 26, 1939

Labor Board
Rulings Aid
Studio Units

(Continued from page 1)

RKO, Columbia, Universal, M-G-M, 20th Century-Fox, Paramount, Warner's, Hal Roach Studios and Samuel Goldwyn, Inc., Ltd., will be represented by the Screen Publicists' Guild, it was announced in another order. The board, however, dismissed a representation petition filed by the guild on behalf of employees of Selznick International and Principal Productions (Sol Lesser).

The Society of Motion Picture Artists and Illustrators was certified as the bargaining agency selected by a majority of the illustrators, costume illustrators, matte shot artists and their assistants, title artists and heads of title departments of Columbia, RKO, Universal and M-G-M.

This order directed that elections be held within 20 days among similar employees at Warners and 20th Century-Fox. The board dismissed a petition of the society in behalf of Paramount employees for lack of evidence that it represented any employees in the appropriate unit.

The fourth order designated the Federation of Screen Cartoonists and the Society of Motion Picture Film Editors as bargaining agents for employees of Walt Disney Productions.

Du Pont Quarter Profit $430,661

Net profit of $430,661 for the quarter ended June 30 is reported by Du Pont Film Mfg. Corp., after all charges and Federal taxes. This compares with $399,726 for the corresponding period in 1938.

For six months ended June 30, net profit was $826,413, compared with $638,963 for the first half of 1938.

Stock of the company is held 65 per cent by E.I. du Pont de Nemours & Co. and 35 per cent by Pathe Film Corp.

Big British Studios To Snub Venice Show

London, July 25—Ignoring the decision of British film producers' groups to participate in the Venice film exposition, a number of leading producers will shun this show and instead will participate in the Cannes festival in September. They thus join in the decision of the American companies.

American Korda (London Films), Irving Asher, M-G-M and 20th Century-Fox are among those expected to send films to Cannes. Certain other British producers will take the opportunity of exhibiting their films in the Italian market. American companies are, however, cooperating fully with the French Government.

Ripples Honored By Albany Branch Men

ALBANY, July 25—Herman Ripples, long with the M-G-M Albany exchange and now traveling the New Jersey territory out of the Metro New York office, returned here for a farewell luncheon at the DeWitt Clinton yesterday. Ripples was given a warm watch by his former associates and industry friends.

The committee arranging the affair was headed by Artie Newman, Rep. branch manager; Ralph Fiebow, M-G-M; Paul S. Krumenacker, Vaghour; Joe Engel, Universal; Joe Miller, Columbia; Bernard G. Kranze, RKO; Clanton Eastman, Paramount; Moe Grassgreen, 20th Century-Fox; Charles A. Smakwitz, Warners, and Louis R. Golding, Fabian Theatres.

Fiebow acted as master of ceremonies and Golding was a speaker. Ripples was succeeded in the Albany sales territory by Bill Williams, while William Stockton, formerly assistant cashier in the M-G-M New York office, succeeded Williams as office manager.

Latin America Market Called Well Exploited

Home office executives who prate about recapitulating lost European revenue in the Latin American market have no conception of the already advanced development of that market and the increasingly difficult struggle to retain current advantageous ratings already won there, John L. Day, Paramount manager for South America, said at his arrival in New York from Buenos Aires for home office conferences.

Day described the Latin American market as "a thoroughly developed and highly competitive one." He said that while immense territories which are untapped do exist there, particularly in Brazil and the Argentine, they are for the most part inaccessible and of no commercial importance for this reason.

And when those areas are opened to trade, Day said, they will offer a new market of great potentiality, but there is no indication at this time of being opened.

Day reported that French films are making rapid strides in South America. Their current popularity is sufficient to be felt by American distributors there, he declared.

Similar reports of a wide spread advance trade in French films have been brought in from Europe and Central America, as well, by industry travelers.

Day, who will be here about three weeks, said that native production in the Argentine is prospering and that such films are popular throughout the Continent. Mexican films are less popular, he said.

SWG vs. Producers Hearing to Reopen

LOS ANGELES, July 25—Alexander Koch, special National Labor Relations Board member who was here from Washington to conduct the Screen Writers Guild case, today said he expected momentarily an order from the Board reopening the hearing on the charges that producers failed to bargain collectively with SWG.

He said that the probable procedure would be to file a new complaint against producers "clarifying the issues at stake." Ten days' notice must be given before a hearing can be called.

Philadelphia Trial
On Monopoly Open

(Continued from page 1)

Warners the selected lists; we want them restrained from allowing Warner affiliates to show these films in foreign countries when we can be allowed to exhibit these rejected films. We say that such restraint of trade and restraint of foreign trade. We want the same right to bid for the films."

Shapiro endeavored to expose entire range of tricks of the trade and to confine the practice to the United States. The case will continue at least until Friday.

New issues include the mass wedding in Montreal, "moral rearmament" rally in Hollywood, water sports and armor drills. There are also plans for the first Rooseveltv-James A. Farley conference at Hyde Park. The reels and contents follow:


Film Archives Body
In N. Y. Convention

More than 10 countries are repre- sented at the first annual Congress of the International Federation of Film Archives which opened yester- day at the Museum of Modern Art, 11 W. 53rd St.

John E. Abbott, director of the Museum's Film Library, is presiding. The Congress is organized for one year in order to make the greatest non-commercial use of the historical, educational and artistic films of all countries.

Civil Rights Bill Wins
First Wisconsin Test

MADISON, Wis., July 25—The Rubin civil rights bill passed its first test in the state assembly when the House refused to kill the measure. 45 to 34, but further action has delayed when Speaker Vernon Thomson moved reconsideration of the vote.

The measure would require proprietors of theaters, hotels and places of public accommodation to give equal treatment with respect to race, creed, color or nationality.

Fair Acts to Repeat
Two Bargain Days

World's Fair officials yesterday de- cided to repeat this week the two day high bargain sale that was conducted last Saturday and Sunday. A $1 ticket entitles purchasers to $2.25 worth of entertainment. During the two bargain days lured more than 250,000 persons to the Fair on each of the two days.
You don't have to WATCH THOSE FORDS GO BY...

With apologies to the Ford Motor Company Be smart and
STOP them at your theatre

WITH

PARAMOUNT’S SUMMER HITS!

“UNION PACIFIC”

“MAN ABOUT TOWN”

“OUR LEADING CITIZEN”

“THE STAR MAKER”
BUFFALO, N. Y., July 25.—“Second Fiddle” played the hottest box office number here in a week of generally poor first run business. It earned $13,200 past the Buffalo’s ticket to par by $1,200.

Plenty of competition popped up around town today, according to White-man, whose outfit the Junior Chamber of Commerce brought here with considerable fanfare for an outdoor concert in Civic Stadium.

Estimated takings for the week ending July 22:

"Second Fiddle" (20th-Fox) $3,130,
"Titaniac" (20th-Fox) $2,230,
"RKO-Rosita Days." $1,430.

July 1.

Wilson, a former NBC, is a big draw, and 
Diaz, an acquaintance of the Memorial. All are in the area for a few days.

It is reported that the distributor will be in town on Monday.

Exhibitors Will Get
Code By August 9th

(Candidates from page 1)

It's philosophy simplified. It is this part of the code, including the screening and meeting arbitration board mem-
bers, which has been occupying the distributors' negotiating committee and its executive for the past two weeks.

While this work is nearly complete, it is understood that the distributors' committee is encountering opposition from one of the largest national circuits to the new formula for appor-
tioning the exhibition representation on local arbitration boards.

Rodgers promised Kuykendall a simplified draft and definite information in the first arbitration case for the Aug. 9 meeting of the Southeastern M. P. T. O. in Atlanta.

Kuykendall, who left for his Col-

umn, Miss, home yesterday, said he believed that “50 per cent of all exhibitors will accept the revised code and that it will mean a great deal in the way of encouraging a happier relationship be-

Tween exhibition and distribution.

M. A. Cohen, as he "believe," Kuykendall said, "that any exhibitor, regardless of his affiliations, would reject some-

thing that he needs to solve it."

Cohen Hears Code
Negotiating Committee

Members of the distributors' nego-
tiating committee conferred with the code committee of Allied of New York in the office of Max A. Cohen, president of the unit, yesterday afternoon.

In addition to Cohen, among those representing the organization were Mitchell and Stanley As-

man, regional vice-presidents of the Albany and Syracuse units, respectively.

and Thomas Di Lorenzo of New F. P. M. New Albany.

The distributors' committee has re-

ceived a number of letters from re-
thorough members saying that they will disregard Allied States' rejection of the code and that they intend to proceed with closing new season product deals.

Loew's Gets World Short

Loew's has booked “Battling Bet-
"color short released by World Pictures Corp., for leading houses of its circuit after playing the subject at the Capitol here.

Airline Notes

ALBANY, N. Y., July 25.—Leo Roy, manager at Warner's Troy, left Monday for Cape Cod with Mrs. Rosen for a fortnight vacation.

Andy Roy, Strand manager at Albany, is in Cleveland, visiting his brother, J. Wilson Roy, his father, who died in Albany recently, served society, and isubmitted the following for publication.

Exhibitor Joe Sternberg and Ralph Pieow, M-G-M branch manager at Al-

ban, caught the boat limit of 28 bat-

fish, 24 in Cape Vincent in the Thou-

sand Islands last week. Sternberg also blanked at Boonville.

Leo Drexler, assistant contact man-

ager for Warner's Albany district of-

fice, broke several ribs and injured his spine when thrown from a horse.

Drexler is recuperating at St. Peter's Hospital in Albany.

SAN FRANCISCO, July 25.—The "Man in the Iron Mask" did sensa-
tional business here with a first week's gross of $16,500, of which $15,700 was done at the Opera House. Figure is nearly double the house average. The total good were "Second Fiddle" and "Hotel Imperial," with $17,000 at the Fox, and "The Saint in Lon-

don" grossed $16,500 at the Golden Gate.

Estimated takings for the week ending July 18:

The "Second Fiddle" (20th-Fox) $17,000,
"Hotel Imperial" (Para) $16,500,
"Good-Bye Mr. Chips" (M-G-M) $16,000,
"Bones and Cigarettes" (Col.) $15,700.

"Second Fiddle" (20th-Fox) $12,000,
"Hotel Imperial" (Para) $11,000,
"Bones and Cigarettes" (Col.) $10,300.

"Second Fiddle" (20th-Fox) $12,000.
"Hotel Imperial" (Para) $11,000,
"Bones and Cigarettes" (Col.) $10,300.
M'Ninch Quits As FCC Chief Soon, Report

WASHINGTON, July 25.—Resignation of Frank R. McNinch as chairman of the Federal Communications Commission in the near future was indicated today by President Roosevelt's statement at his semi-weekly press conference that he would have some news to give out on McNinch in a short time.

The FCC chairman has been ill for a considerable period and has been forced to remain away from his desk for weeks at a time.

Today he was a luncheon guest at the White House, where he is understood to have had a long discussion with the President on the situation in the FCC.

McNinch's resignation may serve to eliminate friction with the Commission which has marked the Commission's activities since he left the Commission to serve as "clean-up" man on the radio board.

First Networks Put NAB Code in Effect

BOSTON, July 25.—The new NAB code, adopted recently at the convention of the networks, is now in full force, and hereafter its provisions will be observed immediately on these networks. It is the first application of the Code by a station or network anywhere, since its adoption.

John Shepard, III, president of the networks, stated that since the industry had agreed on the Code, he could see no reason for delaying its operation. Consequently, all new contracts signed by the Yankee and Colonial networks, and hereafter its provisions will be observed immediately on these networks. It is the first application of the Code by a station or network anywhere, since its adoption.

Contracts now in force which conflict with the Code will be carried to their completion on their original provisions, but thereafter they must be adjusted to the Code.

Cincinnati Station Gets 50,000 Wattage

CINCINNATI, July 25.—A 50,000-watt transmitter to be used for broadcasts to Latin America is under construction for WXYL, now transmitting on 10,000 watts.

It will provide instantaneous push-button selection of the six operating frequencies, ranging from 6,050 to 21,650, and a special directional antenna.

Under a recent FCC grant, the station will broadcast on all six short wave frequencies, with effective transmission range as far as the atmosphere will permit. In addition, a directional antenna will be employed, by which means the station will be able to transmit to the countries in which the broadcast beam is being narrowed.

Merry Macs' Signed

The "Merry Macs" have been engaged for a run on the Lucky Strike "Hit Parade" programs, and will replace Raymond Scott in the series. The singing group will start in the series in August.

BANNER RADIO LINES

By JACK BANNER

OPENING OF RADIO GALLERY . . . Alfred J. McCosker, president of WOR and chairman of the board of the Mutual network, recounted several times that "this is a great night for us" during the ceremonies attended the formal opening of the press gallery in the House of Representatives, Washington, Monday night.

It required years of almost single-handed fighting by Fulton Lewis, Jr., Mutual's Washington commentator, to get that tiny radio gallery installed.

Where it was Monday night in the gallery, the House appearing as large for life as all of its diminutive size. "Watch it grow" was the consensus.

NOT many took observance of one of the most touching episodes of the affair. Fulton's mother quietly took leave of the chatting groups of important political figures, newspaper publishers and radio executives, walked down the steps leading to the radio gallery, opened the tiny door on swinging hinges, and sat proudly for a moment in one of the gallery's four or five seats, and then rejoined her son.

The broadcast proper was brief—just 15 minutes—during which Fulton served as emcee, and Representatives John Dempsey, Senator Warren Barbour, and Speaker Bankhead talked of the importance of this new deal for radio in the House and the Senate.

Boake Carter was introduced but had time only to utter his own familiar "Hello, everyone, this is Boake Carter speaking." before the program was signed off. That, incidentally, was the first time Carter had spoken over a network since his stint for General Foods some seasons ago. He is now trying to sell his talks via recordings and says he has been signed up by some 20 stations.

He said for the ceremonies, in addition to those already mentioned, were also the NORCROSS AND TRANSRAIL of Transradio Corporation, John Avery, Leonels, George Dorsey and C. J. Brown, Washington managers of the Movietone, Universal, Pathé and Metromet newsreels, respectively; Managing Editors Ben McElwain and A. F. Jones of The Evening Star and Washington Times and Business Review, CBS vice-president in Washington, and "Scoop" Russell, NBC vice-president there; Bill Dolph, manager of WOL; Johnny Johnstone and Abe Schechter, special events directors of Mutual and NBC, and a host of Congressmen.

WE saw an amazing sight on our arrival at the House. The Navy bands— the men and equipment, what black bands worn in memory of the late Secretary of Navy Swanson—was giving a conduct on the courts. Thousands of shirt-clad citizens were seated on the grass of the House lawns and crowded the steps, listening to the music.

It was amazing that none of the newscasts have filmed this event (the concert is to be a part of the battle of the bands of the National Press and Marine Corps), amazing that a picture magazine such as Life has not depicted the sight, and that amazing that the networks have not thought to broadcast the concerts.

Good news overheard in the gossip at the radio gallery warming was that Vince Callahan is in line for a new and happier job than he has in New Orleans. It was also reported that in the next several weeks of WBU, that the home and road games of the New York football Giants will be sponsored over WOR the coming season, with Red Barber handling the assignment; that for the first time ever, an article appearing in a radiofan publication has been read on the floor of the Senate, and included in the Congressional Record.

The article was written by Curtis Mitchell and printed in Radio Guide, and urged that women members be appointed to the FCC.

Television in August Will Stress Sports

Sports and other outdoor pickup programs will be emphasized in NBC's television plans for August, with evening studio programs to be dropped after tomorrow for four weeks. Evening studio presentations will be resumed August 29.

The sporting schedule has not been confirmed as far as broadcast likely it will be instituted with the playing of the Eastern Grass Courts Tennis Championships at Rye, August 9-11.

In continuing a weekly television schedule of 10 hours, NBC will telecast three feature-length motion pictures a week. They will be seen on Tuesdays, Thursdays and Fridays at 8:30 P. M.

Kaltenborn Speeches Abroad Start Aug. 13

H. V. Kaltenborn will leave for Europe on Aug. 9 on an air tour of the Continent. During his three weeks' absence there he will interview many of the leading European statesmen and will broadcast his findings in a series of talks from the BBC studios.

The tour included a 1,250 station scheduled for Aug. 13, 20, 22, 27 and 29. He will fly aboard the Clipper and return the same way.

WOW-NBC Deal

NBC has renewed its arrangement with WOW, Omaha, whereby that station will handle Blue network programs by delayed broadcast during daylight saving. The renewal is indefinite in length.
RKO Powers To Patterson And Schaefer

New Board Chooses 11 of 13 Directors

George J. Schaefer was formally elected president of RKO, the parent company, and Richard C. Patterson, chairman of the board, by the company’s new, constituted board of directors yesterday. Schaefer plans to leave for the coast Friday for a studio visit.

Election of other new officers will be deferred until the reorganized RKO begins functioning. Until that time, RKO officers and board will act for the company only with the authorization of the Federal court.

Preceding the election of officers, 11 of the 13 members of the new board of directors took over direction of the new company on consummation of the reorganization, were elected to the existing board.

These were Ned E. Depinet, Thomas P. Durell, Frederick L. Shrem, L. Lawrence Green, Conde East, John E. Parsons, Patterson, N. Peter Rathvon, Schaefer, W. G. Van Schmus and Raymond Bill. James G. Harboard and Lunsford P. Holland, the remaining two members of the new board, were members of the existing board.

The action, taken with the authorization of the Federal Judge William Bondy, is intended to enable the new officials to meet informally from time to time with the RKO management and the trustee, Irving Trust Co., and to provide them with a close-range slant on company operations while awaiting consummation of the reorganization. This is expected some time next fall.

Statement issued by the company following yesterday’s meeting reported that RKO’s earning power has been steadily increasing under Schaefer’s direction. Latter has been in charge of operating subsidiaries since last October.

Company statement also identified leading interests in reorganized RKO as Atlas Corp., RCA, Rockefeller Center, and Time, Inc. The latter holds $1,060,000 of RKO notes which it acquired from Pathe for $340,000. The notes were issued in connection with the RKO purchase of Pathe assets in 1930.

Can receive in exchange for this claim, under the reorganization plan, 169,000 shares of new RKO common having an estimated market value of approximately $1,000,000.

Cowdin Returns, Hails Universal’s Gains in Europe

Universal’s foreign business so far this year is well ahead of business for the same period last year. J. Cheever Cowdin, chairman of the board, reported yesterday on his arrival from Europe on the Chaumplain. Cowdin was abroad five weeks, during which he conferred with C. M. Woolf and other Universal associates in London.

Improvement in the company’s business in Britain has been especially marked, Cowdin said. He confided in Paris on completion of Danielle Darrieu’s five-year contract with Universal and indicated that the actress is expected to return to Hollywood in the near future for work in a new picture.

With Universal in the black for the past 12 months, Cowdin told reporters that the studio mortgage was being reduced “gradually” and it now stands at $9,000,000. At the dock to meet Cowdin, who was accompanied on the trip by his wife, Josephine H. Seibelman, Matthew J. Fox, Charles D. Prutzman, Peyton Gibson, Samuel Machinovitch and Anthony Petti.

Joseph Burstyn, associated with Arthur Mayer in the importing and distribution of French films, also was a passenger. The Chaumplain was expected to be reassociated with French independent producers for distribution here of six pictures.

I. A. Day at Fair

N. Y. World’s Fair has designated Sept. 7 as Projectionists’ Day. L.A.T.E.S. and local 306 are enlisting aid to plan and carry out an all-day program of special events to mark the day.

The following chairmen of working committees have been appointed: Joseph Bas- son, general committee; P. A. Mcguire, arrangements; Harold Rubin, speakers; Lester B. Isaac, technical and historical; H. Griffin, guests; Louis Kaufman, I. A. T. S. E. locals; M. D. O’Brien, publicity, and P. D. Herbst, tickets.

Ticket Men Scoff At Central Agency

A central ticket agency to handle all legitimate stage tickets has again been proposed to the League of New York Theatres. Breakdown is to be provided, however, regard it merely as a threat to ticket agencies to induce them to sign a ticket code for the new season.

Alfred Harding, who was designated by Actors Equity, to draw a report on the present code, has turned his statement over to a committee. The committee will meet with the League next week for further discussions.

May all central agencies still in a very nebulous stage, with no definite plans for operation. One pro-

(Continued on page 2)

Novelty Lost By Television, Says Hyams

No Longer Gets Crowds To London Theatres

The novelty of television in London theatres has worn off already and it no longer draws large crowds unless something by way of variety is being televised. Mick Hyams, prominent British exhibitor, said yesterday on his arrival here on the Chaumplain.

Hyams stated that the ticket for theatre television is still there but that is awaiting perfection of program supply. Hyams feels that medium is technically perfect, even for theatres, but that the problems of programs has not yet been solved.

Weak Drawing Power

“Television as television doesn’t mean a thing to a London theatre audience any more,” he said. “It takes a Derby, a boat race or an outstanding prize fight to draw. Nothing else will.”

Hyams is chairman of the entertainment committee of the Cinematograph Trade Benefit Fund. The Fund is sponsored by the British film industry with royal cooperation. While in America he will arrange for the participation of American talent in the outstanding charity event.

Among the names mentioned in con-

(Continued on page 3)

Industry Leaders Flock To FP-Canadian Parley

Niagara Falls, July 26.—Clarence M. Robson, eastern division manager, was chairman of general meetings; Morris Stein, Toronto; Robert Rod- dick, Western Ontario; L. I. Beare, Vancouver; A. E. Zorn of Winni- peg, Prairie Zone, and Frank Gov- ernor of British Columbia, Inner, with Frank Kershaw of Winnipeg, managing di- rector of Western Theatres Limited, in charge of group meetings which were addressed by heads of various departments at the Toronto head office and these discussions took place behind closed doors, full advantage being taken of the convention of the day with gatherings being held on schedule throughout the day and evening.


(Continued on page 10)

N.Y. Allied Seeking Trade Code in State

New York Allied yesterday started negotiations with the distributors’ trade practice committee on “a fair trade practice code for the state of New York.”

An all-day meeting between Alilied’s code committee and the distributors at the Astor resulted innothing conclusive, it is understood. Another meeting is scheduled soon.

Max A. Cohen, president, and other committee members presented the organization’s views to the distributor committee, including recommendations which would amend the code to cover problems peculiar to this state.

Distributor opinion is that no changes of this nature can be made for this or any other state, that the code’s principles and rules must be uniform nationwide.

The discussions with Allied center also on revisions sought in the arbitra-

(Continued on page 8)
New Zealand Trade Fetes Zukor, Hicks

AUCKLAND, N. Z., July 26—Exhibiters and distributors from every part of New Zealand joined Monday to pay tribute to Paramount's Adolph Zukor and John W. Hicks, Jr., now on route to Sydney, Australia, with a banquet attended by film men who had traveled as much as a thousand miles from the south of New Zealand to be present.

Yesterday morning Zukor and Hicks attended a reception given in their honor by the Lord Mayor of Auckland, which was followed by a series of industry meetings at which they were introduced to the visiting exhibitors and distribution men.

Zukor and Hicks, now on board the Niagara, will arrive in Sydney Saturday morning. They will preside over Paramount's Australian convention next Tuesday and Wednesday in Sydney.

Ball Game Features ITOA's Outing Today

A "battle royal" for the baseball trophy was won last year by the I.T.O.A. nine which will highlight the organization's annual outing today at Indian Point. The Motion Picture Associates are out to return the trophy to the home grounds after having lost it to Harry Brandt's team last year. This is an annual "duel." More than 700 film men and others are expected to attend.

Charles Skouras, head of Fox West Coast, leaves today for Los Angeles after attending the National Theatres division chiefs' meeting here.

RADWELL L. SEARS, Warners' general sales chief, has returned from Chicago.

Del Goodman, Far East supervisor for 20th-Century-Fox, arrived here yesterday for conferences with Walter J. Hutchinson, director of foreign distribution.

AL DAVF, Universal Far Eastern manager, who has been here for the past ten days, leaves for the coast tomorrow on his return to Japan.

LOUIS D. FROHLICH of the Schwartz & Frohlich firm plans to leave on his annual visit to Saratoga next week.

MONROE GREENTHAL left last night to attend the Famous Players Canadian convention at Niagara Falls, Ont.

SAM SPRING, film attorney, has returned from New York from a vacation in Maine.

Trade Methods Told In Philadelphia Suit

PHILADELPHIA, Pa., July 26—Second day of the hearing suit of Landis Theatre, Vineland, against Warners and major distributors led Edgar Moss, exchange manager of Twentieth Century-Fox on the stand all day in U. S. District Court.

Testimony revolved on contracts, clearances and other trade subjects as Harry Shapiro, counsel for the plaintiff, tried to establish anti-trust law violations on part of the defendants.

Moss brought courtroom down in laughter when, in answer to Judge William Kirkpatrick's expressed amazement at some facts of moviemaking, he said, "you ought to be in our business, judge." Recess followed.

Fox Arrives Here, Attends FP Parley

Matthew J. Fox, Universal vice-president, arrived in New York from the coast yesterday for conferences with J. Cheever Cowdin, Universal foreign chairman, who returned yesterday from a European business trip. Fox left for Niagara Falls, Ont., last night to attend the convention there of the managers and executives of Famous Players Canadian. On his return he will be at the home office for three weeks before leaving for the studio.

U. S. Housing Short

"Miracles of Modernization," 8-minute color short made by Pathe for the Federal Housing Administration, is being distributed by the F. H. A., 90 Church St., William Waldohio, chief, motion picture distribution, is in charge.

For Lunch, Dinner or Supper Laffiff's TAVERN

The Industry's MEETING's and EATING PLACE

156 W., 48th St. Tel. CH.ckering 4-4200

New Novelty

By Television, Says Hyams

(Continued from page 1)


Novelty Lost

(Signed)
SOMETHING'S GOING TO CRASH!

( Including your record on 'Angels with Dirty Faces')
CAGNEY
and RAFT
together!!

"EACH DAWN I DIE"

WARNERS
Made 'Angels'!

WARNERS
Made the Picture that Tops it!

WARNERS
For Action!
For Fair Play!
AT 4:10 P.M. OF THE 6th DAY

EACH DAWN I DIE

STILL HAD THEM LINED ACROSS THE MEZZANINE, BEHIND THE ORCHESTRA, INTO THE LOBBY, OUT TO THE STREET AND AROUND THE CORNER OF THE NEW YORK STRAND!

1938-39 ENDS THE WAY 'FOUR DAUGHTERS' STARTED IT—WITH WARNERS ON TOP!

Bye, bye 'Angels' records!
<table>
<thead>
<tr>
<th>DATE</th>
<th>TITLE</th>
<th>DIRECTOR</th>
</tr>
</thead>
<tbody>
<tr>
<td>June 23</td>
<td>Clouds Over England</td>
<td>Brian Logie</td>
</tr>
<tr>
<td>June 30</td>
<td>Parents on Holiday</td>
<td>William A. Seiter</td>
</tr>
<tr>
<td>July 7</td>
<td>Young at Heart</td>
<td>Henry Koster</td>
</tr>
<tr>
<td>July 14</td>
<td>A Woman in the House</td>
<td>William Dieterle</td>
</tr>
<tr>
<td>July 21</td>
<td>Blondie Takes a Vacation</td>
<td>Robert F. Hill</td>
</tr>
<tr>
<td>July 28</td>
<td>Coast Guard</td>
<td>Vincent Sherman</td>
</tr>
<tr>
<td>Aug. 4</td>
<td>The Man They Couldn't Hang</td>
<td>Allan Dwan</td>
</tr>
<tr>
<td>Aug. 11</td>
<td>The Man From Nowhere</td>
<td>Lloyd Bacon</td>
</tr>
<tr>
<td>Aug. 18</td>
<td>Strike Up the Band</td>
<td>Busby Berkeley</td>
</tr>
<tr>
<td>Aug. 25</td>
<td>The Kid From Brooklyn</td>
<td>William A. Seiter</td>
</tr>
</tbody>
</table>
**Theatre, Personnel Notes**

Manages Negro Houses

CINCINNATI, July 26—J. F. Goldman, who operates the Roosevelt and Lincoln theatres here, and their combination dropping to $5,500 at the Pantages.

Estimated takings for the week ending July 26 were

**F SECOND FIDDLER (20th-Fox)**

It Could Happen to You (20th-Fox)

CHINESE—(3x300) 6x11—7 days, Gross: $11,500. (Average, $1,643)

On Borrowed Time (M-G-M)

4 STAR—(400-600) 6 days, Gross: $8,600. (Average, $1,433)

I Stole a Million (Univ.)

Blondie Takes a Vacation (Col.)

HILLSTREET—(2,000) 60x6—6 days, Gross: $5,250. (Average, $875)

SECOND FIDDLER (20th-Fox)

It Could Happen to You (20th-Fox)

LIEFORWARD—(600-1,000) 7 days, Gross: $12,800. (Average, $1,829)

I Stole a Million (Univ.)

Blondie Takes a Vacation (Col.)

PANTHER—(100-200) 6 days, Gross: $5,100. (Average, $850)

Man About Town (Univ.)

PARAMOUNT—(2,390) 6x10-6 days, 3rd week, Gross: $1,482. (Average, $247)

Art Stolte Lands Big One

DES MOINES, July 26—Art Stolte, district manager of Tri-State Theatres Corp., has joined the big fish-catchification class. For three years he has been vacationing at the Lake of the Woods with a muskellunge as his objective. Over the years he mastered the "musk," and Adeso Moines as proof. Thirty members of the Tri-State force joined in the fishing banquet at Hotel Kirkwood July 24.

Remodeled Theatre Reopens

CARTHAGE, Ill., July 26—Kenneth Boyersock, new owner of the Auditorium theatre here, reopened the house last week after extensive repairs and remodeling.

New Brooklyn House

A 600-seat house is under construction at Coney Island Ave. and Ave. H, Brooklyn. It is scheduled to be completed by September.

Two Summer Closings

NEW BRUNSWICK, N. J., July 26—RKO State has been closed for alterations. The Europa has been closed for the Summer.

Herman Takes Over Hawthorne

HAWTHORNE, N. J., July 26—William C. Herman has again taken over operation of the Hawthorne.

Theatre Gets Neon Lights

PLANT CITY, Fla., July 26—This city's business section was lighted up as never before when the new neon lights on the State were turned on this week. Interior decorations have been planned and other work is looking toward complete modernization of the house. The State was erected by the Sparks brothers who also own and operate the Capitol here.

Grantham Buys Kansas House

KANSAS CITY, July 26—J. W. Grantham has bought the Ritz at Baxter Springs, Kan., from Homer Garber and has closed the house for the summer. He is continuing operation of the new Baxter.

Opens New Witchita House

WICHITA, Kan., July 26—T. H. Slowother this week opened the new Sandra theatre here.

Venus Closes Doors

Venus, Brooklyn (Gas Stamatius), is closed.

**QUIGLEY PUBLICATIONS REGISTRATION BUREAU**

**For World's Fair Visitors**

Rockefeller Center, New York, Telephone Circle 7-3100

Name

Affiliation

Home Address

Arrive

Depart

New York Address

New York Phone

Members of Party

Clip the Coupon and Mail to World's Fair Bureau, Quigley Publishing Company, 1270 Sixth Avenue, New York

**French Films Show Strong Canada Gain**

TORONTO, July 26—French motion pictures exported from France for theatrical use continue to hold their own in Canada, according to the annual survey of the Dominion Excise Division of the Dominion Government for the fiscal year ending March 31. French motion pictures took a sudden drop in Canadian sales last year and have continued to enjoy an extensive demand.

Total positive film imports reported by the Ministry of Government for the past fiscal year were 4,797,040 feet with a value of $384,633, as compared with $416,497 for $432,087 for the previous 12 months.

The United States led the way as an exporting nation with a total of 3,241,501 feet valued at $258,878, sold to the Dominion, compared with 3,348,732 feet and $360,275 for 1937-38.

France stood second in the trade with Canada, 1,206,334 feet valued at $96,424, for the past year, compared with 1,342,857 feet and $147,274 for 1937-38. The decrease in prints from France is comparable with that for film imports from the States but the drop in positive films from Great Britain was somewhat more marked.

During the latest fiscal year, 352,276 feet of film valued at $57,705, were brought from the United Kingdom by Canadian importers, against 562,367 feet, valued at $47,761, for the preceding period.

No educational films were imported from France, according to the Customs records, and the United States headed the list with this respect with prints valued at $6,336 out of a total $8,086. The total for the previous year was $14,085 which was the value of instructional films from the U. S. Imports from England in the past year were valued at $3,130, against $1,015 for the previous year.

**Await Review Dates**

ALBANY, July 26—No definite date has been set for Appellate Division reviews of "Human Wreckage" and "Anti-Land Diagrams of the Human Body." "Human Wreckage" was rejected by Irwin Esmoond and failed in its appeal to the Corporation, while "Animated Diagrams," a government made picture in the World War era, was withdrawn from exhibition after having been screened at intermittent intervals from 1921.

**Rumple in India Deal**

Maurice Goodman, Republic foreign distribution chief, has closed a deal with Keshav D. Mody & Co. of Bombay, India, for the distribution of a group of features and serials in India, Burma and Ceylon. This is the only American product handled by the company. B. Jani handled the deal here for the company.

330,000 Hear Pons

CHICAGO, July 26—Lily Pons and Arthur Kindelznan Sunday night drew 330,000 persons to Grant Park for the free concert. It was the largest gathering ever held here.

**Time' Leaps To Big $6,000 In Los Angeles**

LOS ANGELES, July 26—"On Borrowed Time" proved a big draw at the 4 Star here, taking $8,000 in six days against a house average of $3,200 for the period.

"At the Hillstreet," I Stole a Million" dualed with "Blondie Takes a Vacation," was strong at the Pan-Pacific, combination dropping to $5,500 at the Pantages.

Estimated takings for the week ending July 26 were:
'Fiddle' Beats K. C. Heat and Garners $9,600

KANSAS CITY, July 26.—"Fiddle" held $2,480 on the box office for its opening night showing here yesterday, with K. C. heat only $900.00 behind. The long running picture is still showing well here.

London Trade Notes

LODZ, Poland, July 26.—During the year ending June, 1939, another fourteen agreements on wages and hours were signed between the N.A.T.K.E., the C.E.A. and the employers. These make to total thirty-three and negotiations are still going on in nineteen other areas. During 1938, 10,000 new films were enrolled, while from January to June this year 4,400 have been added.

George Smith has been appointed deputy chairman of the new British Film Production Association. The new board is a result of the merger of the Productors' and Distributors' Film Group which was recently merged with it.

S. K. Lewis, of the Birmingham branch of the C.E.A., has been nominated by his group for the vice-presidency of the Association in the 1940-41 period.

A church in London which shows films on its Sunday service has only had a projector installed, but has created a neon sign outside the building.

London Trade Notes

65 New Theatres Gained by Poland

WASHINGTON, July 26.—An increase of 65, or 8.4 per cent, in the number of theatres in Poland has been reported by Jule B. Bish, acting commercial attaché at Warsaw. Last year there were 834 cinema houses. The increase in activity jumped from 272,812 in 1937 to 297,611 in 1938. Of the 14 largest cities in Poland, Warsaw, Wroclaw and Lodz have 68 theatres. Attendance in Warsaw theatres in 1938 jumped 10.7 per cent, or from 5,762,970 in 1937 to 6,382,044 in 1938.

London Council

Okays 'Mamlock'

LONDON, July 26.—London County Council, the city's governing body, today passed “Professor Mamlock,” Russian-made anti-Nazi film, for adult audiences. “I Was a Captive of Nazi Germany,” independent film made in America, also was approved for adult audiences, was demanded in both pictures.

The Council took no action on Warner's Controversies of a Nazi Spy” which recently passed by the British Board of Film Censors for universal exhibition.

The Council viewed all three films following the censors' rejection of “Mamlock.”

N. Y. Allied Seeking Trade Code in State

(Continued from page 1)

which the independents feel would give them a hand.

Col. H. A. Cole, president of national Allied, will report to the national board on the New York unit's efforts to negotiate a trade code. He discussed the matter with the New York directors here this week. Cole informed them that with the exception of the local group all Allied units which have met since the national convention in Minneapolis have endorsed the convention's action in rejecting the code.

Cole left yesterday by boat for Galveston en route to his home in Dallas.

Wanger Libel Suit Decision Reserved

Decision was reserved yesterday by X. Y. Supreme Court Justice Felix B. Houdry in the libel suit filed against Associated Press. Col. H. A. Wanger, president of the News Syndicate, Inc., to dismiss a $1,000,000 libel suit brought against it and Edward Sullivan, columnist, by Walter Wanger. Sullivan claimed that Wanger libel was set forth, and none intended. Sullivan's column which was printed last week. The court of Specials of Schwartz & Frohlich, stated that the publication had been made with "malicious intent."
"Ideal"

• • • "I have found your journal as near to the ideal as it is possible for a publication to be, and wonder how I have got along without it in the past."

K. B. PARKER
Resident Manager

TUDOR THEATRE
DEWSBURY, YORKSHIRE, ENGLAND

MOTION PICTURE HERALD
ROCKEFELLER CENTER • NEW YORK
Trade Chiefs At FP Parley Closing Today

(Continued from page 1)


The company proper is represented by President L. Nathanon, Vice-President and J. Fitzgerald, President Barne Balaban and BarnePicture

NYOVA PILBEAM IN TELEVISION . . . From BBC we're told that Nova Pilbeam will make her television debut next week in “Prison Without Bars,” which has been filmed both in France and England.

GEORGE FISHER DAY AT FAIR . . . George Fisher is heading East and on August 2 his “Hollywood Whispers” program will originate from the New Jersey Building at the World’s Fair. The day will be known as his day at the Fair and program will be given by Glenn Cooper and Susan Hayward, who will be in town for the premier of “Beauty Geste.”

PERSONALS AND NOTES . . . Horace Heidt will be out of the hospital on Saturday to conduct his radio series. Heidt was rushed in for an emergency appendectomy. The program has been set Jack Benny’s Eddie Roth, Rochester, Betty Grable and Frankie Master’s band into a unit for vaudeville. The unit will open Aug. 4 at the Earle Theatre, Washington. Six weeks are set, with other dates to be filled in. . . . Buddy Rogers, who is back in swing with a new orchestra, is breaking in on the road, and will sit down in a Detroit club Aug. 4. . . . Bob Hope will be Ben Bernie’s celebrity guest at the Astor tonight. . . . Bill McCarrie, booked into the Essex House for a week, will remain even throughout the summer for Bill Ray, who heads the NBC public-broadcaster in Chicago, in town until the close of the week.

Vincent Lopez played to almost 2,500 people in Birmingham Monday night, the biggest crowd collected by an orchestra in that city the past two years . . . Paul Whiteman’s orchestra on a two-month tour and will broadcast en route. . . . Clint Johnson has joined the orden staff of WHN, coming from WFIL, Philadelphia . . . Norm Kapham of WHN’s publicity department, back from a two-week fishing trip, to Mrs. Eleanor Roosevelt will “pinch hit” for Dave Elman in the “Hobby Lobby” broadcast Aug 2.

TELEVISION STYLE SHOPS . . . Arnold Constable will start a regular series of style shops over NBC television today, and Franklin Simon will do the same starting Aug. 24.

Don Cope, who produces the Maxwell House and Joe E. Brown programs in Hollywood for Benton & Bowles, is in town for the week . . . Tom Revere, director of radio for Benton & Bowles, has returned from a Hollywood trip.

WARING BORROWS . . . Fred Waring dropped into the Lincoln the other day, heard Jan Savitt’s arrangement of the Raymond Scott tune, “18th Century Drawing Room,” and became enthusiastic about it. According to the arrangement, and tonight, when the tune is played during Waring’s broadcast, Savitt will conduct the Pennsylvania band, the sy. . . .

“Program on Newsreels” is a series of special films on the newsreel screen. "Americans at Work" series on CBS, will reveal the workings of a small town in Colorado with a general crew on the job in the broadcast of Aug. 5. The scene will be a funnel construction job, covered by a Fox Movietone newsreel crew, and meanwhile another Movietone newsreel crew will be making pictures of how the newsman works.

Moirhart of Paramount; Jack John, Columbia, president and M. Cahuadian, general sales manager; Jules Levy, RKO sales chief; Haskell Mals, general manager of the Canadian Film, New York; Arturo Acosta of the Argentine, Buenos Aires; Monroe Greenthal; Matthew Fox, Universal vice-president, and F. A. Adams of the Canadian, president; Roy Haynes, Eastern and Canadian sales manager for Warner; and Carl Leesman, assistant general sales manager for the Columbia, will be present. . . .
Gov. Horner Vetoes Duals Bill in Illinois

Called Unconstitutional; City Law Probable

SPRINGFIELD, I11., July 27—Gov. Henry Horner has vetoed the Stu- quist bill passed by the recent General Assembly which would have limited film shows in Illinois to two hours and 15 minutes and outlawed double features.

The Governor called the bill unconstitutional, he said, by independent exhibitors in Chicago.

"In an opinion the Attorney General informs me that this bill is unconsti- tutional," Gov. Horner said. "He states that our Supreme Court has consistently decided that the power of the General Assembly to regulate a lawful occupation extends only to such measures as are reasonably necessary and appropriate for the accomplish- ment of a legitimate object within the domain of the police power; that the police power cannot be invoked unless the purpose to be served is a rational and clear relationship to the public health, morals, safety or welfare; that this bill contains no reference to the quality or character of motion picture films exhibited, and consequently, was not intended to pro- tect public morals, safety or welfare; and that, in the absence of competent scientific proof to the contrary, there is no reason to believe that public health will be adversely affected by

Manual Is Ready

For Golden Jubilee

The press book for the industry's golden anniversary observance will go out to exhibitors today. About 18,000 copies of the manual will be distributed by mail.

The observance is scheduled to begin about Aug. 15, culminating with the anniversary week, Oct. 1 to 7.

All material for inclusion in the manual has been completed and is now before the Advertising Advisory Coun- cil for approval. The book will have 24 pages and will include numerous suggestions for tie-ups with merchants, products and industries; a reprodu- cation of a message to be delivered by Will H. Hays on Aug. 12 to 15, formally opening the observance and in-

Films Escape Sales Tax in Washington

Olympia, July 27—Motion picture film was exempted by the State tax commission to- day from Washington's two per cent sales tax.

Exchanges had planned to pass the tax along to theatres if the tax commission held that films were subject to the levy.

Ask Spain to Modify New Imports Rules

American distributors are hopeful of obtaining a modification of the recently announced Spanish import regu- lations and may seek negotiations with Spanish officials with that as an ob- jective in the near future, it was learned yesterday.

Under the present regulations, imports of pictures, new or previously released, will be possible, according to representative viewpoints in home office foreign de- partments.

Restraints as particularly drastic are the provisions calling for production of one quota picture in Spain for every 10 imported; the complete money emb- argo, and the specification that revenue on any picture made in Spain, regardless of its origin, must be re- turned to Spain to be impounded.

Home offices received official noti-

AGVA Seeks to Unionize Vaudeville Performers

Organization of motion picture stage presentation performers will be one of the first moves to be made by American Guild of Variety Artists, the union which received the charter of American Federation of Actors.

One of the charges against the A.F.A. by Associated Actors and Artists of America, the parent body, was the alleged A.F.A. failure to unionize such actors.

Despite recurrent efforts to revive vaudeville, stage presentations have declined to the vanishing point, RKO, one of the pioneer circuits in vaudeville, today has no houses with stage shows. Loew's and Paramount have two each, and National Theatres have only a few.

Name bands, where employed, have raised grosses considerably, but the restricted number of top-notchers and constantly rising salary demands have minimized the profits.

Harry Brandt, having used name bands in the Flatbush, Brooklyn, for 13 weeks, will resume the policy there when the house reopens in the Fall.

Small Producers Band to Checkmate Bullying by Unions

LOS ANGELES, July 27—The Holly- wood studio labor situation, already marked by inter-union and intra- union factional quarrels, today as- sumed a more muddled hue than ever.

Independent producers, it was learned, plan a determined drive to obtain from labor organizations con- cessions in wage scales and conditions which prevail at the major studios.

One of the principal reasons for the dearth of independent production, according to producers, is the rise of labor costs.

Independent producers claim that an unfair situation exists in that they are forced by labor organizations to pay the same scales as larger stu- dios.

"We are led up with the bullying tactics of certain labor officials who have come here from Chicago and other places and have threatened to put us out of business," one producer said. "If necessary we shall go to the district attorney's office."

The Independent Motion Picture Producers Association, dormant for some time, this week met to re-elect I. E. Chadwick president, and name C. C. Burr, vice-president, and Harry Webb, secretary-treasurer. These and Ben Judell, Sam Katzman and A.

More Trust Suits in Fall, U.S. Promise

Murphy Probes Income Tax Matters, Too

WASHINGTON, July 27—Additional anti-trust suits against the film in- dustry are being prepared by the De- partment of Justice and will be ini- tiated in the Fall, it was disclosed today by Attorney General Frank Murphy.

Discussing the anti-trust activi- ties of the Department, Murphy re- vealed that in addition to the Los Angeles situation, which will be submitted soon to a grand jury there, numerous investigations are being con- ducted in other key cities through- out the country. These investiga- tions will form the basis for other prosecutions.

Discussing that the Treasury De- partment has referred three cases in volving Joseph M. Schenck to the Department of Justice for investiga- tion, Murphy said that several of the principals in the Twentieth-Century- Fox case, which involves Schenck.

Oklahoma Trust

Details Demanded

OKLAHOMA CITY, July 27.—At a hearing today Federal Judge Edgar S. Vaught granted the Griffith Amusement Company and affiliated companies a bill August 20th to file memoranda over their objections filed last week to make more definite certain charges and asking for a bill of particulars to the govern- ment's anti-trust suit against the Griffith circuit which asks dissolution of the chain and its reorganiza- tion into small independently con- trolled situations.

The Government was given fifteen days after August 20th to file its briefs. The defendants were given five days after the fifteen days to file an answer in rebuttal.

Griffith Amusement Company is joined by Consolidated Theatres, Inc.; R. E. Griffith Theatres, Inc.; Westex Theatres, Inc., and L. C. Griffith, H. J. Griffith and R. E. Griffith, all defendants in the suit which alleges they have combined to freeze out in- dependent theatres in Oklahoma, Texas and New Mexico.

Judge James Cochran of Ames, Cochran, Monnet, Havas and Ames represented the defendants.
Hoping Spain Will Modify Import Rules

(Continued from page 1)

fication of the regulations during the past few days.

Spain Gives Favors To 3 U. S. Studios

BARCELONA, July 27.—Reestablishment of operations of the Spanish film industry are proceeding at a rapid pace and three major American distributors, M-G-M, 20th-Century-Fox and Universal, have been granted permission for limited imports already.

The three companies are the only ones likely to be granted import authorizations this season. All other American companies which have requested permits thus far have been told that the quita period of 1938-39 season has been filled and that they must wait until September before their applications will be considered. RKO and Warner which have treatment accorded 20th-Century-Fox, M-G-M and Universal are that the first named company is the only one of the camarones covering all Nationalist advances during the Civil War and made several Nationalist short subjects. The other two companies applied for permits from the Nationalist Government two years ago when their request was considered a war measure.

To show appreciation for the gesture, the Government has authorized M-G-M to import 30 features for the present season and Universal 22. 20th-Fox has been allowed to import five features and is awaiting permission for 25 more.

Britain to Set Up Military Theatres

LONDON, July 27.—Following an approach by the War Office, executives of the Kinetograph Renters' Society and the Cinematograph Exhibitors' Association went to the Whitehall today to discuss the War Office's proposal for setting up militia cinema theatres.

It has now been decided to form an advisory committee consisting of C. E. A. and K. R. S. presidents and secretaries, War officials and an Army advisor on film matters.

This committee will explore the question with the ultimate object of ensuring supplies and avoiding interference with legitimate trade. More than 20 military stations are involved.

Plagiarism Trial Set

Trial of the plagiarism suit brought by Select Theatres Corp. against Warner Bros. Pictures, Inc. in the U. S. District Court was set down by Federal Judge John C. Knox yesterday for Friday, July 1. Select Theatres claim plagiarism of the work, "The Audition" in the picture, "Ready, Willing and Able."

Kelly on State Tour

E. Thornton Kelly, executive secretary of New York Allied, leaves Sunday on a two-week trip during which he will visit various officers and members of the state organization. His first stop will be Buffalo.

MOtion PICTuRE Daily Friday, July 28, 1938

PURELY PERSONAL

J. J. MILSTEIN, eastern representative for Edward Small Productions, returns this afternoon from the American Clipper to New York. He and his family will return from London and Paris aboard the Queen Mary. He will remain aboard two weeks.

SAM E. MORRIS, Warner vice-president, and Philip Reissman, RKO foreign distribution chief, sail today for South America on the "Enore." Morris will be gone nine weeks, spending three weeks in Brazil and the rest of the time in Rio de Janeiro. He will conduct conventions in Rio and Buenos Aires for their companies.

BETTE DAVIS is coming to New York next week to launch the career of her 14-year-old orphan protege, Pamela Caveness, singer, who will appear on the Raymond Page program Aug. 4 over the Columbia network.

ERROL FLYNN, on three months vacation from the Warner studio, plans an eight-week trip to South America where he will conduct conventions in Rio, Buenos Aires, and Buenos Aires. He will return to New York.

CHARLES PETTITTON was combing painters and decorators out of his hair at his New York studio, P.D.A. His physical condition threatens to leave on a vacation if they don't finish up in a hurry.

RITA CAVE, publicity and television director for Odeon Theatre Circuit of Great Britain, sails today on the London-bound after a combined vacation and business trip.

M. J. SIEGEL, president of Republic Productions, left last night by train for the coast after home office conferences.

SARAH HIDEN, the 'Adm Milly" of the Hardy family series, has been given a new contract by M-G-M.

EVELYN LEE JONES has been named publicity representative for Alliance Films by Bud Rogers.

BRISE CAROT is en route to England on the Manhattan to work in a Gaumont production.

Radio Writers In Three Groups

Council of Authors League of America yesterday approved the segregation of membership of Radio Writers Guild into three autonomous groups in New York, Chicago and Los Angeles.

Autonomy will extend to local problems only. The national board will be governed by a board of 30. Membership meeting of the League will be called shortly to approve the new setup.

Radio Libel Suit

Examination before trial of Edwin C. Smith, publisher of the Cleveland Plain Dealer and M-G-M's assistant secretary, and an officer of American Tobacco Co. will be sought Monday in the N. Y. Supreme Court. The previous suit brought a libel suit against Hill, CBS and American Tobacco because of a broadcast made by Hill during the "Lucky Strike" hour on Aug. 12, 1937.

Chatterton Play Opens

PROVIDENCE, July 27.—Several film scouts attended the opening of "You Can't Eat Goldfish," new comedy by Howard kirke and Wilma McCarthy Barkey at the Maturune, R. I., Summer Theatre. The play is a domestic comedy of divorce and reconciliation. Ruth Chatterton is starred. A Broadway opening is planned in the fall.

MOtion PICTuRE Daily

Gloversville, July 27.—Members of a special committee appointed by the Gloversville Chamber of Commerce to welcome the delegates to the national convention this week have completed plans for greeting the incoming theatre men. Delegations to greet each group will be a special train coming into Fonda. In addition a large banner has been prepared which will be strung above Gloversville street during the four-day meeting.

Small leather gloves will be distributed as souvenirs. Window placards and street light decorations have been ordered.

Mayor Chaney C. Thayer will issue a proclamation of welcome to come to be published in local newspapers on opening day.

We are going to give Gloversville over to the Schine managers and the theatre and motion picture people who gather with them," the mayor said to them.

Members of the special Chamber of Commerce welcoming committee are F. W. Thayer, L. E. Morris, Allen E. Havens, Isador Heiman, Wesley Frank and Al督办.

Staff Is Completed By Alliance Films

Personnel of Alliance Films' New York exchange was completed yesterday with the appointment of Julius Levine as salesmen for Brooklyn and Long Island, Bert Kappanoff, New York city, and Sidney Hess, New Jersey and up-state.

Arthur Greenblatt, exchange manager, will serve as assistant to Robert H. Rappaport, vice president and general manager, on circuit and first run deals. Alliance recently announced 12 festivals and a number of novelties and shorts for new season release.

Price on TMAT Stand

Examination of William Price, manager of the Grand, Brooklyn, and supervisor of the Avenue D and Sherwood theatres was heard yesterday at the hearing before N. Y. State Labor Relations Board. Motion Picture Division of Theatrical Managers, Avenue D and Sherwood Union is seeking certification of collective bargaining agency in 13 houses in the Rockville and Becker circuit.

MOtion PICTuRE Daily

(Restricted U. S. Patent Office)

PREVIEW REPORT

FROM: ~ the United Artists Theatre - in Inglewood

To: Charles Skouras' office, Fox West Coast Theatres.

Picture: STANLEY AND LIVINGSTONE

This can be classed as a living monument to the lives of Stanley and Livingstone. Zanuck reaches the supreme screen achievement in the presentation of this great production, for this is just what it is -- GREAT! Right from the very first minute until the very last, it holds the audience spellbound with its enchanting story.

The beautiful scenery and musical score are worthy of the price of admission alone.

It is needless to say that Spencer Tracy is terrific, and his closing dramatic speech before the Geographical Society of London is of Academy Award caliber. Sir Cedric Hardwicke as Livingstone is marvelous and is an instantaneous hit with the audience. Walter Brennan as Tracy's aide was his usual dependable self. The rest of the cast was all well chosen and did well.

One remarkable thing was noticed by the studio officials and ourselves, and that was the picture wasn't made for what you would call "the young trade," but we had a very mixed audience, and it was enlightening to notice the kids from fourteen to twenty-one years who went out raving about the picture, and their response was greatly felt throughout the picture.

There is no question but that this will be a top-grosser in all situations. The audience reaction was the best of any picture previewed to date in this theatre, and we have previewed quite a few big ones.

Rating: A-plus
Audience reaction: Outstanding
Previewed with: FIVE CAME BACK

[Signature]
Manager
Motion Picture Daily

Friday, July 28, 1939

FP Meeting Closes; Film Chiefs Attend

Niagara Falls, Ont., July 27.—The Famous Players-Lasky Corp. completed its convention representing the largest gathering of film industry people in Canada's history, closed tonight at the Genesse Theatre. The huge banquet that attracted more than 300 persons.

Attending the banquet, besides officials and employees of the Famous Players Canadian, was a large contingent of American trade leaders, most of whom arrived from New York City.


All of the foregoing film leaders in addition to President N. L. Nathanon of Famous Players, Hon. W. D. Ross, former lieutenant governor of Ontario; Premier Heenan of Ontario; Chairman O. I. Silverthorne of the Ontario censor board; Col. John A. Goodyear, president of the National Ballet of Canada; and the Canadian film exchanges occupied prominent places at tonight's banquet.

The entertainment circuits were represented by H. I. Long for Associated Theatres; Samuel Fine of B. and F. Theatres; G. N. Ganetakis of United Artists Booking Corp.; Monroe Carl Hirsch of Consolidated, Montreal; V. Larvand, Confederation Theatres, Montreal; Raymond S. Allen of Consolidated, Toronto.

Another outstanding guest was President B. E. Norris of Associated Screen News, Ltd., of Montreal.

Rain Spoils ITOA's Indian Point Outing

Shower dampened the frolicking spirits of about 400 persons at yesterday's all-day Indian Point outing held by the I.T.O.A. The frolickers traveled aboard the Alexander Hamilton. Because of the rain the arts portion of the program, including the I.T.O.A.—Motion Picture Associates baseball game, had to be called off. Prizes scheduled for sports and dance were won by the lot method. David Weinstock was chairman of the outing.

Lunchboxes and dinners were served on board the boat. There was dancing to the music of Eli Danziger's orchestra.

Among those present at the outing were Dave Snaper, Joe L. Lee, Harry Buxbaum, Phil Hodes, Joe and Ben Weinstock, Mr. and Mrs. Harry Brandt, Bing Brandon, trailer drivers, Frank and Joe Horstein, Leon Rosenblatt, Moe Kerman, Saul Straussberg, Herman Weintraub, Alexander Thomas, Moe Sanders, Mel Alterman, Irving Penner, Adolph Hass, Sam Shaion, Lionel Toll, Abe Blumstein, Francine Brunner and Pearl Brunner.

SHORT SUBJECT REVIEWS

"Ocerland with Kit Carson" (Columbia)

Here's a chapter play that will keep 'em on the edge of their seats and keep 'em coming back to learn what happens next. It's a sockoer of the first chapter is any criterion.

Everything about it seems to be excellent, including plot, production and acting. Bill Elliott, always-on-the-spot Kit Carson, renamed Indian scout, who is drafted by the Government to wipe out a gang called the Black Raiders. The Raiders' leader, a mysterious "Peg Leg," is one of the best evil men seen

Plenty of action is promised as the "good whites" unite in combat with the Raiders who have dark designs to capture the vast, rich territory west of the Mississippi. The Indians, making a last stand against the immenst写作ambition of the settlers, are in cahoots with the Blacks. Running time, average 20 mins.

"Saved by the Whale" (Columbia)

The Three Stooges are traveling salesmen in this one, which is pretty funny in spots. They try selling fur coats in the tropical earthquake back and get mixed up in a revolution. They are sentenced to die but are saved by a beautiful senorita. The Stooges have a lot of fun in trying to escape in a truck loaded with dynamite. They are, however, preserved for future Columbia shorts. Running time, 17 mins.

'Hollywood Sweepstakes" (Columbia)

This is a Color Rhapsody cartoon in color. There's an exciting finish to the screwiest horse race seen this side of Havana. The race is run at Santos, Brazil, in an ocean of mud. This is an odds-on favorite. Running time, 8 mins.

'Screen Snapshots, No. 12" (Columbia)

Columbia has produced a fine Eighteenth Anniversary issue of Screen Snapshots, quite in line with the current trend of barking back to the screen's early days. It will strike a responsive chord in many a heart, as glimpses of such stars Rudolph Valentino, Clara Kimball Young, the Talmadge sisters, the Gish and others who were famous in days gone by. Xoan Beerly is the narrator, with the setting a party for young- sters of the screen now a-growing, and should be a "must" for film fans. Running time, 10 mins.

"There Goes Rusty" (Columbia)

A dog racetrack and just about everyone who loves dogs will think this is swell. Secrets of the training of the racing greyhounds are revealed, from their first contacts to the classic dog "Kentucky Derby" at Miami Beach. Running time, 10 mins.

More Trust Suits in Fall, U.S. Promise

Will Osborne Orchestra (Warners)

A hot orchestral short subject, with Will Osborne's orchestra giving out hot swing versions of a number of currently popular and novelty tunes. The orchestra provides, using a cluster of croning vocals, as do Lynn Davis, the orchestra's feminine vocalist, and a couple of Rogers. Running time, 15 minutes.

"Wire Quack" (Warners)

In a really cute "Looney Tune," Daffy Duck is named as a nervous, expectant father. After much tribulation Mrs. Daffy Duck finally begins a number of ducklings and Porky Pig arrives bearing congratulations. A hand steals one of the ducklings, and Porky and Daffy effect a rescue. Running time, seven minutes.

"Seeing Red" (Warners)

Red Skelton, the radio clown, is fired by an eccentric boss and before departing Red vows he will haunt the boss and his adoring wife. The boss and wife visit a night club where he finds Red wherever he looks. Red is seen as the waiter, check room attendant, master of ceremonies and in other guises. The night club setting provides opportunity for the single-handed antics of Mack Robbins, a clown, and two sets of dancers to perform their specialties. Running time, 20 mins.

"One Day Stand" (Warners)

Circus life is described herein. The film traces a typical day in circus life, opening with the circus arriving by train, and the tent being set up by roughs. The film shows the members of the circus and the performances showing the acrobats, clowns, acrobats and finally Clyde Beatty in his lion taming act. Running time, 10 minutes.

"Modern Methods" (Warners)

There are sequences showing how modern methods of science and invention are utilized. The sequences deal with the bureau which compiles statistics on ocean waves, an instrument by which a housewife performs various tasks by remote control, an artist who paints a picture like a master, and the performances showing the astromy at the observatory, the mechanics of the radio and the mechanical telephone.

"Three Minute Fuse" (Warners)

Gibbons and Gibbons' "True Adventure" episode, this one deals with an Oklahoman rancher who is building a well with the aid of two neighbors. Hitting rock, the driller blows up the out- fuse which has a rope fuse that burns for three minutes. Lighting the fuse, the rancher adds 15 sticks to hold him out of the well, and he is being hoisted up when the rope breaks, deposing him at well bottom in an unconscious condition. The rescue is effected in a novel manner, and just in time. Running time, 11 minutes.

Details in Follies Suit Sought by Majors

Loew's, Inc., Paramount Pictures, Inc., 20th Century-Fox Film Corp., Universal Pictures Corp., Republic Pictures Corp., Monogram Distributing Corp., Randorce Amusement Corp., and Big U Film Exchanges filed application Monday in the U. S. District Court to be heard on August 1 for a bill of particulars to the anti-trust suit of Film Amuse- ment Holding Corp., which names the eight majors and a number of other defendants. Suit charges the defendants with conspiring to force the plaintiff out of business by allegedly preventing it from securing product.

Delay UUDC Hearing

Informal hearing before N. Y. State Labor Relations Board on petition for certification by United Ushefs, Door- men and Cashiers Union, C.I.O., a collective bargaining agency in RKO houses in New York City was postponed yesterday until 11 A.M. today.

Astor Sets Film Deal

Astor Pictures will distribute "Vene- gence of the Deep," which features Ilford Hughes and a cast consisting of Mary in the south Pacific. R. M. Savini, Astor president, said yesterday.
**Theatre, Personal Notes**

Lockwood, Rossen Bay in Windsor

**Manager In New Post**

San Antonio, July 27.—Fred Putnam, manager of the Strand, Peeples and New Pearce at Fort Arthur has been appointed to manage the Strand, Jennings, La.

**Acquires Texas Theatres**

**Oklahoma City, July 27.**—Consolidated Theatres, Inc., affiliated with the Griffith circuit, recently acquired two theatres in Lubbock, Tex., from Andy Milinar. The two houses were purchased for the Consolidated company by Lindsay Theatres, Inc., of Lubbock.

**New Okla. House to Open Soon**

Stillwater, Okla., July 27.—The new state, seating 520 persons, will be opened soon. The house will be managed by Jimmy Zaralules, city manager for the Griffith Amusement Co. here.

**Kansas City Changes**

**Kansas City, July 27.—**Fox Midwest Theatres, Inc., has shifted James Chapman from the Linwood to the Belvedere theatre here.

Pennad, succeeds Louis Sponsler, who, with Jerry Baker of the Granada, Kansas City, assumed the temporary leadership of the house.

Charley Barnett, man going to the Linwood, goes to the Granada. Harry Biederman, formerly Frank Rich’s assistant at the Uptown, goes to the Linwood.

**Moorman Manages Cozy**

**Gladewater, Tex., July 27.—**East Texas Theatres sends Edwin M. Moorman to manage the Cozy here.

**M’Gee to Three Rivers, Texas**

**Three Rivers, Texas, July 27.—**T. B. McGee, once manager of the Rialto, Benton, now manages the Rialto here, replacing Sam Scherewitz, who has been transferred by the Hall Industries to Bevillo.

**Knight Back to Lincoln**

**Kansas City, July 27.—**W. B. Knight, who has been handling advertising and promotion at the Newmark here, has resigned to return to Linwood. He is being replaced in the office of the Metro Premium Company of Philadelphia. Charley Abrams succeeds him at Metro.

**Seek NLRB Rehearing**

**Hollywood, July 27.—**Non-certification of the Screen Publicists Guild is the bargaining agency for the Motion Picture Studio Workers International studio by the N.L.R.B. is a “technical error,” William Edwards, S.P.G. president, said yesterday. An application for a rehearing by the N.L.R.B. on the application of the Sezickum unit will be asked, he said.

**Morros Sets Second**

**Hollywood, July 27.—**Boris Morros’ second court case in connection with the Motion Picture Studio Workers International studio by the N.L.R.B. on the application of the Sezickum unit will be asked, he said.

**Republic Signs Barry**

**Hollywood, July 27.—**Donald Barry has been signed to a three-year contract by Republic and will be given the lead in “Calling All Marines.”

**Newsreel Parade**

Events pertinent to the war crisis, British and French newsreels, and a ski party disaster constitute the major coverage in the new issues, it is revealed.


**PARMA, No. 10.—**Ski photos in Davos and Hamilton sail. Find missing boy. War in Europe 23 days after present crisis. Neutral situation in U.S.


**ROKO PATRONS NEWS, No. 3.—**Bastille Day, Farley and Hamilton discuss 1940 election. Motion pictures are nearest in 1940. Pearl farm at Fair. Shooting match in Idaho. Britain beats U.S. in track meet.

**‘Juarez,’ ‘Maisie,’ Set Oklahoma City Pace**

**Oklahoma City, July 27.—**Good business at the ‘Juarez,’ first offering in ‘Maisie’ and ‘Maisie’ helped hold business for the week to the city’s average despite temperatures of more than 100 degrees during the first two days of the week. The figures were $300 over average with $4,400 and ‘Maisie’ was on the line at $5,200. The business was $16,670. Average was $17,900.

**Estimated takings for the week ending July 27.**

<table>
<thead>
<tr>
<th>Theatres</th>
<th>(M-G-M)</th>
<th>CRITERION—(1,500)</th>
<th>(25c-35c)</th>
<th>4 days</th>
<th>Gross</th>
<th>(Average)</th>
<th>$650</th>
</tr>
</thead>
<tbody>
<tr>
<td>&quot;Tell No Tales&quot; (M-G-M)</td>
<td>THE MAN WHO DARED (F. N.)</td>
<td>LIBERTY—(2,000)</td>
<td>(15c-25c)</td>
<td>4 days</td>
<td>Gross</td>
<td>(Average)</td>
<td>$700</td>
</tr>
<tr>
<td>&quot;It Could Happen To You&quot; (20th-Fox)</td>
<td>RICHARD, The Range (Radio)</td>
<td>LIBERTY—(1,500)</td>
<td>(15c-25c)</td>
<td>4 days</td>
<td>Gross</td>
<td>(Average)</td>
<td>$800</td>
</tr>
<tr>
<td>&quot;Man About Town&quot; (Para.)</td>
<td>MIDWEST—(7,500)</td>
<td>(25c-35c)</td>
<td>6 days</td>
<td>Gross</td>
<td>(Average)</td>
<td>$850</td>
<td></td>
</tr>
<tr>
<td>&quot;They Were Expendable&quot; (M-G-M)</td>
<td>&quot;The Lady And The Mob&quot; (Col.)</td>
<td>STATE—(2,000)</td>
<td>(15c-25c)</td>
<td>7 days</td>
<td>Gross</td>
<td>(Average)</td>
<td>$900</td>
</tr>
<tr>
<td>&quot;It Happen To You&quot; (20th-Fox)</td>
<td>RICHARD, The Range (Radio)</td>
<td>LIBERTY—(1,500)</td>
<td>(15c-25c)</td>
<td>6 days</td>
<td>Gross</td>
<td>(Average)</td>
<td>$1,000</td>
</tr>
<tr>
<td>&quot;The Lady And The Mob&quot; (Col.)</td>
<td>THE TOWER—(1,000)</td>
<td>(25c-35c)</td>
<td>6 days</td>
<td>Gross</td>
<td>(Average)</td>
<td>$1,000</td>
<td></td>
</tr>
</tbody>
</table>

**French Corp. to Get Reorganization O. K.**

Federal Judge William Bondy yesterday indicated that he would approve the plan of reorganization of French Film Motion Picture Corp. No objection to the plan was raised and Judge Bonny is advised that if it complied with the U.S. statute, he would consent to its confirmation.

**Roxy Theatre Dividend**

The Board of Directors of Roxy Theatre declared a quarterly dividend of 37 1/2 per share on the outstanding Preferred Stock of the Corporation, payable August 24 to stockholders of record at the close of business on Aug. 10.
DENVER, July 27.—Following a few weeks of better than average business, Denver's theatre grosses declined this week, with a total of $10,516,000, an average of $3,275.00. "The Sun Never Sets," pulled the biggest gross, $10,000. After four boom days last week managed to hatch "Taste of Spring Fever" and "Panama Lady," the O'pehn with the same dual this week grossed slightly below normal.

Total first run business was $31,950. Estimated takings for the week ending July 25:

- "The Hurricane" (Col.)
  - Gross: $3,025.00 (25-35-40) 7 days.
- "Dead End" (U. A.)
  - Gross: $2,800.00 (20-35-40) 7 days.
- "Gracie Allen Murder Case" (Para.)
  - Gross: $1,550.00 (20-35-40) 7 days.
- The Sou'wester (Metro-Goldwyn-Mayer)
  - Gross: $4,500.00 (25-35-40) 7 days.
- Denver (25-35-40) 7 days.
- "Andy Hardy Gets Spring Fever" (M-G-M)
  - Gross: $3,750.00 (20-35-40) 7 days.
- "Pamela Lady" (RKO)
  - Gross: $1,600.00 (25-35-40) 7 days.
- "Oriphum" (20-35-40) 7 days, followed by a local week.
  - Gross: $5,000.00 (25-35-40) 7 days.
- "San Francisco" (M-G-M)
  - Gross: $3,000.00 (20-35-40) 7 days.
- "Clouds Over Europe" (Col.)
  - Gross: $3,000.00 (20-35-40) 7 days.
- PARAMOUNT (20-35-40) 7 days.
- "When Germany Surrendered" (L. A. Rule)
  - Gross: $3,000.00 (20-35-40) 7 days.
- "A Woman is the Judge" (Col.)
  - Gross: $3,500.00 (20-35-40) 7 days.
- "Rialto" (195-20-35) 7 days.
  - Gross: $1,700.00 (25-35-40) 7 days.

TARKINGTON LOSES WARNER SUIT PLEA

Federal Judge William B. Barmy yesterday denied an application of Booth Tarkington to dismiss a $18,750 counter-claim against him by Warner Bros. Pictures, Inc. in Tarkington's suit for an injunction, accounting and damages against Warner Bros. At the hearing Judge Barmy directed Warner Bros. to serve a bill of particulars of its answer.

The complaint charges Warner Bros. with the use of the name "Tarkington" in the literal sense to "Perord," the film, "Perord and His Twin Brother," and alleged the copyright into being in advertising Tarkington's name in connection with the picture. Counterclaim contends that Tarkington sold the rights to the story which was in the public domain.

Televisual Films

Audio Production Inc. has registered the trade name "Televisual" to describe a new series of merchandising films now being made for television purposes. Arrangements have been made with American Television Corp. whereby Audio will make short films to be televised through a self-contained system operating in several department stores.

Team Davis-Hopkins

Hollywood, July 27.—Warner will again team Bette Davis and Miriam Hopkins, who appear in "The Old Maid," New vehicle will be "Devotion," a story of the three Bronte sisters which James Hilton is now writing.

Humphrey Bogart will be starred by Warners in "Monsieur de la Made," a novel of U. S. Coast Guard whaling activities.

New York Review

"Colorado Sunset"

(Department)

Dairy cows, rather than steers, are the center of interest in "Colorado Sunset," a song-studded western. Gene Autry and Smiley Burnett are its stars but the film owes much to June Storey, Barbara Pepper and Larry "Buster" Crabbe for excellent portrayal of supporting roles.

Gene Autry, as western saddle platonic battle, when a gang attemps to hijack a number of milk wagons and Gene and his boys come to the rescue. Still another feature is an election campaign and rally with all the trimmings when Gene is drafted to run for sheriff.

Gene and his Columbia Broadcasting Texas Rangers are considerably surprised when they learn that Smiley has purchased a dairy farm instead of a cattle ranch for them. They discover, however, that Robert Barret, as a local vet, is trying to coerce the farmers into joining a "protective" association. In this venture he has the aid of Crabbe, a deputy. The method of intimidation used, is to have the gang gather at various spots to wreck farms with instructions given through an incoding sound code over the radio.

After the sheriff is shot down by Barret, Autry is elected. He enlists the aid of Miss Storey, who does the actual broadcasting, and she alters the code word. After a three-cornered fight, the gang is captured.

William Berke was associate producer and George Sherman directed. The screen play was written by Betty Burbridge and Stanley Roberts from an original by Luci Ward and Jack Natterfield. Running time, 64 minutes. "G.

Edward Greig

"G" denotes general classification.

Date Set for Majors: Independents Fight in Philadelphia Case

Bullied by Unions

Philadelphia July 27.—The landlords and merchants of Center City are convening their annual meeting to formulate a campaign for the theaters. Members of the subcommittee are: Jack B. Tenney, president, Musicians Local No. 47; J. W. Gillette, inter- national representative, American Federation of Musicians; Al Speed, business representative, I.B.E.W., Local 40; William D. Castle, business representative, Carpenters Local 56; Nathan Saper, secretary-treasurer, Studio Drivers Local 389, and Herbert Donnelly, representative, Photographers Local 659.

K-A-O Votes Dividend

A dividend of $1.75 per share, declared yesterday by the board of directors of Keith-Albee-Orpheum Corp. on its 7 per cent cumulative convertible preferred stock, which will be paid out of operating surplus, is for the quarter ended Dec. 31, 1938, and is payable on Oct. 15 to holders of record on Sept. 15.

HOuSON ON PROGRAM

Albert Howson, Warner executive, will appear in the broadcast Saturday by the Franklin Institute of Philadelphia in connection with the 15th anniversary of talking pictures.

Depositions Delayed

Chicago, July 27.—Taking of depo- sitions against the major companies and B & K has been postponed to Aug. 3, according to Lewis Jacobson, attorney for Ford.

Illinois Governor Vetoes Duals Bill

(Continued from page 1)

motion picture exhibitions lasting more than two hours and 15 minutes.

"Since the constitutional is of the opinion that this bill is not constitutional, I veto and withhold my approval of it."

This was the first attempt to elimi- nate double bills by state legislation. Passage of the bill encouraged Mimeo- nograph Productions, Inc., to file similar measures for introduction in city councils. A limitation bill is being prepared in Newark, N. J.

Chicago independent exhibitors to- night indicated that they would seek a city ordinance limiting film programs to 75 minutes. Following the follow of news of Horner's veto. Independent exhibitors believe that a city ordinance can be formulated so that its constitutionality will not be disputed.

Manual Set For Jubilee Observance

(Continued from page 1)

visiting exhibitors and friends of the in- dustry to participate.

The manual was prepared by a commit- tee headed by Kenneth Clark, M.P.P.D.A. publicity representative. Other members are: Lester Thromping of the Advertising Advisory Council; Judd Swensen, M.P.P.D.A. press de- partment; Harry Goldberg, Warner advertising manager; William Fergu- son, M-G-M exploitation manager; Ben Grimm, RKO exploitation man- ager, and Lou Pfollick, Universal eastern advertising and publicity man- ager. Swensen was in charge of compilation of the material.

"Carnival in Strong Music Hall Opening

"Winter Carnival" opened strong at the Music Hall yesterday with an estimated $12,500 for the day. Wait- ing lines were in evidence for hours at the time.

United Artists obtained from a Fifth Ave. store 12 models who displayed new fall college fashions while wait- ing for the show. A group of debs and sub-debs served as judges of the prospective popularity. In the judging group were Mary Mitchell, Doris Rawlins, Lucy Truesdale, Ann Amory, Amanda Cecil, Virginia Lewis, Cath- erine Connell, Thema Babcock, Ines Drury, Eileen Herrick, Jean Harring- ton and Helen Stedman.

"A, A, A Dawn T Die" drew an estimated $33,000 for its first week, equaling the house record since inauguration of the stage show policy. It box office for at least another two weeks.

"Frontier Marshall" opens at the Roxy today. Fourth week of "Second Fiddle" brought an estimated $25,500 there.

"Sun" Best in Denver, Gets Big $10,000
COVERING EVERY PHASE OF PRODUCTION DISTRIBUTION EXHIBITION FOR 1939-40

ON THE PRESS

ORDER TODAY—$3.25 POSTPAID

MOTION PICTURE ALMANAC
ROCKEFELLER CENTER, NEW YORK
Fly Chosen As McNinch’s Successor

WASHINGTON, July 27.—James F. McNinch, chairman of the Kansas City, Valley District Bankers Association, today was nominated by President Roosevelt as a member of the Federal Communications Commission to succeed Chairman Frank R. McNinch, who is resigning because of ill health.

Valle was appointed by the Kansas City Board of Review and was elected to the board of directors of the Associated Press by unanimous vote.

The new commissioner is 41 years old and has served in the United States Naval Academy with three years as a commissioned officer. During the Hoover regime he was, for a time, special assistant to the Attorney General handling important anti-trust suits. He has been in the service of the Government since 1918 when he was appointed special solicitor of the TVA, becoming general counsel in 1937.

Pacific CBS Honored

The CBS Pacific Network has won a prize for its merchandising of commercial programs in a recent competition staged by the Pacific Advertising Club and the Pacific Network Operators Club. The award was presented to William H. Tomlinson, general manager of the network, by the President of the Associated Press, for the development of the network and its promotion.

Television Training

LONDON, July 27.—Cine employees union, N.A.T.P.E., in annual conference today, authorized by executive committee, to investigate possibilities of establishing a technical institute providing television training for projectors. Cooperation will be asked of the Motion Picture Exhibitors Association and circuits.

Col. Healey a Columnist

ALBANY, July 27—Colonel John Healey, Blue Sunoco commentator heard over WGY for the past four years, is now doubling his activities by writing a column for the Times-Union. Hearst morning paper here. Healey was attached to the Times-Union staff before breaking into radio.

Conrad to Indianapolis

CINCINNATI, July 27.—John Conrad until recently program director of WLW, plans to become program manager of WIRE, Indianapolis.

New WOR Concert Series

WOR is scheduling a concert series for the fall with pianist Nadia Reisenberg as pianist, supported by Alfred Wallenstein’s orchestra.
**MGM Upheld in Plagiarism Suit Reversal**

**Novelists Entitled to Only 1/5 of Profits, Ruling**

U. S. Circuit Court of Appeals on Friday reversed a lower court decision which awarded Edward Sheldon and Margaret Ayer Barnes a $332,000 judgment against Loew's and M-G-M for plagiarism of the novel, "Dishonored Lady," in the film, "LETTY LYNCH." The higher court held that the authors were entitled to only one-fifth of the profits from the film, on the ground that they were not the sole authors of the entire picture earned by U. S. District Court Judge Vincent T. Leiboll. The Circuit Court returned the case to the lower court for a new hearing, and computations of profits and an assessment of such profits among all principal factors concerned with production of the film. These should include, the court held, in a 22-page opinion written by Judge Learned Hand, the drawing power of the actors (Joan Crawford and Robert Montgomery), the value of the screenplay, and the amount of any other elements in the picture which would diminish the value to the public of the film. (Continued on page 3)

**U. S. Film Men Fete Jean Zay in Paris**

BY PIERRE AUTRE

PARIS, July 30.—American film industry on Friday gave an official luncheon to Jean Zay, French Minister of National Education and Fine Arts and also president of the Cannes International Film Festival which will be held Sept. 1 to 20. The luncheon was organized by Harold Smith, Continental European representative for the M. P. P. D. A., to signalize the American industry's assurance of cooperation in the Film Festival.

Many officials and American film representatives attended. Among them were: Philippe Erlanger, director of the Action Artistique French; A. L. Ehrman, who is organizing the Film Festival; Tony Ricou, general secretary of the Festival, and Government representatives.

Martin Quigley, president of Quigley Publications, who is visiting in Europe, was a guest. Others were: David Reagan, American commercial attaché; Ernest Meyer, third secretary of the American Embassy. (Continued on page 4)

**Capitol Closes UA Deal For Korda's '4 Feathers'**

United Artists and Loew's have negotiated a deal for a Broadway showing of Alexander Korda's film, "Four Feathers," at the Capitol, presaging a possible future change in the selling and booking of all U. A. product here, and which therefore played at the Radio City Music Hall.

"Four Feathers" opens Friday at the Loew showcase for an indefinite run, at terms which are stated to be the biggest yet paid by Loew's for any Capitol theatre picture. A big advance campaign by Loew's and U. A. is planned to herald the premiere.

This U. A.-Loew transaction is unusual for several reasons. One of these is the fact that "Four Feathers" is the first U. A. picture to play at the Capitol, principal Loew house.

The deal was transacted by Harry Gold, vice-president in charge of eastern sales of United Artists, and George Wilt, executive theatre operator of Loew's.

In purchasing "Four Feathers," the Loew people have cleared the Capitol's theatre calendar of all "waiting" product, in order that the Korda picture might have the fullest possible run.

Additionally, the Korda picture will follow from the Capitol into all Loew metropolitan neighborhood theatres. (Continued on page 3)

**Para. London Deal To Sell Theatres**

London, July 30.—Stanton Griffin, chairman of Par- mount's executive committee, who is in London, disclosed that Paramount is discussing a deal to dispose of all its theatres outside of the West End, with only the Piano possibly being retained.

Paramount has 15 theatres here, valued at $14,000,000. Griffin is reported to be discussing a deal whereby Para- mount films will play the Odeon circuit.

**Midtown Theatres To Restore Games**

One month trial of games elimina-
tion in midtown theatres has been arranged to test the area of Manhattan will be abandoned Aug. 7. Theatre operators agreed that the failure of N. Y. City License Commissioner Paul Moss to force similar abandonment of games in other places of public assembly in the area placed film houses in an unfavor-

able competitive position.

Games were eliminated on July 3 from six West Side theatres between 44th St. and 2nd St. and between 34th St. and 39th St. on the East Side. It was intended to use this area for gaming, but after early move, it was found to be extended to other parts of New York City.

On July 19, Century Circuit announced resumption of games after a three-week test during which they were not licensed.

**IATSE Faces Crucial Test on CIO Issue**

Hollywood, July 30.—A titanic battle for studio production crafts loomed on Hollywood's horizon over the weekend. It might develop into a crucial test of I.A.T.S.E. power.

John Gatelee, international representative of the Alliance, after a night telephone conversation with George E. Browne, International president, demanded an early signing by producers of collective contracts for their focused shop, improved working conditions and wage increases for their claimed crafts, including first cameramen for whom the American Society of Cinematographers recently signed a five-year contract.

It is Browne's intention to take over first cameramen, lost to the Alli-

ance during the 1933 strike when ASC obtained closed shop agreement for them to supplement the pact abrogated by I.A.T.S.E.

Gatelee has told Pat Casey, produc-
ers' labor contact man, that he expects an early answer to Alliance demands. Casey said yesterday that...

**FCC Needs Drastic Revisions-McNinch**

WASHINGTON, July 30.—Maximum efficiency in the public interest can be reached by the Federal Commu-

nications Commission only through re-

vision of the Communications Act and reorganization of the FCC, President Roosevelt was told this week by Chairman Frank R. McNinch in the latter's letter of resignation.

Correspondence made public at the White House over the week-end disclosed that the retiring chairman was willing to serve through August, if necessary, and President Roosevelt asked that he do so.

In undertaking to improve condi-
tions in the Commission when ap-

pointed as chairman October 1, 1937, McNinch wrote: "I found it so fraught with problems and difficulties and the commission so disunited that not until now have I felt justified in respectfully requesting you to re-

lease me from further service.

"The procedure for handling the work of the commission has been radically reorganized and certain per-
sonnel changes effected, all of which..."
Current delay in offering the trade practice code to the industry has been occasioned by refusal of Fox West Coast to consent to new provisions for selection of panels of arbitrators under which affiliated theatres are not given separate sets of names on arbitration boards when cases involving the distributor with which they are affiliated are before the boards, it was learned over the weekend.

While the code, to all intents and purposes is complete now, it has been withheld from the industry pending the consultations with West Coast officials which have been in progress for the past two weeks. The indications are that an agreement will be reached or that the code will be made public, regardless of West Coast acceptance, within a very short time.

The West Coast position is that it is not a part of the 20th Century-Fox producing or distributing organizations, but is separate operating unit independent of the company which owns a minority interest in National Theatres, its parent. Thus, West Coast officials contend, the circuit is entitled to separate representation on arbitration boards even when 20th-Fox is involved in an arbitration case with it, and would give the distributor its own representation on the board. West Coast claims that it is entitled to the same representation on boards as an independent theatre.

No objections have been made by other national distributors to the code or to its application only through their affiliated companies.

**Joseph Mankiewicz Weds Film Actress**

Joseph Mankiewicz, M-G-M producer, and Rose Stradner, actress, were married Friday at the home of the bridegroom's sister, Mrs. Erma Stenback, 49 E. 99th St. The civil ceremony was performed by Judge Samuel Ecker.

Miss Stradner, who is Viennese by birth, came to this country under contract to M-G-M, after beginning her theatrical and motion picture career abroad.

A graduate of Columbia University and a former metropolitan newspaper correspondent, Mankiewicz has had for the past five years been active as a motion picture producer. His brother, Herman Mankiewicz, is a playwright and scenario writer.

**Baranco Acquires 3 Bronx Theatres**

M. Baranco, former district manager for Fox and later for Warner Theatres, operator of a theatre in Denver, and more recently, operator of the Palace in Atlanta, has acquired three houses in the Bronx from Moe Rosenberg, decreasing the latter's holdings to one house in New Jersey, the Franklin. The theatres, Cong. Voss and Metro, aggregate about 4,700 seats. The transaction becomes effective tomorrow.

**Purely Personal**

**George J. Schaeffer, RKO president, and Mrs. E. Depinet, distributor of film that is the property of the Garden Theatre, will be away from the office for two weeks.**

**Susan Hayward arrives in New York today for her first vacation in her home town in two years. She will remain until Aug. 6 when she flies to San Buren, Ark., for the opening of the Bob Burns' "Our Leading Citizen." She also appears in the film.**

**Vivyan Donner, fashion editor of Movietone News, arrives today on the Normandie. Other arrivals include Darsin Kamin, French film producer, Mrs. Morton Downey, Arthur Tracy and Sam Levene, actor.**

**R. Stallings of Lenoir, N. C., was a visitor at the Paramount exhibitor lounge last week. Other visitors included Cecil Cupp, Arkadelphia, Ark.; Sam Horowitz, Des Moines, and Lee Balsley, Cresson, Pa.**

**Charles C. Pettijohn, M. P. P. D.A. general counsel, sailed for Italy Friday on the Svatolmaria for arbitrators. He returned to evact his office. He is accompanied by Mrs. Pettijohn and will be away about a month.**

**Marge Hendrickson, who was secretary to Stanton Griffis, left New York for Hollywood Friday to rearrange her residence there. She was employed at the Paramount studio originally.**

**Eleanor Lowenthal of Monogram's New York exchange, left Friday for a vacation. Jack Cohen of that office is also vacationing, due back next Monday.**

**A. H. Blank and Raymond Blank, who have been visiting in Hollywood for the past two weeks, returned to Des Moines over the weekend.**

**Gene Murphy of Loew's screened "Miracles for Sale" for Clayton Rawson, author of "Death From a Top Hat," from which the film was adapted.**

**Mike Cullen, Loew district manager with headquarters in Columbus, has been in New York for conferences with J. R. Vogel, circuit head.**

**Joseph M. Schenck, chairman of the board of 20th-Century-Fox, left for the coast over the weekend after an extended stay in the east.**

**Dr. Vladimir Zvonrkin, R.C.A., telethon executive, arrived for the Svatolmaria which sailed from New York for Italy on Friday.**

**Dorita Norby, Argentine singer and delegate to the World's Fair, sailed for Rio de Janeiro Friday on the Argentina.**

**H. M. Rodza of the Roseland Theatre, Chicago, visited Motion Picture Herald's Rosemary Theatre offices Friday.**

**Eddie Dowden, Loew publicist chief in Brooklyn, is vacationing.**

**Charles E. McCarthy, 20th Century-Fox director of adver- tising and publicity, left last week to fly to the coast tonight to line up campaigns on new product.**

**Robert Gillham, Paramount advertising and publicity director, will leave for the Midwest tomorrow to cover "Beau Geste" openings in Chicago, Milwaukee, Minneapolis, St. Louis and elsewhere.**

**J. H. Hoffberg will leave Aug. 8 for the coast and will visit all key cities on his return trip east to discuss first run deals and distribution questions for product being handled by him.**

**Roger Hunsbury has been added to the company at the Starlight Theatre, Pawling, for "Room Service" next week, directed by Stuart Fox, who is substituting for Maryvonee Jones.**

**Mrs. Agnes Fowler and Jane Fowler, wife and daughter of Gene Fowler, sailed Tuesday on the Champlain Saturday.**

**E. Thornton Kelly, executive advertising and publicity director for Warners, returns today from a trip to the coast.**

**Eddy La Rue, manager of the Star, Hudson, New York, is recuperating in the Hudson Hospital following a minor knee operation.**

**Mrs. Agnes Fowler and Jane Fowler, sailed Saturday on the Champlain.**

**Mort Blumenseck, eastern advertising and publicity director for Warners, returns today from a trip to the coast.**

**George West returns on the Nor- mandie today after a trip to London and Paris.**

**Homer H. Harmon, advertising and publicity director of the Roxy, has returned from a three weeks' vacation.**

**The Peters Sisters, musical comedy team, after 14 months abroad, return today on the Normandie.**

**Edward L. Reed, manager of the Strand, Providence, is at Block Island, R. I., for two weeks of sword-fishing.**

**Rose Schmidt, office manager of RKO division headquarters in Cinci- nnati, is vacationing in the west.**

**Arthur Goldstein of the Avon, Providence, is at Camp Devis, Mass., for an annual training.**

**Elisa Lande opens in "Tovarich" at the Matumac, R. L., summer play- house tonight.**

**Jack Ellis, RKO salesman, returns to his desk today after a brief vacation.**

**Barbet Kiesling, M-G-M traveling publicist, was in Cincinnati last week.**

Conference of major company attorneys and representatives of the U. S. Attorney General's staff on Friday failed to agree on a date for the start of trial of the Government's antitrust suit against the industry. No further conferences between the two sides on the subject are scheduled.

Hearing on the Government's motion for a preference on the Federal District Court with "Beau Geste" openings in Chicago, Milwaukee, Minneapolis, St. Louis and elsewhere.

Defense attorneys will oppose the Government's motion and if called upon by the court to do so, may suggest some date in the Spring as being agreeable for the start of the trial. A compromise to a mid-Winter date is indicated.

Judge Knox suggested the confer- ence on this motion came before him for the first time last week, believing that the two sides might agree on a trial date without the necessity of a court hearing.

**LeRoy Back Again In Director's Role**

Mervyn LeRoy has obtained the consent of Louis B. Mayer to be relieved of his responsibilities as an active producer and return to directing. LeRoy will begin immediate preparations for "Ziegfeld Girl." Other productions which LeRoy will subsequently undertake include "Sea of Grass," with Spencer Tracy and Myrna Loy co-starred, and "National Velvet."

**"Carnival" Strongest Draw on Broadway**

"Winter Carnival" proved too hot a ticket to keep on day-by-day in its first two days at the Music Hall with lines crowding the lobbies during the entire week. Gross take for Thursday and Friday was an estimated $28,000.
IATSE Faces Crucial Test on CIO Issue

(Continued from page 1)

meetings of producers will be held this week on the matter. It became clear during the week, however, that ASC would not relinquish its jurisdiction over the first camera crew. An independent group which has no labor affiliation is expected to take some action during the week.

Meanwhile the IATSE is being attacked on another side as the CIO-financed United Studio Technicians Guild, headed by Paramount's "Typhoon" company, going on location to Catalina Island, to employ half of IATSE and half of USTG members.

A showdown on the demand is expected quickly as USTG sought aid from the CP, known over union enemies. If the longshoremen support the USTG claim, the harbor and waterfront would be closed. Thus they would be forced to take the island to be dead the film company.

Members of IATSE Photographers Local 659 met and voted full support of Gatee's action and favored the pressing of demands for jurisdiction over cinematographers in the major studios.

Erpi Chooses Shea As Knox Successor

T. E. Shea is a new vice-president of Erpi, elected at a special meeting Friday and succeeding H. G. Knox, who resigned July 15 on the advice of his physician. Shea will assume the vice-presidency Aug. 7, and will head Erpi's engineering functions.

Drawn to Erpi from the Bell Telephone Laboratories, Shea is widely known in engineering circles. He is a fellow of the American Institute and a fellow and past president of the Society of Motion Picture Engineers and is the author of numerous books and papers on various aspects of sound picture engineering.

Ray Johnston Returns

W. Ray Johnston, Monogram president, arrives in New York today on the Normandy following a two months European business trip. While abroad Johnston conferred with officials of Pathé Pictures, Ltd., in London on production plans and budgets for Monogram's 10 new features. Pathé will distribute 32 Monogram features in foreign territories during the new season.

How Sound Developed

How sound pictures were developed and their growth since the early days was described at a downtown, Warners chief of censorship, at the Franklin Institute, Philadelphia, Saturday night by a number of the various organizations attended. The talk was broadcast over WCAU.

Beryl Mercer Dies

Hollywood, July 30.—Beryl Mercer, 57, veteran actress, died Friday. She had undergone a major operation a month ago. She came to the American stage from London. She appeared in innumerable American films.

San Antonio Notes

SAN ANTONIO, Texas, July 30.—At a meeting of stockholders, R. Early Wilson, formerly vice-president of the Alamo Broadcasting Co., was elected president. Wilson retains the principal stockholder, replacing H. L. Taylor.

Mrs. Elliot Roosevelt bought H. L. Taylor's stock. Other new stockholders were J. Leo, manager of the Alamo, Charles T. Mann, manager of Cactus, and W. W. Williams, manager of the Alamo Broadcasting Co.

Joy Hodges flew here by plane after a personal appearance for Universal in Wichita, Kan., and is visiting Mrs. Amy Lee, San Antonio.

Jack Chalman, advertising manager for Interstate, San Antonio, and J. W. Brooks, treasurer and manager, Interstate, traveled to Mexico City, then to New York's World Fair.

Coleman Neely, cameraman, is going to Atlanta to cover a feature for Paramount Pictorial.

Exhibitors Form New Pa. U.M.P.T.O. Unit

HARRISBURG, July 30.—Exhibitors in the Philadelphia vicinity who believe the city and the county have formed a new organization known as the Lykens Valley Group and will be affiliated with the Pennsylvania Motion Picture Theatre Owners of Eastern Pennsylvania, Southern New Jersey and Delaware. Organizing meeting was held last week in the City Hotel. Pizcor, president of the parent organization, attending. Pizcor was named chairman of the new regional group.

Manager Is Fined for Holding Prize Game

CINCINNATI, July 30.—William Dodge, manager of the Atlantic neighborhood unit of Associated Theatres, was found guilty by a jury in the U.S. District Court and fined $90 for operating the equivalent of Bank Night, which was conducted under the name of Money Match. The manager and the cashier are to be tried on similar charges, although trial date has not been set. Dodds was arrested and fined on a Bank Night charge last Feb. 18.

FCC Needs Drastic Changes—McNinch; Calls It 'Disunited'

(Continued from page 1)

have contributed toward a marked improvement in the efficiency of the commission,‖ he reported, "but, in my judgment, it is not possible to reach the maximum of efficiency in the promotion of the public interest with the personal situation and within the inadequate framework of the Communications Act.” It is expected that upon leaving the FCC to resign the practice of law, McNinch will be named to a major post in the broadcast industry.

Two RCA Dividends Voted by Directors

The Radio Corporation of America quarterly dividend on the outstanding shares of the Corporation’s convertible preferred stock is 75c per share, and a quarterly dividend of the outstanding shares of “B” preferred stock, were declared by the directors. The dividend on the "B" preferred stock is $75c per share, and the dividend on the "B" preferred stock is $1.25 per share. These dividends are for the period from July 1, 1939, to September 30, 1939, and will be paid on September 30.

Plagiarism Ruling Victory for Metro

(Continued from page 1)

of the producers, contributions, the services of technicians and others, as ill the copyright.

The opinion held that it was unjust to award the entire profits of the film to the authors and that if "a distributing company, as owner of the copyright and the cashier to be tried on similar charges, although trial date has not been set."

Bill Would Make Officers LIABLE in Anti-Trust Cases

WASHINGTON, July 30.—Senator Joseph O'Mahoney of Wyoming, Temporary National Economic Committee chairman, Friday urged the Senate Committee to make a favorable report on his bill to make corporation officers and directors financially liable for anti-trust violations by their companies as a means of eliminating monopoly in industry.

Appearing before the committee during hearings on the measure, O'Mahoney explained the purpose of the bill which provides that prior to final judgment or directors involved in anti-trust violations may be penalized twice the amount of their compensation from the company during every month in which a violation occurred and subjecting the corporation itself to a penalty of twice the amount of its net income for each month in which there was a violation.

Penalties of the present anti-trust statutes are inadequate, told the committee, pointing out that the criminal fines and the fines assessed by the courts are rarely sufficiently heavy to be a deterrent to monopolies.

Heat Cripples Seattle Yield, 1939's Worst

SEATTLE, July 30.—That rare thing in the Pacific Northwest—a heat wave—hit the city for a special election except the box offices. Business for the week was the poorest of the year, a result of all extreme weather conditions. In addition, an outdoor carnival and a rodeo helped divide what little business there was.

Despite the depression, "Andy Hardy Gets Spring Fever" and "Chasing Danger" were $2,100 above average at the Paramount and a large band teamed with "Miami the Kid" gave the Palomar $5,200, also $200 over average. All other houses were far below average.

Total first run business was $33,000. Average is $38,000. Estimations for the week ending July 28:

"Five Came Back" (RKO), $47,000
"Some Like It Hot" (Paramount), $45,000
"Blue Mouse"—20th-Fox, $40,000
"Second Fiddle" (20th-Fox), $30,000
"Fifith Avenue"—20th-Fox, $25,000
"Blind Alley" (Col), $30,000
"Romance of the Redwoods" (Col), $20,000
"Doxey Meets His Match" (G-M), $20,000
"Music Box"—20th-Fox, $15,000
"Biggles"—20th-Fox, $10,000
"Blind Alley" (Col), $8,000
"Doxey Meets His Match" (G-M), $7,000
"Music Box"—20th-Fox, $5,000
"Biggles"—20th-Fox, $5,000
"Blind Alley" (Col), $3,000
"Doxey Meets His Match" (G-M), $2,000
"Music Box"—20th-Fox, $1,000
"Biggles"—20th-Fox, $1,000

Midtown Theatres To Re-Install Games

(Continued from page 1)

were described at all century houses in Brooklyn and Queens.

Commissioner Moss stated yesterday that he had hoped the experiment would encourage other theatres in the city to drop games but that the failure would not change his non-intervention policy. He will continue to "keep hands off" until an appellate court decides the Atlantic case and will act in accordance with the court's ruling, he declared.

Aug. 7 date for resumption of games was agreed upon in order to permit the houses to re-install games on the same day.

It's Mayor Rex Barrett

COLUMBIA, Mo., July 30.—Rex Barrett, city manager here for Commonwealth Amusement Corp., has been named to fill the mayoralty post left vacant by the resignation of G. B. Sapp. Barrett served one term as mayor a year ago.

Ruth Gordon Signed

Hollywood, July 30.—RKO Friday signed Ruth Gordon, stage star, for the role of Mary Todd in "The Lincoln in Illinois," Gordon Goetz production.
Zay Honored
By J. S. Film
Men in Paris

(Continued from page 1)

and Joseph A.McConville, manager of foreign distribution for Colum-
bia.
Present also were all American continental representatives in France,
including Arthur Field and Allan Byre, M-G-M; Ernest Koenig, Uni-
versal; Henry Klarson, Al. B., V.; Al. Saltiel and J. Goldberg, Warners; Georges Rou-
vier, United Artists.

Smith told the gathering that the American industry would cooperate
fully in the International Festival, expressed hope for its success and
said the American companies would send their best films. Zay thanked the
representatives for their cooperation. Britain, France, Poland and Sweden
have also accepted participate in the Festival.

Later in the day, Missiglycle attended a Columbia press party
for Cary Grant and was introduced to members of the French press.

150 Film Men Enter
New Haven Tourney

New Haven, Conn., July 30.—The
fourth annual golf tournament will lure 150 Connecticut and out-of-
state film men and their friends to Rockford Country Club, Tuesday.
The Connecticut MPTO committee headed by Irving C. Jacocks, presi-
dent, reports that participation is as swanky as the seventh-day of the
month will discuss new problems confronting the industry, as well as
its public relations.

Following him will be Republic’s president, James Grainger, and Ted
O’Shea of Metro. Wednesday’s din-
ner will be served at the beautiful
Adirondack Inn at Sacandaga park, in
the heart of the scenic Adirondacks.
Special guests at the dinner will in-
clude Robert Burton, recipient of the
dramatic award, who is directing the Mo-
hawk Drama Festival at Union Col-
lege, and the organizers of the Ideals.

Home Office Men to Speak

On Wednesday, addresses will be
given by specialists and executives of
major companies, A. J. Rademacher,
chairman of the Picture executives, is to begin a discussion of the latest developments
in sound. Charles Cassanave of Na-
tional Screen will follow. Maurice
Columbia has scheduled Publicity for
the 20th Century-Fox slate to take up
National Publicity.” Lou Pollock,
with William Sussman of 20th Century-
Fox, will discuss “How to Use Your Pressbook,” while Alee Moss of Paramount will discuss
“Showmanship to Sell Seats.” Her-
man Wobber and William Sussman of 20th Century-Fox are slated to take up
“National Publicity.” Lou Pollock
will discuss “How to Use Your Pressbook,” while Alee Moss of Paramount will discuss
“Showmanship to Sell Seats.” Her-
man Wobber and William Sussman of 20th Century-Fox, will discuss “How to Use Your Pressbook,” while Alee Moss of Paramount will discuss
“Showmanship to Sell Seats.” Her-
man Wobber and William Sussman of 20th Century-Fox, will discuss “How to Use Your Pressbook,” while Alee Moss of Paramount will discuss
“Showmanship to Sell Seats.”

Monroe Greenhill, United Artists
will open the afternoon session with a
talk on “National Tie-Ups,” while the
afternoon’s events” will be the subject taken
by Warners’ Roy Haines. RKO’s
Leon Blumberger will discuss “Direct
Marketing.”

Milliken to Discuss Problems

Principal speaker at the Wednes-
day sessions will be Carl Milliken,
governor of Maine and a leading fig-
ure in the industry. Milliken will
discuss new problems confronting the industry, as well as

165 Theatres Send 300
To Schine Circuit Rally

(Continued from page 1)

Heiss, Lou Levitch and Harry Gold-
smith.
A dinner for the managers will be
served in the evening at the Hotel
Johntown. The after-dinner speaker
will be Bob Hall, veteran actor and
humorist.

IA Threatens RKO
Strike on CIO Issue

I.A.T.S.E. has intervened in pro-
ceedings before the N. Y. State Labor
Relations Board which were brought
by the local of the United Cashiers Union, CIO, for cer-
tification of the latter as collective bargain-
ing agency in the New York City. The I.A. contends
that its has a local, B-70, functioning in Brooklyn and that for the present
this local has jurisdiction in the en-
tire city.

Richard Walsh, I.A. vice-president,
decided Friday that if RKO signed
contracts with a CIO. union for
employees over which the I.A. claimed
jurisdiction, jurisdictional, jurisdictional, jurisdictional, jurisdictional, jurisdictional
contracts would have to follow.
A three-cornered conference was
held at S.L.R.B. offices Friday and
Monday, the former had gone as far
as toward an agreement, the meetings
were adjourned to Thursday.

Buys Coward’s Plays

M-G-M has bought the collection
of Noel Coward one-act plays pre-
selected on the stage under the title,
“Tonight at 8:30.” The plays are
titled: “The Importance of Being Har-
pers,” “We Were Dancing,” “Shadow Play,” “Hands Across the Sea,”
“Stamed Oak,” “Family Album,”
“Stay Life” and “Ways and Means.”

Signs French M. P. Plan

Federal Judge William Boney on
Friday signed an order approving the
French Motion Picture Corp.’s plan of
reorganization.

Final Tour Meeting
By Levy and Ferri

Completing a seven-week tour of
20th Century-Fox exchanges in con-
nection with the seventh annual S. R.
Kent sales drive, M. A. Levy, drive
leader, and Roger Ferri, editor of
the Dynamo, company publication,
conclude the final tour meeting of
the tour here Friday.

Talks on sales policy and the 1939-
40 program were made by Herman
Wobber, general manager of distribu-
tion, and W. C. Gehring, eastern and
central division managers; H. H. Bucha-
uman, New York exchange manager;
Joe J. Lee, New York sales manager,
Roger Ferri

Charles E. McCarthy, director of
the Dynamo, company publication,
concluded the discussions by
promoting the construction of the new
structure are Albert F. Gury, Jr., 530
West. Richards Blvd., and his bro-
thers, Joseph, Clarence and Elmer,
and Phil Hauter, Mayor of Morton,
are expected Sally Eilers and Jean Muir,
who are currently appearing in Festi-
vals.

Golf and Steak Thursday

The week will be the “convention’s
play day,” featured by the annual
Schine circuit golf tournament at the
cramped Pine Brook country club here,
which will be sponsored by the gaming
substitute, will be the subject taken
by Warners’ Roy Haines. RKO’s
Leon Blumberger will discuss “Direct
Marketing.”

Milliken to Discuss Problems

Principal speaker at the Wednes-
day sessions will be Carl Milliken,
governor of Maine and a leading fig-
ure in the industry. Milliken will
discuss new problems confronting the industry, as well as

National Acquires Rights

National Pictures has acquired rights to “Zambonga” for the
Balkan territories of the Czechoslovakia, Hungary, and

Roxy Premiere Aug. 4

“Stanley and Livingstone” will be
shown at the world premiere at the Roxy, Aug.

New Theatre Work Gains
In Chicago Area

CHICAGO, July 30—Theatre
work—under way for remodeling is on an
increase in the Chicago region.

Plans have been drawn for a $700,-
000 four-story theatre and parking
structure at the northwest corner of North and ~Mobile Aves., in
Chicago, according to John T.
Wheeler, who has charge of the plans

It is claimed that tentative leases
have been made for 80 per cent of the
remodeled building, including the the-
atre.

850-Seat Effingham House

Plans for a new theatre in Effing-
ham, to be built sometime after Sep-
tember 1, on the south side of the court-norraine, will be discussed this week by Russell Hogue, manager of the Effingham Theatre.

The new theatre will be one of the finest in that section of Illinois. The new theatre will be the same size as the Tatum Theatre, capacity of 850 persons is specified.

Plans for construction of another theatre in Peoria Heights—have been announced. Prom-
"Theatre of the Stars"—which is the ac-
cepted name for the new theatre, will be
located at the northeast corner of the town.

The theatre will stand at Prospect Road and Moneta St., in Peoria
Heights. Only shows in the Heights in the past have been ten shows and school theatricals.

Ft. Wayne Theatre Remodeled

Remodeling of the Wells theatre, at
Ft. Wayne, Ind., has been completed,
according to Alfred H. Borkenstein, and
the occupancy of the theatre has been com-
pletely renovated.

A new air conditioning system, de-
sign for year-round use, has been installed. New modernistic lighting has been installed and press wood carpeting has been placed in the theatre. Walls have been newly sound-
proofed and new draperies hung.

Vater Sailer announced this week
that the new Garden City theatre at
Waseca, Minn., will open on September
1. The theatre contains the newest and most modern features and equip-
ment and has gazing capacities of approximately 725. The manage-
ment will be placed in the hands of Roy Campbell.

MGM Buys Stories

M-G-M has acquired filming rights to "Cause for Alarm," novel by Eric Ambler published by Knopf, and four
other of his works, which are "The Man on America’s Conscience" by Alvin B. Meyers and Lowell Bowdoux, and three stories written by joint authors Nat Ferber, George Bricker and Wil-
Producers Debate
Demands by IATSE;
Showdown Nearing

Hollywood, July 31.—Showdown on I.A.T.S.E. demands for new bargaining agreements with producers and in which the Alliance is bitterly opposed by the newly-formed CIO-financed United Studio Technicians Guild was at hand tonight as producers were called by Joseph M. Schenck to discuss the union situation.

A result of the meeting may be granting of new contracts to I.A.T.S.E. locals or further negotiations on the basic labor agreement.

Hectic developments came quickly over the weekend as 400 members of U.S.T.G. picketed Fox West Coast theatres and circulated petitions among theatregoers, calling upon producers to refuse to sign I.A.T.S.E. contracts until N.L.R.B. called an election to determine the collective bargaining agency.

John Gatelle, International representative of the Alliance now in charge of affairs of Local 37, issued a statement declaring Harry Bridges and other alleged Communists are behind the U.S.T.G. moves, and foresees intensification of campaign against I.A.T.S.E. by the Guild as conferences of leaders were held to determine course of action in the event that producers would sign Alliance contracts.

(Continued on page 2)

Authors to Appeal
Plagiarism Ruling

Edward Sheldon and Margaret Ayer Barnes, authors of "Dishonored Lady," will appeal to the U. S. Supreme Court from the decision of the U. S. Circuit Court of Appeals here last week limiting their damages to one-fifth of the $32,000 1965 profits of the M-G-M film "Letty Lynton," which the courts held plagiarized their novel. The U. S. District Court had awarded the authors the entire net profits originally.

Arthur Driscoll of O'Brien, Driscoll & Raftery, attorneys for the authors, said that while an appeal would be taken it was not certain yet when.

(Continued on page 2)

Town Gay as Schine Rally
Brings 300 Film Officials

GLOVERSVILLE, July 31.—Executives of all film companies and other industry leaders will attend the Schine Enterprises four-day convention which starts here tomorrow in the Community Center.

There will be an attendance of 300, including the circuit's division managers, house managers, chief publicists and publicity men from 165 theatres in New York, Ohio, Maryland, Kentucky and Delaware, and the first circuit-wide convention, signaling 20 years of the circuit's progress under Local W. J. Myer Schine.

Gloversville is already in a festive mood. Stores are gaily decorated. Innovations have been planned to make this an outstanding convention.

Mayor Chauncey C. Thayer has issued a formal welcome to the Schine managers, declaring that "the city belongs to them." The Chamber of Commerce has issued a proclamation, with a welcoming committee appointed.

A highlight of tomorrow night's program will be an address on showmanship by A-Mike Vogel, chairman of the Managers' Round Table of Motion Picture Herald.

Charles Coburn, film character actor and at present director of the Mohawk Valley Drama Festival at Union College, Schenectady, will be guest of honor at Wednesday's meeting and dinner, when film company representatives will make addresses. The dinner will be held at Adirondack Inn, at Saracanda Park.

Jack Myer and Louis W. Schine will be principal speakers at the opening session, at which H. F. Slifer will preside. Mayor Thayer will give the address of welcome. Gene Curtis, address.

(Continued on page 8)

New Foreign Film
Firm Starts in Fall

Film Alliance of the United States will start operations in the Fall for the release of hundreds of foreign films. Nat Wachberger, French distributor and circuit head, who will be affiliated with Harry Brandt in the company arrived yesterday on the Northern.

Wachberger brought with him prints of 12 films, which are in addition to those already here. Eight of the 15 are English and the others French.

Wachberger plans to go to the coast in a few weeks to discuss a production deal with Boris Morros in a sequel with French interests.

First release of Film Alliance will be "Port of Shadows" (Quai de Brumes), which has received the French government prize for excellence as well as other awards. Brandt
FOR the fourth consecutive year—ever since the Harvest Moon Dance contest was originated as an annual event by the N.Y. Daily News—Loew's State on Broadway has grabbed off the dance winners for a two-week booking, starting Sept. 1. Ed Sullivan, News columnist, will be mc. Each year the dance contest fills Madison Square Garden. W. R. Fritzinger, promotion manager of the News, handles the affair.

FRANKIE BASCH, formerly with WMAA and now on her own in radio, was on her way to a broadcast, as a busman’s holiday, when she ran into Patsy Kelly, also on a busman’s holiday—in from Hollywood and buying tickets at the Capitol Theatre.

JIMMY STEWART and Bert Lahr held lucky numbers at the A. T. & T. exhibit at the World’s Fair about a week ago at ceremonies during which “Leo, Jr.,” was officially inducted into the Metro fraternity. Undoubtedly it was mere coincidence that Stewart and Lahr were the winners.

THE Brandt family is a big family. Just how big it is was emphasized last Thursday at the annual boat ride of the I. T. O. A. of New York (Harry Brandt). Film salesman, including one exchange manager and one exhibitor, rode up the party, besides 250-odd Brandt relatives. It was a jolly party, in spite of the rain, which caused abandonment of the sports events. Lionel Toll and Binga Brandt handled the works with the committee in charge.

READING THE FILM PAGES: Nelson B. Bell, film editor of the Washington Post, and Jay Cardy, film editor of the Washington Star, both led off their last Sunday’s columns with stories on the same theme and almost in the same vein. Each pointed to “On Borrowed Time” as an indication that the producers are showing more courage and variety in their choice of story material. . . . The Syracuse Journal has suspended publication, leaving the morning Post and evening Herald alone in Syracuse. The new owner of the Herald is a great believer in lively film pages. And those Syracuse film pages can stand plenty of peppering up. . . . An attempt by the Cleveland Press to slap a 25 per cent increase in booking rates on picture theatres has the Cleveland exhibitors aroused. They point out that the business in Cleveland won’t stand increased advertising costs. . . . Each year more important newspapers show a partiality for serial stories based on pictures. The Boston Globe is always running a serialization and apparently has found them good circulation. Currently the Globe is running “Andy Hardy Gets Spring Fever,” adapted by Beatrice Faber. . . . The syndicated column of Harold Heffernan, ex-film editor of the Detroit News, is getting more and more widespread use in papers using the NANA service. Heffernan’s Hollywood column is among the best as he continues to keep the fan viewpoint.

MURPHY McHENRY telegraphs that “The Man in the Iron Mask” is doing exceptional business in all places where it is released and getting holdover dates. The picture is making a fine record when the exhibitor needs it most.

PARAMOUNT has a nice film in “Beau Geste.” Old timers might miss Ronald Colman, who played one of the principal roles in the original, a silent Herbert Brenon film, but the new picture should give a good account of itself at the box-office.

THE box-office successes of such films as “The Lady Vanishes,” “Goodbye, Mr. Chips,” “Citadel” and “Pygmalion” certainly indicate that the American public has no prejudice against British product. All the public asks is that the picture be good.

These films have helped give the trade something to think about. The English can make good pictures. “Four Feathers,” a truly great film, made in color, by Alexander Korda, is another. It is a sweeping historical panorama, as worthy of the American screen as the best that has come out of Hollywood.

Novelists Will Appeal Ruling On Plagiarism

Continued from page 1

it could be said the Circuit court returned the case to the lower court for rehearing and an apportionment of the profits of the film among the copyright owners other than the authors, such as the producer, director, stars and technicians.

It may require another year or longer to complete the work, thus postponing the entering of the Circuit court’s judgment on which the case is based for that length of time. The case was begun in May, 1932.

Driscoll pointed out that the case involves a precedent in copyright law, being the first time in the history of the law that the courts have attempted to apportion the profits of a plagiarized film.

A copyright case known as Callahan vs. Meyers is the only one of any similarity known to have been heard by the Circuit court before. In the Callahan case the court held that the profits involved could not be apportioned and awarded the plaintiff the total profits.

The Circuit Court of Appeals here in Dam vs. Kirk Lashelle held that there could be no apportionment. In an opinion addressed to the Circuit court, the Court of Appeals in that case held that the evidence was no evidence in the earlier case on which the case was classified this week and had based an apportionment, but lack of evidence was introduced in the Lynton case.

8 Films Approved By Decency Legion

National Legion of Decency approved eight of 10 films reviewed and classified this week and found two objectionable in part.

Class A-1, Unobjectionable for general patronage—“Bad Lands,” “Man of a Hundred Strands in That Town,” “America’s Most Musical.” Class A-2, Unobjectionable for adults—“Frontier Marshal,” “Thieves With White Faces,” “Dance With a Million,” “Mr. Wong in Chinatown” and “This Man Is News.” Class B, Objectionable in part—“Each Dawn I Die” and “Winter Carnival.”

MOTION PICTURE DAILY

(Registered U.S. Patent Office)

Published daily except Sunday, Saturday and holidays by Ogilvy U.S. Publishing Company, Inc., Rockefeller Center, New York City.
Telephone Circle 7 3100.
Cable address: "Oglover," New York.
Martin Quigley, editor-in-chief; and publisher; Calvin Brown, vice-president and general manager; Watson Moser, assistant; William L. Smith, editor; James A. Cron, advertising manager; Chicago Bureau, 64 South Michigan Avenue, C. B. O'Neill, manager; Hollywood, Los Angeles, R. M. Manciulli, manager; William N. Weer, editor; London, 4, Golden Square, London W., Hope Williams, manager; Paris, 21, Avenue Madrid, R. Manciulli, manager.
All contents copyrighted 1939 by Ogilvy U.S. Publishing Company, Inc., and are subject to publication: Motion Picture Herald, RKO Theatres, Teatro Al Dia, International Motion Picture Almanac and Atlas. Entered as second-class matter Sept. 21, 1932, at the post office at New York, New York, under the act of March 3, 1879. Subscription rates per year in the United States and possessions of the United States, $5.00. Single copies 10c.
I want to thank all the home folks for welcomin' me and the gang in 'OUR LEADING CITIZEN' back to Van Buren. I expect the big world premiere and the coast-to-coast broadcast will be about the finest things that ever happened to me. I also want to say how proud I am to show my home folks 'OUR LEADING CITIZEN'. Paramount and Director Alfred Santell have done a great job with it. And...well...I only hope my actin' is up to the rest of it...'cause the rest of it can't be beat.
Mexico Films Lack Buyers; Crisis at Hand

Lack of demand for its productions has brought about a crisis in Mexico’s domestic-film-producing industry, according to a report to the Department of Commerce from Commercial Attaché T. R. Lockett, Mexico City.

Estimates place the number of locally produced films that have not been exhibited at around 35. Very few companies which have been able to release all their productions have continued producing, the report points out.

Because of the acute situation in the motion picture industry which affects studios and theatres alike, a petition to the Government for assistance was recently made on behalf of all the studios.

The first apparent result of this action, the report points out, was a promise made by the Federal District Attorney for Mexico which will force local exhibitors to set aside 12 complete weeks each year for the exhibition of Mexican-made pictures. The proposed legislation is said to include first-run theatres as well as the smaller houses.

Financial Reports By British Studios

London, July 31—Gaumont British and Associated British Pictures Corp. issued annual financial reports today.

A.B.P.C. showed a trading profit of £6,530,905 for the year ending March 31, an increase of £207,726, or a net profit of £3,904,530. The general reserve is now £13,512,500.

Gaumont British profit for the year was £3,889,912, an increase of £167,233 for income taxes, interest on mortgage, debenture and depreciation, the balance available is £551,842. A moderate decrease in theatre profits was recorded.

A distribution agreement has been made between London and Continental, for six features with GFDI providing the majority of the cost.

McGinley in New ‘U’ Post

Seattle, July 31.—L. J. McGinley, Universal branch manager in this city for the last eight years, has been appointed field superintendent in the territory west of Detroit. He will serve under W. J. Heineken, western district sales manager.

Les Thuerlaer, formerly connected with Universal in both Seattle and Portland exchanges, will succeed McGinley as local manager.

Grierson to Head Board?

Montreal, July 31.—John Grierson, director of the London Film Center, who last year aided the Canadian Ministry of Trade and Commerce in drafting the bill recently passed which created the National Film Board, will be chairman of the new board, it is reported here.

Grierson will arrive in Quebec Wednesday on the Empress of Australia.

IATSE Grants AFA Charter; Dispute Broils

(Continued from page 1)

secretary. However, the jurisdiction will be extended as made necessary by circumstances. The agreement is signed by Brown.

The charter includes performers on the screen, radio, television and legitimate stage, as well as vaudeville and night clubs, Brown said.

Neither side would comment yesterday on what moves would be made if the action of jurisdiction affects the performer.

“Its immediate effect will be to ensure that agents, employers and producers book only AFA acts in any spot in which there is an I.A.T.S.E. stagehand or operator,” the I.A. statement declared.

On the other hand, all 4-A unions have declined to report that their members will join the newly-chartered American Guild of Variety Artists when working in the vaudeville field or face charges.

I.A. has promised full financial support to the AFA. The fight is expected to reach a climax before the executive council of the A.F. of L. at Atlantic City Monday. The A-F. of L. filed a protest against the I.A. charter and has also told the council that the A.F. of L. has no jurisdiction over the matters involved.

Harry Cohn to Sail Abroad Tomorrow

Harry Cohn, president of Columbia, is scheduled to sail tomorrow on the Normandie. Besides looking over the European situation and conferring with Joseph A. McConville, Columbia’s foreign chief, who is now in England, Cohn plans to vacation in the south of France.

Norma Shearer is sailing on the same ship, as are Edward G. Robinson and Mrs. Robinson; Milton Seligman, Warner writer and Mrs. Speltering, the former Betty Warner, who are honeymooning; Ben Lyon and Mrs. Lyon (Bebe Daniels); Mr. and Mrs. Bob Hope; Charles Boyer and his wife, Pat Patterson; Mr. and Mrs. Norman Z. McLeod; Nat Devereux, Hollywood director; Gilbert Miller, stage producer, and Mrs. Miller; George Raft and Roland Young.

Cinematic Deaths

Cincinnati, July 31.—Two theatre men here are dead. John F. Back, Sr., at the age of 50 was in charge of the popcorn department at the Rialto, a man in practically every local theatre died at Bethesda Hospital following a two months’ illness. His son survives. Joseph C. Spiker, 48, who operated the Freeman, neighborhood house, died here suddenly of a heart attack.

Candy in Theatres Suffers Sales Tax

Columbus, O., July 31.—Although the Ohio Supreme Court decided that candy (including popcorn) is a food and therefore not subject to the sales tax, the State Tax Commission yesterday ruled that candy sold in theatres was consumed on the premises and therefore continue to be subject to the sales levy.

New Haven Golfers To Share 40 Prizes

New Haven, July 31.—Film men from all parts of the state will join with New York and Boston guests in the fourth annual film golf tournament sponsored by Connecticut MPTO at the local Country Club tomorrow. Valuable gifts contributed by various members and friends of the industry make the number over 100.

Events start at 10 a.m. with a 9-hole qualifying round in preparation for the 2 p.m. 18-hole championship tournament.

Gibraltar Election

Denver, July 31.—Gibraltar Enterprises, organization of seven theatre men meeting in this area, will hold its annual meeting here Friday to Sunday. Discussion of business conditions and elections will take place.
M-G-M’s "THE WIZARD OF OZ" is coming! Yesterday it was previewed at M-G-M’s Home Office. It is one of the great pictures of all time, perhaps the greatest picture ever made! Beyond your wildest dreams are its Technicolor wonders, as thousands of living actors create screen magic to thrill the world! Its appeal is unmatched since “Snow White.”

Preceded by a $250,000 advertising campaign in national magazines and newspapers, “THE WIZARD OF OZ” will have the greatest list of simultaneous bookings ever made on any film. Watch the column to the right GROW!

---

**M-G-M's Technicolor Wonder Show “THE WIZARD OF OZ”**
- Judy Garland
- Frank Morgan
- Ray Bolger
- Bert Lahr
- Jack Haley
- Billie Burke
- Margaret Hamilton
- Charley Grapewin
- The Munchkins

A VICTOR FLEMING Production

Screen Play by
- Noel Langley
- Florence Ryerson
- Edgar Allan Woolf

From the Book by L. Frank Baum

Directed by
- Victor Fleming

Produced by MERVYN LEROY
Philadelph}s, July 31.—Hot, sticky weather and cinema fatigue to the box office this week, though the Fox evaded the curse to run up its best week this summer. The movies themselves aren’t to blame, either.

"Man in the White Suit" (Paramount), with Rex Harrison, slightly topped the Stanley average with $14,500 and will stay part of a second week.

Everything else dropped, though the $10,000 at the Boyd for Mr. Chips was a good figure for a fourth week. "They All Come Out" won better notices but a smaller profit, and got an $8,500 at the Earl.

Total first run business was $64,300; the average is $70,300.

Estimated takings for the week ending July 27:

- "Man About Town" (Para) (2nd Run) 
  ARIZONA—(I) (20c-35c-50c) 7 days, Gross: $2,000, Average: $286.
  "Goodbye, Mr. Chips" (M-G-M) 
  BOYD—(2000) (20c-40c-50c) 7 days, 4th week, Gross: $4,000, Average: $571.
  "They All Come Out" (M-G-M) 
  EARLE—(2000) (20c-35c-40c) 7 days, Gross: $2,000, Average: $286.
  "Second Fiddle" (20th Cent.) 
  GOLDEN—(5000) (26c-32c-40c) 7 days (6 days staged), Stage: Three Stooges, Gross: $3,000, Average: $428.
  "Good Girls Go to Paris" (Col) 
  (3rd Run) 
  KARLTON—(1000) (20c-30c-40c) 7 days, Gross: $2,000, Average: $286.

Estimates for the week ending July 27:

- "Man About Town" (Para) (2nd Run) 
  PALACE—(2400) (20c-40c) 7 days. Gross: $3,700. Average: $529.
- "Man From London" (U. A) 
  STANLEY—(7000) (30c-35c-40c) 7 days. Gross: $1,900. Average: $257.
- "Daughters Courageous" (Warner) 

**Orpheum Theatre's Balance of $28,516**

Final report on the Orpheum Theatre Company, which has been in operation for 28 years, is due to be distributed, was filed yesterday in the U. S. District Court by Peter B. F. Thompson, president. The report, which will be passed upon tomorrow by Federal Judge Murray Hubert, recommends payment of $34,600 to the theatre companies, and the distribution of the balance to creditors, totaling $1,425,335. Referee Olney lists the Irving Trust Co. as trustee of RKO as the largest creditor, with a claim of $284,026 for guaranteeing notes of the company. RKO has assigned its rights in Orpheum Stadium Theatres, Inc., $510,807, and Paramount Pictures, Inc., $94,462 for rent.

**Theatre Ties in K. C. Air Series**

KANSAS CITY, July 31—Sypho Cottrell, producer of "Apache's Last Rendezvous," has been leased one hour of KCMO for one year, beginning with 13 weeks of the Sidewalk Swooper starting Oct. 31. The series is 30 minutes in length, five quarter hours a week at 1:30 p.m. conducted by a boy and girl in front of the Newman Theatre and has an interview type of program. Persons appearing will get a soft drink from a portable cooler.

**"On a Leading Citizen" (Paramount)**

Hollywood, July 31.—Probably in the back of every loyal American's head is a feeling that there is a cure for all the political, social, class vs. class, capital vs. labor and right vs. wrong maladjustments presently fretting the body politic. Paramount's "Our Leading Citizen," taking those and several more conflicts for its premise, strives valiantly to give them the same death that there is a way. It elects to prove that real Americanism, tolerance, understanding of the rights of others and honesty of purpose is the way.

Magnum Gene Lockhart's profiteering brings discord, strikes, violence, murderous death and radicalism to a once contented rural-industrial town. Capitalizing upon a young lawyer's (Joseph Allen) vanity, taking his confidence that all is going well on mountain top and tempting him with the glamour of the rich man's world, he disrupts a generations-old legal firm. But he makes honest old lawyer Bob Burns, who prays that he may be guided by Abraham Lincoln's philosophy, his flaming nemesis. With that as the plot nub, the story then forges itself with recurrences of murder, bulletings, bombings, riotings and sabotagings that have made sensational headlines from one end of the nation to the other during the past few years. Burns' reward for driving out strikers—breakers and radicals, getting the people's jobs back, restoring law and order and establishing equitable understanding is nomination for the U.S. Senate. Advocates of the young man are his rich employer and wife.

Burns is commendable in his role and Lockhart, Charles Bickford, Clarence Kolb, Fay Helm and Paul Guilfoyle contribute vivid characterizations. Joseph Allen, who shares the romantic sub-theme with Susan Hayward, has a few impressive moments.

The film is based on a novel by Mark Cohen's story covers a great deal of ground and, while it is sometimes plausible, it is, on other occasions, episodically cumbersome. Alfred Santell's direction of the George M. Arthur production might be similarly described.

Running time, 85 minutes. G. McC.

"G" denotes general classification.

**"Hardy" Leads Pitt. With Record $20,500**

PITTSBURGH, July 31—Andy Hardy Gets Spring Fever" drew $20,500 for Loew's Penn, the biggest gross anywhere in the city in recent weeks. Other downtown houses continued to show improvement, attributed primarily to sizeable pickup in district's business and industry. Second week of "Man About Town" at Warner good for $4,600, Alvin's "Unexpected Father" managed a $3,700.

Estimated takings for the week ending July 27:

- "Unexpected Father" (Univ) 
  ARIZONA—(2500) (35c-50c-60c) 7 days, Gross: $5,000, Average: $714.
- "Andy Hardy Gets Spring Fever" (M-G-M) 
  LOWE'S PENN—3,000 (25c-35c-40c) 7 days, Gross: $2,800, Average: $400.
- "Hell's Kitchen" (W. B.) 
  STANLEY—(3000) (25c-35c-40c) 7 days, Gross: $2,100, Average: $300.

- "Man About Town" (Para) 

**Summon McCarthy In Sherwood's Suit**

Charles McCarthy, director of publicity and advertising for 20th Century-Fox, has been ordered by N. Y. Supreme Justice Edward Von Der Goldrick to appear for an examination before trial Wednesday in connection with suit brought by Robert Sherwood. McCarthy is a wit against the Century-Fox. At the same time, Justice McGoldrick denied an application to examine Dar- ron Zannuck, vice-president in charge of production, but stated that Zannuck's deposition could be taken on the coast.

"Young Mr. Lincoln," in its "unfair competition" with his play, "Abraham Lincoln in Illinois,"...
BEAUTY and REALISM in COLOR

ARE MOST EFFECTIVELY ATTAINED
through the medium of
SNOW WHITE
PROJECTION LIGHT

Your patrons wish to forget that they are looking at a picture. The closer they come to feeling that they are watching living and breathing people, the better they are pleased. Color is growing steadily in popularity because it adds much to this feeling of realism. But snow-white light is needed to give color features their full value. Low intensity projection falls short of realism because the yellowish tint distorts color values.

Simplified High Intensity projection gives a snow-white light which brings out the full beauty and realism of color features. It also supplies two and one-half times as much screen light as low intensity projection for the same power consumption. Black and white pictures, as well as color, are more effectively projected by this powerful projection light.

Should you still have low intensity lamps it will pay you to investigate modern, economical, high intensity projection, the light that pays its own way. Ask your dealer to show you how improved projection pays investment and operating costs.

Make your projection equal to that of any theater in the country.
MOTION PICTURE DAILY
Tuesday, August 1, 1939

300 at Schine Circuit Rally; Chief Attaché

(Continued from page 1)

vertising and publicity director, will discuss the industry's Golden Jubilee Celebration.

Louis W. Schine will make awards to committee members for their part in the new contest. George Lynch, chief film buyer, and Lou Goldstein, head buyer, will speak. As John J. Jolin, the president, will preside, the convention will adjourn for lunch.

Lou W. Schine will preside at the afternoon session. Talks are scheduled as follows: "What Is a Theatre Manager?" by Louis Lazar; "Analyzing Your Territory," by William Tubbert; "Housekeeping Sell Seats?" by Clint Young; "Manpower," by Douglas Leishman. Then will follow discussions by members of the purchasing and maintenance department.

James Levine will speak on "Proper Handling of Flats for Greater Turnover," Frank Boucher on "Your Show Windows," and there will be the following discussions: Local Promotion and Giveaways; "How to Use Silverman;" "Dressing a Stage," by Marshall Gollner; "The Value of an Organized Team," by John Josey; "Jerry Fowler;" "Your Theatre's Place in the Community," by Lew Hensler; "Intelligently Analyzing Your Business," by Bill Herne; "Proper Presentation of Theatre Games," by Lou Levitch; "Expense Control," by Al Marquese; "Children—Patrons of Today—Hope of Tomorrow," by Henry Goldsmith. Then will follow discussions on insurance, real estate and "Legal Pitfalls and How To Avoid Them," by representatives of those departments.

Gus Lampé will talk on "Pre-analysis and Taking Advantage of Picture Values." Following dinner, Bob Hall will introduce A-Mike Vogel for his address and there will be a screening of "Pom" on the Community Center.

Special cars on the New York Central's "Twentieth Century," which has been reserved for New Yorkers going to the convention Wednesday, Carl E. Mitchell, manager of the New York Central, will attend. Company representation will be as follows:

Twentieth-Century-Fox: Herman Weltman, William Susman, Rodney Bush; Columbia: A. Montague, Lou Weinberg, Maurice Bergman; Paramount: Ben Seely, Sid Bailey, Milt Kusnul, Abe Moss; metropolitan: E. C. O'Shea; United Artists; Harry Gold, Charles Stern, Monogram; Edward A. Golden; Republic: Mike Levenstein, Jack Bellman; Warners; Roy Haines; Arthur Sanderson; National Screen; Herman Robbins, George Dembow.

New Wheatena Show

Wheatena Corp. will sponsor a new dramatic script series, "Hilda Hope, M.D."

BANNER RADIO LINES

—by JACK BANNER—

RCA-WNEW AGREEMENT . . . Indicating that an agreement has been reached between WNEW and RCA-Victor, Martin Block, upon return from vacation yesterday, began playing RCA records on his "Majestic Sonor Ballroom." RCA records have not been played on WNEW since the recording company won a victory in court against the station playing its platters.

ABOUT VALLEE'S SUCCESSOR . . . So tightly insulated is J. Walter Thompson as a result of their action that we have not been able to obtain a clue. One meagre bit of information has come this way, however, and it is authoritative. It is that the new Standard Brands setup will not be one full-hour show, but will be two programs of intermittent cachet. Our understanding is that both programs are practically signed. Their identity, however, is a dark secret.

EXPLORERS TELEVISION . . . Armand Denis and Leila Roosevelt were the stars of a moving-sound television, viewed in London while their hosts were enroute to India, that they are shooting special television footage on their current Asiatic expedition, in addition to footage for their film feature. This information is according to Hansen-Williams, Inc., the film explorers' representatives. Denis and Leila Roosevelt, who is Mrs. Denis, are the explorers who made "Dark Rapture" a number of years ago.

STUDIO TELEVISION SHOWS END . . . With the leavetaking of the past week-end of the entire studio television production and engineering staffs, the video studio programs at NBC have come to an end for at least one month. From now on and until the return of the crews, the television schedule will comprise outdoor pickup. This week off on vacation include Tom Hutchinson, Edward Padula, Frank Lepore, Alice Cook, Berhalah Jarvis, W. C. Eddy, Reid Davis, Howard Grosberg, Albert Protzman, Walter O'Hara, Charles Townsend, Edwin Stolzenberger, John Burrell, Robert Glenn, Dudley Goodale, Frank Somers, Thomas Buzalski, Reginald Wernrenrath, Jr., and Albert Nasimo.

On the studio programming was viewed Friday, with the presentation of the opera and concert star, Lucy Monroe, as the headline of a variety hour. That Miss Monroe gave a remarkable television performance is hardly news, for she has a remarkable voice and is remarkably beautiful.

PERSONALS AND NOTES . . . Niles Trammell, NBC executive vice-president, off for three weeks of fishing in Canada . . . Jules Herbert, presently with NBC Chicago program department in New York to confer with John Royal about new program . . . Harold Oxley, manager of Jimmie Lunceford, back to New York from the Normandie after a number of weeks in Europe with Mrs. Oxley and daughter Frances . . . Dave Elman, of Chicago, was in New York this week to see Mrs. Oxley . . . Sunday, another who was seized similarly is Rex Stout who is in the Danbury Hospital, Danbury, Conn. Stout was to have appeared on "Information Please" tonight . . . Lester Gottlieb, Mutual's publicity director, has returned from a twoweek vacation, and so Anita Loos will pinch hit for her tonight on "We, the People." . . . Herbert Drake, general coordinator for Orson Welles productions, arrived by plane in Hollywood yesterday.

New Foreign Film Firm Starts in Fall

(Continued from page 1)

plans to show French films at the Palace, Columbia Circle, and the English pictures either at the Globe or Central, as well as through the Brandt circuit, conditional on his being able to negotiate a satisfactory deal with other circuits.

Another picture will be "The Pirate" (Le Corsaire) which Charles Boyer will make in France. Boyer calls tomorrow. Another Boyer film in France is scheduled next year, possibly with Danielle Darrieux. Another French film, "Porte de L'Enfer," is scheduled for May. Also, a magazine, featured in "Fort of Shadows," are scheduled to make "Salvage," another inside production. Finally, any film Alliance is scheduled to release.

Two of the English pictures are "Command Performance" and "Follow Your Star," which Arthur Tracy made for General Film Distributors (C. M. Woolf) last year, Tracy returned on the Normandie.

Two Film Firms Are Incorporated

ALBANY, July 31.—A film broker- age and general advertising business is to be conducted by the Tel-Pic Syndicate, Inc., under terms of incorporated here by Benjamin Jaffe, attorney, New York. Fay Solomon, George Greenberg, and Lilian Jaffe, New York, are listed as directors.

Additionally, capital stock amounting to $20,000 is set up by the Maran
ground Pictures Corp., whose corporation limits authority to deal in motion pictures. Directors are Dean Pochna and Ivan Pochna, and Benjamin R. Basset, New York.

RKO's Stock Plans Given Judge Bondy

(Continued from page 1)

mated on the basis of the RKO’s $13 initial market value of the new shares. The underwriting agreement has not been completed yet, but it was discussed at the RKO board of directors meeting last week. Atlas's compensation for its underwriting services is to be fixed by the underwriters.

Capitalization of the new company will be $13,000,000 of six per cent cumulative convertible first preferred stock, of which $8,000,000 will be shares of new common. Of the 130,000 shares of new preferred, more than 127,000 shares will be issued to holders of the old RKO debentures.

In addition to the 4,367,554 shares of new common to be issued for the foreign exchange of the bondholders, an additional 1,000,000 shares of the new common stock will be reserved for possible option of capitalized contingent claims against the old company; for the possible issuance of further option warrants, and for possible warrants as compensation for services performed by reorganization professionals.

Judge Bondy adjourned the reorganization hearing to Friday. There is little likelihood of the underwriting agreement being completed before Rickaby said.

British Films to Get Monogram Release

(Continued from page 1)

and "Trader Spy" with Bruce Cabot. The last one goes in production this week.

Johnston said Monogram has no plans to produce in England. The British request to send films to the needs of any American company, he said, as they are familiar with American production.

Monogram plans to send its stars to England to work in films intended for the American market and will be looking for heroines "under the rules before approval. This was the case with the script of "Trader Spy."

British production has improved greatly in the last year from the standpoint of the American market, Johnston reports.

Upon their arrival, Johnston and West were guests of the Monogram staff and friends at luncheon at the Hickory House. Among those attending were Jerry Brand, Joe J. Felder, Lou Lifton, Hugh Davis, John Harrington, Steve Brody, Ben We
cansky, Miss Madeleine White, Ed

vorkpenske, Harry Iverson, Russell Bell, Charles Dorsa, Charles Morfa, Manny Reiner, John L. Tilden, Mrs. George, Mrs. Brandon, Mrs. Johnston, Mrs. N. Witting, Ralph Bettison, Jr., and Mrs. Lou Guindon.
Schine Rally Hears Chiefs’ Trade Ideas

Vogel Answers Criticism Against Picture

GLOVERSVILLE, N. Y., Aug. 1.—More than 200 Schine theatre managers from five states heard film advertising criticized as still in the nickelodeon days of the movies at today’s opening sessions of the four-day Schine convention in the Community Center auditorium here.

The criticism was leveled by Gene Curtis, Schine advertising and publicity department head, who offered a new approach to the problem.

One answer had been evoked by the Schine advertising department, he said, and then proceeded to outline a new “movie line” contest which not only advertise the picture, but uses the appeal of contests, so widely utilized in modern industry, to attract the reader to the advertising.

Cash and other prizes are provided, final prizes to be for the complete series of answers whether original or otherwise. The contest is to be conducted by Schine houses either through newspapers, advertisements or by heralds. It is not a lottery or drawing, and meets with all legal restrictions on such, he said.

One of the highlights of the first day’s session was provided by E. Douglas Leibman, head of the personnel department, who talked on “Man—power,” he stressed the wisdom of getting the best type of man possible for the job, no matter how small the task.

“The Schine organization believes in developing its men from within; it tries to make its own executives,” he said. “Such men are loyal and they have learned the business from the ground up.”

To illustrate his point he revealed that 14 former Schine doormen and tabers had become theatre managers in the past year.

At the start of the morning session General Chairman Harold F. Slitter announced the winners of contests on three recent pictures. They are: “Dark Victory”—Frank L. Nolan, Athens theatre, Athens; Ohio; Sam Shaffer, Liberty, Herkimer, N. Y.; Frank Boucher, Glove, Gloversville; Wally Allen, Kentucky, Lexington, Ky.; Jack F. Wright, Majestic, Mayville, Ky.; John Makemson, Bourbon, Paris, Ky.; Joe Schwartzwalder, Auburn, Auburn, N. Y.; John Manuel, Strand, Delaware, Ohio; Harold Koren, Ped.
Trade Chiefs Address 250 At Convention

(Continued from page 1)

LOU WEINBERG, Columbia circuit sales manager, leaves for Gloversville today to attend the Schine managers' convention there, and Brass Confections, Columbus advertising and publicity director, and AL SHERMANN of BERGMAN'S staff, left yesterday to attend the meeting.

PAUL BENJAMIN, production manager for National Screen Service, has returned to his home following an all-week stay at General Hospital with sciatica. He expects to report at work in another two weeks.

MORTON KRESNER, manager of the RKO Park Hill, Yonkers, has returned from a two-week vacation.

Tom Johnson, who filled in during KRESNER's absence, resumes duty at the RKO Strand, Yonkers.

CORRALL D. DUNNING of Holly- wood, president of Dunningcolor Corp., is due tomorrow from England on the Washington.

RUTH GERBER of 20th-Century-Fox booking department leaves for a two-week vacation Friday.

A-Mike Vogel

LOU BEITZ, Playwright and producer, has announced the following production schedules for his film companies, which are to be announced at a later date:

- The Western: "The Outlaw," starring Bob Hope, will be released on May 5.
- The Comedy: "The Bigamous," starring Red Skelton, will be released on May 12.
- The Drama: "The Treasure of the Andes," starring Robert Taylor, will be released on May 19.

SAG Expels Miss Tucker In AFA Fight

GROVER C. PARSONS, Republic's West Coast district head, left last night for his headquarters in Los Angeles with a week's worth of business after sitting in on circuit deals.


ERROR Flynn and his father, PRODUCER Flynn, distinguished biog- list of Belfast University, arrive tomorrow enroute to South America on an eight-week vacation trip.

SEYMOUR FLORIN has succeeded the late Richard GLEDFIELD as upstate New York salesman for 20th Century-Fox. Joseph St. Clair has taken over Florin's territory in Long Island.

GEORGE RAFT and EDWARD G. ROB- ENSON sail today on the Normandie for vacations in Europe. Robinson is accompanied by his wife and son.

ARTHUR B. KRIM, associated with The Circle of Phillips and Nizer has returned from a five-week vaca-

tion in Europe.

HARRY RICHMAN'S home at Beech- hurst will be sold Sept. 9. It formerly was owned by Ed Gallager.

ORLANDO Lopez Hidalgo, owner of the Roxy and Rivoli Theatres in Hana- 

ta, Cuba, is a visitor in the city.

GARSON KANIN, who is spending a few days here following his European trip, will leave for the coast on Sat-

urday.

CARLYLE BLACKWELL, former film star, has joined Calvert Distillers in a special promotion capacity here.

ANDREW CHRISTENSEN, Irving Trust Co. representative in RKO, is vacationing.

MAX ROYTHMANN, operator of Al-
vin, Guttenberg, has joined the Associated Theatres of New Jersey.

Atlas Report Shows Film Stock Holdings

Atlas Corp. holdings of film company stocks as of June 30 were revealed in a six-month operation report issued yesterday. Bonds held include $2,169,850 in principal amount of RKO 6 per cent debentures, 1941, represented by full-paid certificates, and valued on June 30 at $1,459,224, $2,169,850, RKO 6 per cent deben-
tures, 1941, at $1,459,224.

Preferred stocks include 4,300 shares of Paramount 6 per cent preferred, $100 par, valued at $382,700, and 5,000 shares Paramount 6 per cent convertible cumulative, stated, valued at $45,000. Common stock included 31,422 shares of RKO, represented by full-paid certificates, valued at $634,419, 17,400 shares of RKO valued at $287,253, and 7,000 shares of General Theatres Equipment Corp. valued at $75,250.

3 Flights Daily NEW YORK TO LOS ANGELES

It's Cool All the Way!

THE PLAINSMAN
Lv. 7:10 A. M. Ar. 1:29 A. M.
7:10 P. M. Ar. 4:29 A. M.
THE SOUTHERN
Lv. 16:10 P. M. Ar. 1:55 P. M.
Ask your travel agent or phone 4-A-1500. Tri-
certificates. 45 Vanderbilt Ave. and Rock-
seller Hall at 18 W. 40th St.

AMERICAN AIRLINES Inc.

MOTION PICTURE DAILY
(Registered U. S. Patent Office)

Evening Daily except Tuesday, Sunday and holidays by Quigley Publishing Company, Inc., Rockefeller Center, New York City. Telephone 7-2199. Cable address "Quigpub, New York," Martin Quigley, editor-in-chief; Joseph Williams, Brown, Vice-President and General Manager; Wat-
son, Finance Manager; Sam Smith, Editor; James A. Cram, Advertising Manager; R. E. Brown, Eastern Bureau; S. A. Flesher, Western Bureau. Entered as second class matter Sept. 23, 1958, at the Post Office at New York, N. Y., under the act of March 3, 1879. Subscription rates per annum in the United States $3.00, in Canada $3.50, elsewhere $4.00. Single copies 10c.
Fiddie Wins Biggest Yield At Cleveland

CLEVELAND, Aug. 1.—“Second Fiddie” at Warners’ Hippodrome last week was first in business. It in-
cluded 2,520,000, which is by good summer business. It moves into the Allen for another week down-
town.

“On Borrowed Time” at Loew’s State was also a pleasure with $1,-
000 for the week, warranting a move-
to other houses.

“Daughters Courageous” held up strong in its third week downtown, two weeks at Warners’ Hippodrome and the third at the Allen. The total was $4,200, which is $200 over par.

“Hell’s Kitchen” came out $3,000 at the Palace today. It did ex-
cellent business the last three days of last week and was held over this en-
tire week downtown, doing $1,200 a day, which is good business. “Majie” chalked up $4,000 at Loew’s Stillman on a move.

Week-end weather was cool, ac-
counting for good grosses, but turned to excessive heat in the middle of the week. A heat wave was in the air.

First run business was $38,700. Average is $39,000.

Estimated takings for the week end-
ing July 28:

“Daughters Courageous” (W. B.)
ALLEN——$1,000. Logs 3rd week, 7 days. Gross: $2,500. (Average, $400.)

WARWICK——$1,000. Logs 3rd week, 7 days. Gross: $2,500. (Average, $400.)

“Hell’s Kitchen” (W. B.)
STATE—(1,000) (35c-35c-45c) 7 days. Gross: $12,000. (Avg.
$2,000.)

“Majie” (M-G-M)
LOEWS—(1,000) (35c-35c-45c) 7 days, 2nd week. Gross: $4,000. (Av-
erage, $500.)

“Majie” (M-G-M)
LOEWS—(1,000) (35c-35c-45c) 7 days, 2nd week. Gross: $4,000. (Av-
erage, $500.)

Little theatre opens.

COLUMBUS, Aug. 1.—The newly-
opened High Street theatre, corporation has taken over the 1,000-
seat Majestic in the heart of the busi-
ness section here, which was operated as a first run by RKO until the house
was closed a few weeks ago. Reopen-
ing is scheduled for mid-August, with a sub-
scriber policy. William Bo-
man, former manager, has resigned from RKO to take charge for the new house. He will run the Majestic and Grand, first run here, in opposi-
tion to Loew’s Ohio and Broad.

K. C.’s Orpheum to Reopen
KANSAS CITY, Aug. 1.—The RKO Or-
pheum, downtown first run which closed late this Spring for the Sun-
next week, will reopen Aug. 16 with “Bachelor Mother.”

The manager has not been announced.

New Front for Iowa House
DECORAH, Ia., Aug. 1.—A new
front will be installed on the Lyric theatre here it was announced today by H. E. Enterprises, who recently purchased the house. The new front will be of cream color trimmed in Md. A new sign will also be in-
stalled with the theatre’s name in neon.

New Michigan Theatre
CHARLOTTE, Mich., Aug. 1.—The
“B” theatre is a new house being built for Cash R. Beechler, owner of the Eaton theatre here. It will seat 250 will be air-conditioned and will cost approximately $10,000.

Takes Marinette, Wis., Post
CALUMET, Mich., Aug. 1.—Nick
Rajacic, formerly manager of the Peoples theatre, leaves next week to succeed E. H. Blum in the Marinette theatre there. Kenneth Zurcher of Hancock succeeds Rajacic at the Peoples theatre.

Louisville House Opens
LOUISVILLE, Ky., Aug. 1.—The new
Louis theatre opened here Saturday. It seats 250.

Building New Pana, Ill., Theatre
HEBRICK, Ill., Aug. 1.—Excavat-
ing for the new Turner theatre at Pana got underway this week. Harry Riley & Co. is doing the construc-
tion work. The house will seat 300.

Theatre to Add 75 Seats
MILFORD, Ill., Aug. 1.—Seventy-
five more seats will be added to the Milford theatre this summer, accord-
ing to Manager Clyde Ritenour. The theatre will not be closed during the alterations which will call for a rais-
ing of the floor and shortening of the lobby space.

Soundproof Roof for Noisy Babies
OSHKOSH, Wis., Aug. 1.—The K & H, Amusement Co. here has opened the Mode, new 500-seat house. Modern, throughout, the theatre is equipped with a soundproof roof on the second floor where mothers can keep their noisy youngsters and watch the screen without disturbing others.

Brennan, Norton Transferred
KENOSHA, Wis., Aug. 1.—E. R.
Brennan, formerly manager of Stand-
ard Theatres’ Orpheum, Green Bay, Wis., has been named manager of the cir-
cuit’s Kenosha here, succeeding Fos-
ter Norton, who has been transferred to the Strand in Oshkosh.

82% of Irish Film Imports From U.S.A.

WASHINGTON, Aug. 1.—Of a total
of 1,506 films imported into Ireland during 1938, 82 percent were Ameri-
can, 17 per cent British and the re-
mainning one per cent made up of one French and nine German films, according to records today by the Bureau of Foreign and Domestic Commerce of the U. S. Department of Commerce.

The government paid $300,000 for customs duties.

Imports of exposed positive films totaled 7,873,100 feet in 1938 as compared with 4,009,000 in 1937. There are approximately 200 film houses, of which five were constructed and opened in 1938, with a seating capac-
ty of approximately 100,000. Admission prices range from eight to 60 cents.

Film censors rejected 23 films and cut 110. Appeal Board confirmed re-
jections in nine cases, reversed five and passed five with cuts. There were 18 absolute rejections in 1938 as compared with 14 in the previous year.

Almost all films are booked on a percentage basis, with distribution done by seven American companies, from the East Coast to the West Coast, serving film centers. Seventy per cent of the 200 houses use American projectors, with the remainder using British and German projectors.

For sound equipment, American film companies carry more than 85 percent. There are two independent distributors and two syndicates serving the Irish film market. Newsreels are produced here. There are no quotas or other restrictions in Ireland.

London Notes

LONDON, Aug. 1.—A private bill is to be introduced in Commons this week to compel distributors to release newsreels generally and not confine them to the cinema circuits.

Lieut. Commander Fletcher, labor member, in Commons debate, accused newsreel companies of “pandering to the exhibitor monopoly” by refusing to supply outside companies.

Further Allegations of Government and party interference with news and other films was made in debate in Commons on ministry information. It is reported that the British Board of Film Censors recently advised a producer that it would be politically inadvisable to make a film based on the Nazi occupation of Vienna.

Sir Samuel Hoare said the Govern-
ment has already been assured by the industry of an adequate film supply in event of war. He said it probably would be necessary at first to close all cinemas in event of air raid.

Morning matinees exclusively de-
voted to pieces of news read by the King and Queen to Canada and the United States, have been running at the Curzon Theatre, Brighton, since June.

So sustained is the interest in the films that Kenneth Nyman plans to continue the shows until the end of August at least.
HOW TO START THE WIZARD OF OZ

M-G-M's winning streak electrifies the industry. "ANDY HARDY GETS SPRING FEVER", "LADY OF THE TROPICS" "WIZARD OF OZ" a few among M-G-M's Multi-Million Dollar Summer Life-Savers! And here's how our New Season starts!
it's all about men!

SEASON OF 1939-40!

The opening gun from M-G-M is sensational! On September 1st comes the smash attraction “THE WOMEN”, already the talk of the West Coast and just the first of a flock of New Season Hits! Friendly Company indeed!
Hollywood Review

“Elsa Maxwell’s Hotel for Women”

(Twentieth Century-Fox)

Hollywood, Aug. 1.—People should be happily talking about lots of things after they have seen “Elsa Maxwell’s Hotel for Women.” Among the remarks undoubtedly will be heard should be favorable comments anent the snappy clever and modern, yet down-to-earth, screen- ing of Kathleen Scola and Darrell Ware evinced from the Elsa Maxwell-Kathryn Scola original, and they can talk for hours about its engaging situations and its modern dialogue. They won’t be able to ignore the lavish production quality, which associate producer Raymond Griffith engineered, for every frame of the film bespeaks charm and, therein lies a part of the other things, they may overlook a work they did not see and it may be that only the technicians will recognize the skill and finesse with which director Gregory Ratoff managed his literary, production and personal materials.

It does not seem possible that anyone will fail to applaud Ann Sothern, Lynn Bari, James Ellison, Jean Rogers, Elsa Maxwell, Joyce Compton, John Halliday, Alan Dininarte, Sidney Blackmer, Barnett Parker, Gregory Gaye and Ivan Lebedeff and many others. And there should be a unanimity of opinion that Darryl F. Zanuck, who is always on the lookout for fresh new faces, has uncovered a potential new star in Linda Darnell. There was no applause at all when she first came on the screen, for it was only the insiders who knew her and they remained silent. But she caught on almost immediately and many complimented her after the show was over.

The diamond that is this story has many shining facets, but the one greatest is the brightest. Miss Maxwell plays the role of a boisterous girl who comes to New York, is jilted by the man she loves, Ellison, becomes associated with a lot of girls living in “Hotel for Women” only and, by a lucky break, becomes the city’s most sought after photographers’ model. Venturous, yet shrewd and wise beyond her years, she is tall, and a model. A boy who threw her down and involves herself with rich and suave Halliday. She loves him, but he ignores her, but he loves jealousy, but the futility of Miss Bari, Halliday’s latest ex-fiance, who has a gun and uses it. There’s a scandal and nobody wants to use the girl’s face to advertise his products. Linda’s career ends. She takes the money for Ellison wants to take her back to Syracuse as his wife.

The story, production and the money-saving new personality are the things people will be talking about after they have seen the show. It seems, wise that exhibitor-showmen should recognize them in advance and capitalize upon them.

Running time, 80 minutes. “G.”

G. McC.

Deny Injunction to Jones Color Patent

Los Angeles, Aug. 1.—Federal Judge William S. James yesterday denied an injunction against Tri-Cor, Inc., for an injunction against the in-camera color process and apparatus. The decision is regarded in Hollywood as of major significance in the color photography field, as many court actions based on conflicting patent claims are understood to have been held in abeyance pending a decision in the Tri-Cor case.

The suit set up broad claims that the Jones patent covered duplex camera and use of the two negative films exposed simultaneously with a color filter and mirror splitting beam to produce a single positive. The decision pronounced these claims invalid due to the patent of the Miller-Davis "Tri-Cor" case.

Narrow claims pertaining to the use of a mirror to achieve right angle photography were held to cover specific device described in the suit but the decision found these claims not to be infringed by Technicolor. Beam-splitting, use of color filters and front-to-front printing have a long record of previous practice in photography, the court held, with such use pre-dating the Jones patent.

Title Changes

“My Love for Yours” has been definitely selected as title for Paramount film formerly known as “Only Love”.

“Konga, the Wild Stallion” has been chosen by Columbia as the final title for the story previously titled “Konga,” which the company recently started screening with Fred Stone in the lead.

June Withers’ latest picture, “Tin Hats,” will be released under the title “We’re in the Army Now,” Twentieth Century-Fox decided yesterday.

Warner Brothers has changed the film formerly titled “Lady Detective” now known as “The Mystery of Mr. Lorraine,” which Jackie Wyman plays her first starring role.

Sally Eilers on Stage

Schectacldy, N. Y., Aug. 1—Sally Eilers, RKO player, made her stage debut here in the leading role of “The College Widow,” which enjoyed a week’s run at the Mohawk Drama Festival on Union College campus.
Hollywood Review

“The Old Maid”
(Farmer)

Hollywood, Aug. 1.—If “The Old Maid” is to receive the public reception to which its merits as a literary composition, prestige as a Pulitzer Prize winning play and value as a finely wrought production entitle it to the public, it must explode into a Broadway job. It is an exceptional picture; unquestionably one of the most impressive features to have been made by any studio this year.

In nature this is a problem play. It treats a delicate subject in a dignified way and with good taste. Finely acted, directed and staged, this summer presentation is of that character that provokes serious consideration when it comes time to make the annual merit awards. It may happen that “The Old Maid” will be a candidate for several honors, but the exhibitors’ immediate problem is the devising of ways and means now whereby the public may be convinced that it is necessary that they see the show during its run.

To meet the first exploitation requirement, “The Old Maid” will be selected newly called series which is headed by Bette Davis, Miriam Hopkins, George Brent, Donald Crisp, Jane Bryant and James Stephenson with Louise Fazenda, William Lundigan, Cecilia Loftus, Rand Brooks, Janet Shaw and DeWolf Hopper also important in plot development. A second showmanship consideration is the fact that the production is based on a novel by Edith Wharton, the Zoe Akins Pulitzer Prize play on which Casey Robinson founded his screen play and that it was directed by Edmund Goulding, among whose ranking scoring pictures are “Dark Victory,” “White Banners,” “The Flame Within” and “Riptide.”

Primary appeal is to serious minded adults—especially women—for in essence “The Old Maid” is a story of frustrated mother love. Denied normal natural relationship with her child which was born out of wedlock, Miss Hopkins, the old maid, helps calculating sister, Miss Hopkins, aspire to and attain all the things in life—marriage, children, social position and wealth—which are the hopes of all women. But the worst blow she must endure is to see the child command and Miss Hopkins her mother, while she is regarded as an old maid aunt. Disappointed, disappointed, until she learned, years later, that her own daughter, Miss Bryant, whose birth is the secret of two sisters, may, in the throes of warm love, repeat her mother’s mistake. But when the girl’s whole future is in the balance, Miss Davis makes the sacrifice of permitting Miss Hopkins legally to adopt Miss Bryant so that she may have a name and position whereby she may marry honorably. Her reward for years of sorrow is the kiss of a bride who never knew to whom she was kissing her mother.

The entire treatment of the piece is soberly serious; there’s no occasion for a smile in it. Never does it give occasion for any spontaneous or physical reactions. This is not what generally termed a mass audience attraction. Yet the particular audience which witnessed the preview applauded it loudly.

Running time, 93 minutes. “A.”
G. McC.

“Hardy,”’ Dr. Kildare’ Are Best in Omaha

OMAHA, Aug. 1.—“And Hardy Gets Spring Fever” gets the week’s business with a handy $8,700 at the Orpheum.

Estimated takings for the week ending July 26-27:

“Daughters Courageous” (F. N.)

Orpheum: $2,135.00.

“County of the Crescent Service” (F. N.)

Orpheum: $2,135.00.

“Prison Without Bar” (U. A.)

Orpheum: $800.00.

“Tall Tails” (M-G-M)

Orpheum: $800.00.

“British Agent” (Pathe) 3 week run.

Orpheum: $800.00.

Gross: $1,700. (Average, $568)

New ‘Ecstasy’ Ban

Pawtucket, R. I., Aug. 1.—On the grounds that it is “sensuous, distorting, corrosive and immoral,” the morality of youth and the home and shows public morality, a local judge has banned “Ecstasy” from the picture ranks. The picture was scheduled to begin a week’s engagement at the Capitol here today.

On Chicago Film Row

Chicago, Aug. 1.—“Mad Youth,” a thriller picture about teenage life, plays first run in the Loop at the Clark theatre. It allegedly exposes the “naughtiest of all” racket. “Wolfenden” is handling promotion on the film. Jones, Linick & Schaeffer operate the house.

“Stanley & Livingstone” goes into the Chicago theatre Aug. 11. “Good Girls Go To Paris” is now current there, having been booked in with Rudy Vallee when it was superfluous. “Each Dawn I Die” was such a strong boxoffice hit. The Caigen-Rayt picture is being distributed for the week Vallee played the Chicago.

Randolph Scott took an airliner to Los Angeles Monday night after spending the weekend visiting his brother, Miss Elenore Thompson, Chicago harlequin.

Trust Suit Accuses Brooklyn Theatre

An anti-trust suit against Century Circuit, an independent, was filed in state Supreme Court here yesterday by Mosebl Enterprises, Inc. Plaintiff operates the Glennwood, in Brooklyn, and alleges in the complaint that five distributors gave preferential treatment to the defendant circuit. The charge is made that Century opened the New College in the same competitive area with the Glennwood and the new house was able to obtain better runs on product of RKO, Warners, Loew’s, United Artists and Paramount than the older theatre.

Ohio Censors’ Cuts At Three-Year Low

COLUMBUS, Aug. 1.—Only nine eliminations were ordered by the Ohio censors out of a total of 452 reels reviewed in July. This is the smallest number of eliminations in any one month for three years.

There were 56 eliminations from 500 reels reviewed in June, during which 12 reels were rejected. Figures for July, 1938, were 349 reels and 24 eliminations.

Eddie Cantor Sued

Hollywood, Aug. 1.—Suit for $751,000 damages has been filed against Eddie Cantor, Reynolds Teburn Co. and CEC, charging that the comedian and his wife, Elsie, Plaintiffs allege that they were assaulted by attendants when they attempted to enter the Pan-American broadcast studio on March 27 after refusing to remain for an after-broadcast program.

Morrison-Curtis Merge

Leo Morrison and Jack Curtis will combine their New York offices with Curtis, who is in charge of the new enterprise, which will be established in Morrison’s present New York headquarters. He will come here from the coast to establish the new Morrison-Curtis activities.
They’re all finished or actually in work!

Coming!
THE OLD MAID
(Bette Davis, Miriam Hopkins, George Brent, Donald Crisp)

Coming!
DUST BE MY DESTINY
(John Garfield, Priscilla Lane, Alan Hale)

Coming!
ON YOUR TOES
(Zorina, Eddie Albert, Alan Hale, Frank McHugh, James Gleason. From the Rodgers and Hart stage hit)

Coming!
THE ANGELS WASH THEIR FACES
("Dead End" Kids, Ann Sheridan, Ronald Reagan)

Coming!
THE FIGHTING 69TH
(James Cagney, George Brent, Pat O’Brien)

Coming!
PRIVATE LIVES of ELIZABETH AND ESSEX
(Bette Davis, Errol Flynn, Olivia de Havilland, Donald Crisp, Alan Hale, Vincent Price)

Coming!
A CHILD IS BORN
(Geraldine Fitzgerald, Jeffrey Lynn, Gladys George, Gale Page, Spring Byington)

Coming!
THE ROARING TWENTIES
(James Cagney, Priscilla Lane, Humphrey Bogart, Gladys George, Jeffrey Lynn. Story by Mark Hellinger)

Coming!
20,000 YEARS IN SING SING
(John Garfield, Ann Sheridan, Pat O’Brien, Burgess Meredith)

Coming!
THE SEA HAWK
(Errol Flynn, Olivia de Havilland, Alan Hale)

Coming!
THE SPIRIT OF KNUTE ROCKNE
(With one of the biggest casts of all time, headed for the outstanding success in the history of Warner Bros.)

Coming!
CAREER MAN
(Joel McCrea, Brenda Marshall, Jeffrey Lynn, George Bancroft)

Coming!
THE STORY OF DR. EHRLICH
(Edward G. Robinson)

Coming!
THE DEAD END KIDS AT MILITARY SCHOOL

Coming!
WE ARE NOT ALONE
(Paul Muni, Dolly Haas, Flora Robson. By the author of ‘Goodbye, Mr. Chips,’ James Hilton)

Coming!
AND IT ALL CAME TRUE
(James Stewart, Ann Sheridan, Humphrey Bogart)

Coming!
THE PATENT LEATHER KID
(George Raft, Priscilla Lane)

Coming!
FOUR WIVES
(With "The Four Daughters", Claude Rains, Jeffrey Lynn, May Robson, Dick Foran, Frank McHugh)

Coming!
BROTHER RAT AND A BABY
(By the authors of the sensational stage show, Eddie Albert, and the same great BROTHER RAT cast.)
Short Subject

Reviews

"March of Time, No. 13" (RKO)

Activities of the cosmopolitan population of New York City come in for attention in the latest "March of Time" film, "Metropolis—1939." Excluding the World's Fair, the camera takes a sightseeing trip through the city.

Principal object of attention is the city's police department which is viewed from the "inside." Commentary describes the city as "the greatest show on earth," and the roving camera proceeds from business areas to slum sections. Also shown are the insides of ocean liners and homes.

The reel should hold the attention of any audience, including New York's. The tour is relatively free of .stuffiness in identifying personalities and points of interest which may be unfamiliar to audiences outside the city but the emphasis on the living habits of New Yorkers makes the reel above average in interest. Running time, 18 mins.

"Hare-Um Scare-Um" (Warner)

A "Merrie Melody" cartoon in color, John Soursup is outraged by a rise in the price of meat and sets out with his dog in search of game. They encounter Bugs Bunny, a screwy rabbit, who leads them on a merry chase. Running time, seven minutes.

UA Disputes Folly Case Jurisdiction

Benjamin Pepper, attorney for United Artists Corporation, appeared at a hearing before Federal Judge Murray Habbert yesterday on an application by Artists to dismiss the $750,000 anti-trust suit of Folly Amusement Co. against the eight major companies, Monogram Distributing Co., Republic Pictures Corp., and Radio-Player Amusement Co., that the licensing of pictures to a neighborhood house was not in compliance with the antitrust law, which he said the Federal court therefore had no jurisdiction of the suit.

At the same time, United Artists and the other defendants asked for an order directing the plaintiff to file a detailed bill of particulars to its complaint. Judge Habbert reserved decision on all applications and indicated an early ruling.

The motion by the defendants is on the part of the defendants which allegedly forced the plaintiff to give up its Folly Theatre in Brooklyn through inability to secure product.

L. & J. Chiefs Coming

Arthur Lucas and William K. Jenkins, heads of the Lucas and Jenkins Circuit, are scheduled to arrive in New York next week to begin negoti-ations with Paramount officials on a new operating agreement for the 33 New York and Alabama houses affiliated with Paramount. Their five-year operating agreement for the houses expired in a month ago. Renewal of the contract with only minor revisions is expected.

New York Review

"Mutiny on the Blackhawk" (Universal)

With action following in fast sequence, this picture is like honey to fans who like this type of fare.

In a setting of the 1840's, the story has for its motivation the break- ing up of the slave trade from the south Pacific Islands to our west coast. There are all kinds of complications which gave the script writers opportunity to develop a theme of the winning of the west which becomes as important as the slave trade angle.

Richard Arlen and Andy Devine score as a militia captain and droll sailor, respectively. Arlen, as Capt. Bob Lawrence, is ordered to break up the slave racket and ships aboard the Blackhawk with a "live cargo" of Sandwich Island natives in its hold.

Arlen succeeds in capturing the ship, after many horrible adventures, and brings it to the California coast. Here he discovers a conflict between the Mexicans and the Americans at Fort Bailey in Mexican territory. The Mexican army is about to move in and take over, but Captain Lawrence and his army of South Sea Islanders save the day in one of the most furious battles ever put on celluloid. The Captain then fulfills his duty by returning the natives to their habitat while the slave runners get their deserts.

Noah Beery, as the ship captain, Constance Moore and all the rest handle their roles with finesse.

Christy Cabanne directed from a screenplay by Michael L. Simmons based on an idea by Ben Pivar, who was associate director. Camera work by John Boyle is excellent.

Running time, 61 mins.

Hearing August 17 On Public Seating

Washington, Aug. 1—The Federal Trade Commission last week ordered a public hearing Aug. 17 on proposed revised trade rules submitted by the public seating industry.

The proposals of the industry, which includes the manufacturers of seats for theatres and auditoriums, cover the same ground as the original code adopted June 23, 1931, with the addition that the principles of the Robinson-Patman Act, since adopted, are accepted. The Robinson-Patman law prohibits price discriminations.

The new rules cover the usual practice of manufacturers of products, false or deceptive selling methods and unfair competition—which are dealt with in the codes voluntarily adopted by industries under Federal Trade Commission auspices.

Dominion Golfers In Films Tourney

Toronto, Aug. 1—The next big event on the calendar of the moving picture industry in the Dominion is the first annual golf tournament under auspices of the Toronto Board of Trade, Film Section, to be held at the Oakdale Golf Club, Weston, on Aug. 14. Entries close with E. H. Wells, treasurer, in a few days.

The chief prize is the handsome trophy presented for annual competition by President N. L. Nathanson of Famous Players Canadian Corp. A favorite shotmaker for the honors is Jack Arthur, manager of the Toronto Uptown, who with Ken Craig of Cobourg, R. G. Darby of Toronto and R. McDou-McClusky of the Toronto Capitol battled it out for high honors, in the FPCC golf event last week.

...A 3-MILE-A-MINUTE BOX OFFICE WALlop?

Easy! Give your exhibitors super-swift Air Express service direct from shipping room to screen—3 miles a minute and sure with time to spare. A sales knock-out at low cost! Special day and night distributor-exhibitor shipping service for quick turn-around. Complete distributing network through 232 key cities in U. S. and Canada with fast air-mail connections to offshore points. Also to Latin America, Hawaii and Far East. For quick action phone HAILWAY EXPRESS—Air Express Division.
SAG Expels Miss Tucker In AFA Fight

(Continued from page 2)

working in variety theatres. Neither of them have had one word to say about this strange transaction. . . .

Executive committee named by the 4-A to handle the emergency includes Paul N. Turner, 4-A counsel, Florence Marston, S.A.G. Eastern representative, Henry Jaffe, counsel to the American Federation of Radio Artists, and Frank Gillmore, 4-A president.

Ralph Whitehead, A.F.A. executive secretary, reiterated yesterday that the A.F.A. would confine itself at present to the jurisdiction it held under its former 4-A charter. No action would be taken, he said, to embarrass actors employed in the field by compelling them to sever their relations with the A.F.A. when working in other than variety fields, although the charter granted by the I.A. gives the A.F.A. jurisdiction over the entire entertainment field.

Funds granted by the I.A. will permit an intense unionization drive and motion picture presentation houses will be one of the points of attack, he said.

UA Officials Honor Arthur Silverstone

Arthur Silverstone, managing director for United Artists in Great Britain, who arrived in New York Monday, was tendered a welcome luncheon at Bob Goldstein's Tavern yesterday by Arthur Kelly, United Artists vice-president.


17 Managers Given Chicago B-K Prizes

Chicago, Aug. 1.—Stating that due to the special drive in the second quarter of this year, business had increased instead of decreased as usual, John Balaban today awarded seventeen managers each prizes amounting to $2,800 plus a week's vacation with pay.

Seventy B. & K. officials and managers attended the luncheon meeting where awards were announced. Winners of $250 first prizes were Roy Bruder, Ambrose Conroy, Harry Ondishal, George Romine and William Briscoe.

Mason Flying Abroad

Frank E. Mason, NBC vice-president, will be aboard the Pan-American Clipper with Mrs. Mason when the ship departs today for Europe.

IA Likely to Grant Charter to TMAT

Negotiations of Theatrical Managers, Agents and Treasurers Union for affiliation with I. A. T. S. E. which have been pending for more than one year are expected to be successfully completed over the weekend.

George E. Browne, I. A. president, will confer with T. M. A. T. executives at Atlantic City over the weekend and an announcement of affiliation is expected to be made Sunday or Monday.

Browne has complete power, under the I. A. constitution, to issue charters to union groups. Besides consolidating present T. M. A. T. strength in the legitimate stage field by affiliation with the stagehands, the Motion Picture Division is expected to gain considerable strength by an alliance with the projectionists.

42 RKO Executives At Paris Convention

Paris, Aug. 1.—RKO's Continental European sales convention opened at Hotel George V here yesterday with 42 delegates attending from Belgium, Holland, Portugal, Roumania, Spain, Sweden, Switzerland and France.

New season product was described by Reginald Armour, RKO Continental manager, at the opening day's session. A social program occupied the conventioners last night and today's business sessions were given over to discussion of new short subjects.

Toronto

Trade Notes

Toronto, Aug. 1.—Arriving in Toronto on a business trip, J. M. Franklin of Halifax, N. S., president of the Franklin-Herschorn Theatres, announced he had just come from the opening of the seventh unit of his chain in the Maritime Provinces, this being the Community Theatre at Yarmouth, N. S., to which Al Foster has been appointed manager.

Mitchell Franklin, his son, has been appointed supervisor of theatres for the circuit after having managed various theatres of the group.

President Franklin was formerly Canadian special representative of RKO Theatres with headquarters in Toronto. He is proceeding to New York City from Toronto.

Formal announcement is made that Anna Neagle, British film actress, and producer Herbert Wilcox will be among the guests of honor at the Canadian National Exhibition to be held at Toronto Aug. 23 to Sept. 9, their visit being timed with the release of "Nurse Edith Cavell" in the Dominion by RKO Distributing Corp. of Canada.

This is their second visit to Canada, the previous occasion having been in connection with the Canadian premiere of "Sixty Glorious Years" at the Toronto Hippodrome.

Best Wishes To the Schine Circuit!

To the Managers, Branch Men, and to the entire Schine Organization, we extend sincere wishes for a successful, resultful convention in Gloversville. It has been our distinct pleasure and privilege to work with you in the seating of many Schine houses. Throughout these many years, we have genuinely appreciated your business; have admired the straightforwardness of your organization; and have respected you as alert, efficient showmen.

Heywood-Wakefield

EST. 1826
Theatre Seating Division
GARDNER, MASS.
“Mr. Wong in Chinatown
A TOP NOTCH MYSTERY THRILLER!”
—Box Office

“Monogram hits pay dirt in bonanza quantity”
—Motion Picture Daily

“Best of the ‘Wong’ series”
—Film Daily

“Fits easily into the top niche”
—Daily Variety

Boris KARLOFF
with
MARJORIE REYNOLDS
GRANT WITHERS
PETER GEORGE LYNN

Directed by WILLIAM NIGH
Associate Producer
WILLIAM LACKEY

Based on the “JAMES LEE WONG” Series in COLLIER’S MAGAZINE
written by HUGH WILEY

A MONOGRAM PICTURE
Paramount Shows Profit of $2,130,000 During Six Months

Paramount's net profit for the six months ended June 30 is estimated by the company at $2,130,000, after including $275,000 representing the company's share of undistributed earnings of partially owned, non-consolidated subsidiaries. Figure compares with net of $1,225,811 for the first half of 1938, which included $1,165,000 of undistributed earnings of subsidiaries.

Principal earnings for the quarter, ended July 1, were estimated by the company yesterday at $880,000, which includes $800,000 of undistributed earnings of non-consolidated subsidiaries, and compares with a net of $394,945 for the corresponding quarter of last year, after including $257,000 of undistributed earnings of subsidiaries.

After deducting $300,268 of dividends accrued for the quarter on the company's first and second preferred stock, the estimated earnings for the period are equal to 21 cents a share on the common, compared with earnings equivalent to four cents per share for the corresponding period of 1938. The earnings for the half year are equivalent to 62 cents per share on the common compared with 26 cents per share for the corresponding 1938 period.

Color Television Shown in London

Television in color has been successfully demonstrated in London by the Baird Tele vision Corp., according to cable advice received here yesterday by Ian C. Javal, commercial director of the company.

The cable says that a color photograph of King George was televised before English newspapermen, and that it was viewed on a large screen in full color and with perfect definition. The cable quotes enthusiastic newspaper comment.

RKO Theatres Set Seven Reopenings

Reopening dates for seven of 12 RKO circuit houses closed early this summer have been set by John J. O'Connor, vice-president and general manager of the circuit.

First to relight will be the Palace, Chicago, on Aug. 11. The Palace is scheduled to reopen combination vaudeville-film shows. Stage shows will also go into the New Boston, Boston, starting Sept. 1. This house did not close.

Other reopenings are the Albee, Providence, Aug. 17; Orpheum, Kansas City, Aug. 18; and Domino, Jamaica.

20th-Fox Adds Television To Radio Ban for Players

GLOVERSVILLE, Aug. 2.—Players of 20th Century-Fox will be prevented from appearing on television as well as radio programs, Herman Wober, general sales manager of the company, told the Schine Enterprises convention here today.

“Our company,” said Wober, “will do everything possible to keep stars that belong to films and that were made by motion pictures from appearing on radio and television programs.

“Personally,” he continued, “I am strongly against their appearances on the air. The stars are yours, you helped make them, and they should remain yours.”

Carl E. Milliken of the M. P. P. D., was principal speaker at a dinner at the Adironack Inn tonight. He said that the public's esteem of films has improved tremendously in the past few years because of the industry's own efforts to bring about the improvement which has been shown.

Other speakers were Charles Cold, director of the Mohawk Drama Festival; Jean Muir; Sally Edders and Assemblyman Denton D. Lutz, James R. Granger, Republic Pictures president, told of forthcoming films; Rodney Bush, 20th Century-Fox publicity chief, described the company's national promotion activities, and Lee Blumberg of Warners outlined the steps the companies are taking to pre-sell pictures, especially shorts.

Among other speakers were Leon Bamberger, RKO; J. J. Unger and Alce Moss, Paramount; Lou Wein berg, Columbia; E. W. Golden, Monogram; Charles Casanave, National Screen; Eddie McAvoy, RKO; Maurice Bergman, Columbia advertising and publicity director, and Lou Pollock of Universal.

SAG Officials IA ‘Enemies’, NLRB Holds

Bob Montgomery's Aid Charged by Saunders

LOS ANGELES, Aug. 2—IA-L.A.T.S.E. today filed an affidavit with the National Labor Relations Board, in which a former officer of the United Studio Technicians Guild makes the charge that several prominent members of Screen Actors Guild financed a publicity campaign which was conducted against IA-L.A.T.S.E.

The affidavit also asserts that the U.S.T.G. is being conducted by the C.I.O., as believed here, but by some other unidentified sources. Additionally, the affidavit charges that the rival union had only 25 paid-up members when its petition for certification as a bargaining agent was made.

Alex Saunders, temporary executive secretary of U.S.T.G., who was discharged last week, made the affidavit, which was filed with the N.L.R.B.

Saunders' charges name Robert Montgomery, former S.A.G. president, and the donor of a $5,000 fund supplied to Jeff Kibbe, described as "an agent for unknown sources," to be used in a campaign "to get the IA-L.A.T.S.E."

It is also alleged that Harry Bridges.

‘Beau Geste’ Opens Big at $11,000

“Beau Geste” opened strong at the Paramount yesterday with an estimated $11,000 gross for the day. "The Magnificent Fraud" ended its second week there with an estimated $20,000. "Winter Carnival" drew an estimated $82,000 at the Music Hall.

Last week of “Andy Hardy Gets Spring Fever” drew an estimated $20,000 at the Capitol. At the Astor, “Goodbye, Mr. Chips” continued at a steady pace with an estimated $12,000 for its 11th week. Opening today are "Four Feathers" at the Capitol and "In Name Only" at the Music Hall. "Bad Lands" goes into the Rialto Aug. 8.

U.A. Issue Tomorrow

Tomorrow's issue of Motion Picture Daily will present a special section devoted to the 20th anniversary of United Artists.
Code’s Legal Terms Ready For Approval

Legal phases of the industry trade practice code have been completed and indications are that the final draft will be presented to the trade as soon as a meeting of sales managers can be arranged to give the document final approval.

William F. Rodgers of M-G-M, chairman of the distributors’ negotiating committee, has been able to set a date for a final session due to the absence from the city of a number of the major company sales executives. He has advised Ed Kuykendall, M.P.T.O.A. president, that the final draft will be made known not later than next Wednesday.

Company attorneys placed their approval on the new arbitration and clearance provisions at a meeting which lasted until Tuesday night. It was indicated later that Fox West Coast and other affiliated circuits which have objected to the new arbitration terms covering clearance in arbitration cases will accept the provisions as finally agreed upon.

From Plays to Films?

CHICAGO, Aug. 2—Plans are under way for the Erlanger Theatre to become a grind film house. Several parties are interested. The property is in the hands of bondholders who demand a change in policy from the former stage attractions as the shortage of plays has reduced the revenue to a minimum. The house is now dark.

Fly NON-STOP to CHICAGO

Two Flights

4:00 P.M.

5:30 P.M.

SIX OTHER FLIGHTS TO CHICAGO—TWELVE FLIGHTS TO PITTSBURGH.

10% Discount on Round Trips! Special Services Offered For Groups. 

Phone Travel Agent or MU 6-1640

Transcontinental & Western Air, Inc.

105 E. 42nd St.—Air Desk, Penn Station.

Phone 10c. for lunch, dinner or supper.

LAHFF’S TAVERN

Meeting and Eating Place

156 W. 48th St., Tel. CHickerling 4-4200

For Lunch, Dinner or Supper

MOTION PICTURE DAILY

Thursday, August 3, 1939

Independents Pushing Plans For Jubilee

(Continued from page 1)

CABLES have been launched and a subordinate agreement has been signed for participating in the anniversary activities, according to Babler.

Manual for Jubilee Goes to 18,000 Theatres

The campaign manual for the industry’s 50th anniversary observance was mailed to exhibitors abroad and 12,000 copies were prepared for mailing to exhibitors in the next few days. Organization work will be begun immediately with the anniversary week set for Oct. 1 to 7.

Foreword of the 24-page manual points out that effectiveness of the campaign will depend on the individual initiative and resourcefulness of those who participate, and that the manual is only a “tool” to provide background material and save the participating exhibitor time and trouble.

The manual was prepared by an anniversary committee consisting of Kenneth Clark and Joel Swensen of 20th Century-Fox; Alan Gold, Warner Bros., Louis Pollock, Universal; William Ferguson, M-G-M; Ben Grimm, RKO, and Lester Thompson Advertising Advisory Council.

RKO Theatres Set Seven Reopenings

(Continued from page 1)


Five other theatres closed for the summer will be reopened, dates are not definite. These are the Majestic, Columbus; Colonial, Dayton; Central, Yonkers, N. Y.; Grand, Cincinnati, and the Century, Rochester.

Ameche to Paramount

Hollywood, Aug. 2—Twentieth Century-Fox has loaned Don Ameche to Paramount for a film to be made in the fall. Three stories are under consideration for him. His previous Paramount assignment was “Midnight.”

U. A. Sued in Missouri

TRENTON, Mo., Aug. 2—O. J. Spencer, operator of the Ritz Theatre here, has filed suit in Circuit Court against United Artists alleging violation of contract. Spencer alleges his contract specified first run films, but he got second run pictures in many instances. Spencer also charges U. A. terminated the contract without reason after he had played many of the less desirable pictures in order to get the good ones.

HUGH BRALY, Paramount district manager with headquarters in Des Moines has been conferring at the home office.

K. S. HIBLER of Bombay, India, founder of the Motion Picture Society of India, has been visiting here and leaves tomorrow for Hollywood. He will return here and sail for Europe Aug. 28.

DAME May WHITBY, British actress, arrives today on the Washington. She will play summer stock in the Garden, Miss. in "Viceroy Sarah," directed by her daughter, MARGARET WEBSTER.

MABEL Drew of the 20th Century-Fox publicity department leaves today for a three-week vacation in Hollywood.

WILLIAM KURTZ of the Rialto Theatre is back from vacations at Poultney, Vt.

SINDEY KRAUSS of M-G-M is traveling in the south.

STEVE FITZGIBBONS, studio manager of Movietone News, sailed yesterday on the Normandie for a European vacation. He will make new acquaintances in Paris where he formerly was at Joinville studios.

R. D. STEALLINGS, Kincey circuit manager at Lenoir, N. C., is taking in the World’s Fair. Other out of town visitors are EDWARD J. LAUGHLIN, Raleigh, N. C.; Mr. and Mrs. R. A. MOSM, Londonville, O.; TRED BE Book of the Interstate circuit, Dallas, and J. J. BROCH, buyer and booker for the Tri-State circuit, Des Moines.

FRANK T. CLEMENTE, Spanish producer, arrived yesterday from Hollywood en route to Buenos Aires, where he will make six films. He sails Aug. 20.

MILTON SILVER, the Squire of West- ton, Conn., has found more time to indulge in the art of horseshoe pitching, now that some run has fallen on his vegetable crop relieving him of the job of artificial irrigation.

BETTE DAVIS arrives here tomorrow. She will sponsor the air debut of her protege, PAMELA CAWNESS, on a CBS program.

FRANK CALVIN, head of Cecil B. DeMille’s research staff, has left for Hollywood after gathering data for "Royal Canadian Mounted."

N. H. WATERS, head of the Waters theatres in Birmingham, and his family are spending a vacation in San Francisco and Honolulu.

OTIS BOWES of the Grand, Regina, Sask., was a Managers’ Round Table visitor during a brief vacation here.

E. V. RICHARDS, back in New York for a second brief visit in the past few weeks, left yesterday for New Orleans.

VICTOR STREEL, manager of the Riverside, Ill., has been visiting here.

SUSAN HAYWARD, Paramount player, is in town for a vacation visit.

B & K Deals Set; Film Buying Slow

CHICAGO, Aug. 2—Though B & K deals have been made for next season, independents are holding off on buying. The main reason for the delay is that many of the independents hope pending lawsuits will change the local picture on clearance and other factors. B. & K. and Great States circuit have closed with 20th Century-Fox for the new season and a deal with Warners and B & K is completed. A Warners contract for Great States is expected to be closed soon. Ben Kalmenson, Warners division manager, is here to discuss New York complete details. B. & K. has other major company product under long-term contract.

UNITED...

THE DISTINGUISHED WAY TO LOS ANGELES

Overnight to the coast. Luxurious Mainliner sleepers—the "Continental" leaving New York 5:45 pm, and the "Overland Flyer" leaving New York 9:45 pm. finest meals adfot. Call travel agents, hotels, or United Air Lines, 58 East 42nd Street.
4 BIG ONES FINISHED!

4 BIG ONES SHOOTING!

...AND MORE ON THE WAY FROM RKO RADIO...
EIGHT PICTURES AS GREAT AS THE BIG NAMES IN THEM!

GINGER ROGERS • CAROLE LOMBARD • CARY GRANT
KAY FRANCIS • ANNA NEAGLE
CHARLES LAUGHTON • ANNE SHIRLEY • JOHN WAYNE
CLAIRE TREvor • HELEN VINSON • RAYMOND MASSEy
DAVID NIVEN • CHARLES COBURN • FRANK ALBERTSON
MAY ROBSON • EDNA MAY OLIVER • ZASU PITTS
H. B. WARNER • GEORGE SANDERS • WALTER CONNOLLY • VERREE TEASDALE • FRANKLIN PANGborn • BRIAN AHERNE
SIR CEDRIC HARDWICKE
WALTER HAMPDEN
MAUREEN O’HARA

GARSON KANIN • JOHN CROMWELL • HERBERT WILCOX • GREGORY LA CAVA
GEORGE STEVENS • WILLIAM SEITER • WILLIAM DIETERLE

EIGHT PICTURES AS GREAT AS THE MIRACLE MEN WHO DIRECT THEM!
Now playing to peak midwinter grosses in first runs throughout the country! ... Held over at Radio City Music Hall after a first week that lifted it to that coveted $100,000-a-week class! ... AS BIG AS THEY MAKE 'EM—AND PRESENT GROSSES PROVE IT!
Carole LOMBARD
and
Cary GRANT
and Kay FRANCIS

in

IN NAME ONLY

with
CHARLES COBURN
HELEN VINSION
KATHARINE
ALEXANDER
JONATHAN HALE
MAURICE
MOSCOVICH

PANDRO S. BERMAN
in charge of production.
Directed by JOHN
CROMWELL. Produced by
GEORGE HAIT. Screen
Play by Richard Sherman

STARS, STARS, STARS . . . Carole and Cary and Kay . . .
the biggest box-office threesome of the season . . . all
in the Park Avenue-flavored drama of a blonde-brunette
battle for the love of a man worth fighting for! . . . A
BIG-TIME SHOW NOW SET FOR PRE-RELEASE RUNS IN

RADIO CITY MUSIC HALL
ATTRACTION
STARTING AUGUST
CHARLES LAUGHTON
THE HUNCHBACK OF
NOTRE DAME

with WALTER HAMPDEN
MAUREEN O'HARA
SIR CEDRIC HARDWICKE
and a cast of thousands

VICTOR HUGO'S
mighty novel,
directed by
WILLIAM DIETERLE
by special arrangement

O WAITS BETWEEN
BIG ONES...THIS ONE
SHOOTING RIGHT NOW!
PRODUCED AND DIRECTED BY GEORGE STEVENS

CAROLE LOMBARD

VIGIL IN THE NIGHT

A. J. CRONIN'S GREATEST STORY SINCE "THE CITADEL"

PANDRO S. BERMAN IN CHARGE OF PRODUCTION with BRIAN AHERNE ANNE SHIRLE
NURSE EDITH CAVELL

IT'S MORE THAN A BIG PICTURE... it's the screen's greatest tribute to the glory of woman's courage and the wonder of her unpredictable heart! It's Hollywood's newest note in super thrillers, with England's greatest actress in the role that will make her

ANNA NEAGLE

with EDNA MAY OLIVER • GEORGE SANDERS • MAY ROBSON • ZASU PITTS • H. B. WARNER

Screenplay by Michael Hogan. Musical score by Anthony Collins

PRODUCED AND DIRECTED BY HERBERT WILCOX
Streamlined Cinderella in sables! ... Joyous Ginger in the perfect role for a picture to cause the "Ohs" and "Ahs" and heart-throbs! What a set-up for the producer-director who wrapped up your heart with "Stage Door." Soon ready for pre-release run everywhere!
NO WAITS BETWEEN
BIG ONES...THIS ONE
SHOOTING RIGHT NOW!

THE GREATEST ACTION SPECIAL
you'll get this year! ... The screen's mightiest
moving drama of pioneers against the wilderness!
... It's all excitement, thrill and wonder ... Out-
doors on the grandest scale the movies have ever
seen! ... ONE OF THE BIGGEST AND MOST
IMPORTANT PICTURES ON RKO RADIO'S GREAT
LIST FOR 1939-40!

ALLEGHENY FRONTIER

Played by a cast of thousands of settlers, Indians, soldiers, scouts,
wagon-trainmen and backwoods statesmen headed by

JOHN WAYNE • CLAIRE TREVOR

GEORGE SANDERS

• • DIRECTED BY
WILLIAM A. SEITER

PANDRO S. BERMAN
IN CHARGE OF PRODUCTION

From the stirring
pages of the novel,
"The First Rebel,"
by Neil Swanson.
THE ONE GREAT LINCOLN SHOW OF ALL TIME!

RAYMOND MASSEY
in
ROBERT E. SHERWOOD’S PULITZER PRIZE PLAY

ABE LINCOLN IN ILLINOIS

Directed by
JOHN CROMWELL

Presented by MAX GORDON
Produced by
MAX GORDON PLAYS AND PICTURES, INC.,
HARRY M. GOETZ, President
MAX GORDON, Vice-President

NO WAITS BETWEEN BIG ONES . . . THIS ONE IN PRODUCTION NOW!
Eight of the biggest shows you ever had the luck to play!

Top-Bracket Pictures.. Every One!

Big in Star Names!
Big in Directors!
Big in Quality!
Big in Entertainment!
Big at the Box Office!

And Coming Soon!
"THE AMERICAN WAY"
MARCH OF TIME'S
"THE RAMPARTS WE WATCH"
"IVANHOE"
LESLIE HOWARD in
"THE MAN WHO FOUND HIMSELF"
GEORGE STEVENS' "PARTS UNKNOWN"
LAUREL AND HARDY in "THE FLYING DEUCES"
"TOM BROWN'S SCHOOL DAYS"
JEAN HERSHOLT as "DR. CHRISTIAN"
"THE SWISS FAMILY ROBINSON"
"AFRICAN INTRIGUE"
"THE DEERSLAYER"
HAROLD LLOYD'S "CHASING RAINBOWS"
CARY GRANT in "PASSPORT FOR LIFE"

JUST SIGNED!

KAY KYSER and his orchestra, hottest thing in Entertainment,
to be directed in a spectacular musical by DAVID BUTLER. Titled from
the "Old Professor's" own radio line: "That's Right—You're Wrong."

ORSON WELLES . . . Spectacular genius of the Show World
—brilliant actor and director, to make one picture a year . . .
and what a picture is planned for his first!
THE NEW SEASON'S FIRST BIG HIT!

BACHELOR MOTHER

starring
GINGER ROGERS
DAVID NIVEN

with
CHARLES COBURN
FRANK ALBERTSON
E. E. CLIVE

DIRECTED BY GARSON KANIN
PRODUCED BY B. G. DeSYLVA
PANDRO S. BERMAN IN CHARGE OF PRODUCTION
SCREEN PLAY BY NORMAN KRASNA
STORY BY FELIX JACKSON

HELD OVER

BOSTON - ROCHESTER - SYRACUSE - CINCINNATI
DAYTON - CLEVELAND - DALLAS - HOUSTON - INDIANAPOLIS
LOUISVILLE - LOS ANGELES - NEW ORLEANS - NEWARK
BROOKLYN - ATLANTIC CITY - TRENTON - PITTSBURGH
ST. LOUIS - SAN FRANCISCO - WASHINGTON

EVERYWHERE

THAT'S WHAT WE MEAN WHEN WE SAY BIG ONES!

RKO RADIO PICTURES
Theatres Act To Stop Bingo In Wisconsin

MILWAUKEE, Aug. 2.—Circuit Judge John C. Kleczka has adjourned until Aug. 16 without passing on petitions filed by Charles W. Trampe, president of Film Service, Inc., against the Bahn Free to Play here, to restrain the latter from conducting bingo parties.

Meantime, proponents of bingo have indicated that they will seek legislative action to form various fraternal and religious organizations to sponsor the games. Benjamin J. Miller, attorney for the Bahn Co., said the court was in a position to restrain bingo games at the Midsummer Festival, declared his clients would fight any such action.

As the result of the drive against bingo here, four south side churches have completely discontinue the game pending court decisions.

Although he postponed the Bahn free action, Judge Kleczka indicated that the district attorney's office and the criminal courts should be approached first in such action before going to the circuit court.

Considerable public comment has been aroused in Sheboygan county as a result of a recent ban placed on Bingo games conducted by fraternal organizations and churches. Charles E. Broughton, publisher of the Sheboygan Press, has criticized law enforcement agencies for their stand in the matter.

‘Daughters’ on Dual Nets Detroit $14,000

DETOIT, Aug. 2.—“Daughters Courageous” on a double bill with “Million Dollar Legs” led the field this week, giving the Michigan $14,000. “Ex-Champ” and “Unexpected Father” did fair at the Fox with $10,500. Estimated takings for week ending July 27:

“Second Fiddle” (20th-Fox) .............................................. $34,000
“Ex-Champ” .......................................................... $23,640
“Unexpected Father” .............................................. $22,800

“Million Dollar Legs” (Para.) ........................................ $22,450
“Ex-Champ” (U.) ..................................................... $20,200
“Unexpected Father” (U.) ........................................ $19,800

Open Frisco Newsreel Theatre on Aug. 20

SAN FRANCISCO, Aug. 2—Opening of the new Telco Theatre, operated by Pacific Newsreel, Inc. (a subsidiary of the Pacific Film Corp., has been set for Aug. 20, according to Herbert Scheitel, president of the company. It is planned to remodel the new theatre property in the center of the downtown district. Ellis Levy, veteran west coast theatre and radio man, has been named manager.

Each weekly program of news will be specially edited from entire product of all Newsreel-circulating firms of the world. The Telco Newsreel Theatre, Universal, Fox, Paramount, and MGM News of the Day.

Hollywood Review

“Stanley and Livingston”

20th Century-Fox

Hollywood, Aug. 2.—Big and broad and powerful as the Nile which threads the Dark Continent of its principal locale, this pictorial presenta-

tion of the memorable search of Stanley for Livingston rolls up tremendous interest of a most unusual kind.

Spencer Tracy and Sir Cedric Hardwicke, playing the reporter and missionary of the title, give sterling performances, sincere, earnest por-

trayals of the sincere, earnest men whose sterling real-life performances in behalf of civilization have inspired generations of white men.

Facts of the Stanley-Livingston adventure (Publisher James Gordon Bennett’s assignment of Reporter Henry M. Stanley to the find Dr. David Livingston at any cost of time or money, Stanley’s ultimate suc-

cess, Livingston’s refusal to leave his beloved Africa, Stanley’s return to the slanted Congo) that the story is well and widely known. They are dealt with precisely as facts in the film, as precisely as historians might deal with them, and there is no sprinkling in of phony melodramatic incidents to mar a fastidious and faithful record.

Associate Producer Kenneth MacGowan, director Henry King, screen playwrights Philip Dunne and Julian Josephson and researchers Hal Long and Sam Hellman seem to have proceeded with the single purpose of screening an epic experience, not emblazoning it. Few films have ap-

proached this one in its simulation of reality, its respect for veracity and, in that respect, it is a film of the first water.

Richard Greene, Nancy Kelly, Walter Brennan, Charles Coburn, Henry Hull, Henry Travers and Miles Mander are other names for explo-

itation uses, members of a large and utterly capable cast supporting the two vividly outstanding principals.

Running time, 105 minutes. “G”

“G” denotes general classification.

‘Career’, Dual Bill, Top Milwaukee List

MILWAUKEE, Wis., Aug. 2.—“Five Came Back” and “Career” were the week’s best with a $5,400 gross at the Warner. Second money went to “Andy Hardy Gets Spring Fever” and “They All Come Out,” which grossed $6,500 at Fox’s Wisconsin.

Estimated takings for the week ending July 26-28:

“Five Came Back” (RKO) .............................................. $22,000
“Career” .......................................................... $21,000
“Good-bye, Mr. Chips” (M-G-M) ................................ $17,000
“Clouds Over Europe” (Car.) ...................................... $15,000
“Andy Hardy Gets Spring Fever” (M-G-M) ................. $15,000
“Clouds Over Europe” (Sel.) ...................................... $12,000
“Newman” (20th-Fox) .............................................. $12,000
“Second Fiddle” (20th-Fox) ........................................ $10,000
“Tuplawn” (20th-Fox) ............................................. $10,000

Glamor Girl Hunted

WHN will conduct a contest to dis-

cover New York’s most “gor- mulorous working girl,” with M-G-M talent men in charge for the object of authenticity to test if the contestants are suitable for screen tests.

Hall in ‘Pago Pago’

Hollywood, Aug. 2.—Edward Small has “borrowed” Jon Hall from Sam-

uel Goldwyn for the lead in “Pago Pago,” his first U. A. release for the studio.

Post Story Bought

Paramount has bought James Street’s Saturday Evening Post story “The Yellow Line” for $2500.

Sues Al Pearce

Ruth Rubin, as assignee of William H. Comstock, filed suit against Al Pearce, radio comedian, for $18,000 in New York Supreme Court here yesterday. Comstock, as “Tizie Lish,” was arrested in the Pearce pro-

gram. A contract is basis of the suit.

Book Alliance Film


Loop Grosses Good Despite Heat, Concert

CHICAGO, Aug. 2.—“Daughters Courageous” was the hottest thing in town last week, outside the weather, and grossed an excellent $38,000 at the Chicago theatre, to lead the 10.

The second loop week was olay as well, as “Goodbye, Mr. Chips,” in its fifth week.

The United Artists reopened with a Hardy picture and did well in grossing $14,400.

The heat was hottest most of the week. A free concert by Lively Pons in Grant Park Monday night drew 330,000 persons which didn’t help theatre business any.

Estimated takings for the week end-

ing July 26-29:

AVERAGE...

APOLLO—(1,400) (35c-55c-75c) 7 days $1,200,000
“Daughters Courageous” (W. B.) 
CHICAGO—(4,000) (35c-55c-75c) 7 days Stage: Village; Tuesday to Thursday: Gross: $8,000; Average: $1,142

“Gallant” (20th-Fox) .............................................. $1,200
“Good-bye, Mr. Chips” (M-G-M) ................................ $1,200
“Stronger Than Desire” (M-G-M) ................ $1,200
“Second Fiddle” (20th-Fox) .................................... $1,000

“Chips” Takes $10,500, Wins Montreal Stay

MONTREAL, Aug. 2.—“Goodbye, Mr. Chips” was best for the week and earned a holdover with a gross of $10,500 at Loew’s where all-year aver-

age was $1,400. Week of “Sec-

ond Fiddle” at the Palace brought $4,800 against $11,000 par, while the week of “Bachelor” at the Capitol was $3,260, against $5,260. Slate-

ing was: “Livingstone” (20c-30c-40c-60c) 7 days.

Estimated takings for the week end-

ing July 27:

“Chips” .......................................................... $4,000
“Bachelor” ........................................................ $4,000
“Second Fiddle” ................................................ $2,500

Study Theatre Acoustics

Hollywood, Aug. 2.—An extensive investigation of theatre acoustics prob-

lems was begun late last week by a subcommittee of the Academy Re-

search Committee. Equipment and ser-

vice companies are cooperating. Initial work is a survey and acoustic measurement being conducted on the Columbus lot.
COLUMBIA PICTURES announces THE GENERAL RELEASE OF GOLDEN BOY

AUGUST 31st 1939
You've never met such fascinating people...

Golden Boy

Tenderly...The Screen Tells A Heart-Warming Story of Emotional Conflict and Romance!

Lorna...SHE'S THE DAME FROM NEWARK

Moody...HE LOVES LORNA

Papa Bonaparte...HE WANTS HIS SON

Fuseli...HE WANTS A CHAMPION

Roxy...HE WANTS THE BOY TO WIN

Anna...SHE LOVES SIGGIE

Siggie...HE LOVES THE DUCHESS
Hollywood Review

"In Name Only" (M-G-M, 1937)

Hollywood, Aug. 2.—With names as potent as Carole Lombard, Cary Grant and Kay Francis for the marquee and a title that strikes back into mellowed memory ("Wife" is implied), it is hard to see how this up-to-date treatment of a theme already old when kerosene footlights gave way to incandescents can fail to bring the moderns, their parents, and even the Vanilla Ice crowd on. Producer George Haight and Director John Cromwell held out none of the ingredients that moistened the eyes of gentle ladies when the century was young. Although they did shift the emphasis about and remembered to make it very amusing, indeed, in the humorous stretches. Richard Sherman's screen play is based on a novel by Bessie Bremer entitled "Memory of Love," but the story is about a wife-in-name-only who will not divorce her wealthy husband so that he can marry a young widow whom he loves sincerely and vice versa. Miss Francis plays this reprehensible wife in no such starch artificiality as used to be the stage custom, but makes her just as desituable. Neither does Miss Lombard wear a black cloak and trudge through paper snowbanks in her misery, although she does get close to it near the end and there is one of those Christmas sequences. Grant's is the fat part and he gives it deep color. He and all hands and the picture are best in the comedy passages, which are plentiful and joyously spotted.

Miss Francis, who has married Grant for his money, refuses to give him a divorce so that he can marry Miss Lombard and resorts to deception by way of delaying developments. Grant and Miss Lombard chafe under the enforced restraint, but manage to stay inside the baselines. He's got a look for and an attitude all his own. Grant's big right in order to encourage him to get well and she does so, although it isn't, and the wife is about to break it all up when Grant's father overhears her admit she's holding on to Grant until the old man dies so she can get his money, too, at which point the audience boos the wife-in-name-only. The picture ends running time, 92 minutes. Classification, G, W.

"(C) denotes general classification.

'Vere here, 2.6.

Wagner Buys Stories

Hollywood, Aug. 2.—Walter Wagner, U. A. producer, has obtained first call on all future novels of E. P. Presnell dealing with the "John Webb" character. The first, "Send Another Coffin," has been purchased and is in the director's hands.

NBC Talent Chief

San Francisco, Aug. 2.—Gene Clark, veteran west coast air performer, has been recruited for NBC by W. B. DeLong, who heads the NBC auditions for new NBC talent here, for both KFO and KGO. Clark also emcees on KFO.

Moog Bill Denied

Application of Warner Bros. Pictures for an order directing Katherine Moog to pay to the plaintiff her $75,000 damage suit against Warner Bros. was denied yesterday by Federal Judge Murray Hubert, who ruled that the complaint was insufficient and did not require a bill to amplify it. Plaintiff charges Moog with unlawful fight and breach of contract, breach of his rights law and libel in allegedly depiciting her as one of the characters in "Confessions of a Nazi Spy."
<table>
<thead>
<tr>
<th>Date</th>
<th>Title</th>
<th>Release</th>
<th>Director</th>
<th>Cast</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aug 4</td>
<td>The Man from Rio</td>
<td>Dec 10</td>
<td>Lewis Milestone</td>
<td>John Royle, Hedy Lamarr</td>
</tr>
<tr>
<td>Aug 11</td>
<td>They Shall Have Music</td>
<td>Oct 27</td>
<td>Roy Del Ruth</td>
<td>Robert Young, Harry Davenport</td>
</tr>
<tr>
<td>Aug 18</td>
<td>The Angels of Oklahoma</td>
<td>Nov 2</td>
<td>William Nigh</td>
<td>John Wayne, Gloria Stuart, John Fordy</td>
</tr>
<tr>
<td>Aug 25</td>
<td>The Underpup</td>
<td>Nov 16</td>
<td>Robert trend</td>
<td>Jack Oakie, Dick Foran, Robert Young, William Hopper</td>
</tr>
<tr>
<td>Sept 1</td>
<td>Flight at Midnight</td>
<td>Oct 25</td>
<td>David Butler</td>
<td>Jack Oakie, Dick Foran, Robert Young, William Hopper</td>
</tr>
<tr>
<td></td>
<td>Adventure of Sherlock Holmes</td>
<td>Nov 1</td>
<td>John Sturges</td>
<td>Robert Young, Harry Davenport</td>
</tr>
<tr>
<td></td>
<td>Flight at Midnight</td>
<td>Oct 25</td>
<td>David Butler</td>
<td>Jack Oakie, Dick Foran, Robert Young, William Hopper</td>
</tr>
<tr>
<td></td>
<td>The Underpup</td>
<td>Nov 16</td>
<td>Robert trend</td>
<td>Jack Oakie, Dick Foran, Robert Young, William Hopper</td>
</tr>
<tr>
<td></td>
<td>The Man from Rio</td>
<td>Dec 10</td>
<td>Lewis Milestone</td>
<td>John Royle, Hedy Lamarr</td>
</tr>
<tr>
<td></td>
<td>They Shall Have Music</td>
<td>Oct 27</td>
<td>Roy Del Ruth</td>
<td>Robert Young, Harry Davenport</td>
</tr>
<tr>
<td></td>
<td>The Angels of Oklahoma</td>
<td>Nov 2</td>
<td>William Nigh</td>
<td>John Wayne, Gloria Stuart, John Fordy</td>
</tr>
<tr>
<td></td>
<td>The Underpup</td>
<td>Nov 16</td>
<td>Robert trend</td>
<td>Jack Oakie, Dick Foran, Robert Young, William Hopper</td>
</tr>
<tr>
<td></td>
<td>Flight at Midnight</td>
<td>Oct 25</td>
<td>David Butler</td>
<td>Jack Oakie, Dick Foran, Robert Young, William Hopper</td>
</tr>
<tr>
<td></td>
<td>Adventure of Sherlock Holmes</td>
<td>Nov 1</td>
<td>John Sturges</td>
<td>Robert Young, Harry Davenport</td>
</tr>
<tr>
<td></td>
<td>Flight at Midnight</td>
<td>Oct 25</td>
<td>David Butler</td>
<td>Jack Oakie, Dick Foran, Robert Young, William Hopper</td>
</tr>
<tr>
<td></td>
<td>The Underpup</td>
<td>Nov 16</td>
<td>Robert trend</td>
<td>Jack Oakie, Dick Foran, Robert Young, William Hopper</td>
</tr>
</tbody>
</table>
Reopen Montgomery Theatre

Montgomery, Ala., Aug. 2.—The Strand has reopened after extensive remodeling. New seats will be installed within the next two weeks. Marvin Warren, a native of Alabama who has been with the Wilby Theatre, Chattanooga, is manager.

State, Hartford, to Reopen

Hartford, Aug. 2.—Harris Bros. will reopen their 4,000-seat Theatre on full-time schedule on Sept. 1, continuing the policy of name band attractions with popular movies. Durango and Krupa and his band will be the first billing. Others promised are Sammy Kaye, Blue Barron and Charlie Barnett.

New Equipment for Three Houses

Bridgeton, Aug. 2.—The Rivoli, operated by Athan Prakas and the Brooklyn, operated by J. Dombi, have been equipped with General Electric air-conditioning. The Hippodrome, a Strand Amusement house, will be reset and fitted with new booth equipment this month.

Seating Order to American

Thomaston, Conn., Aug. 2.—American Seating Co. has laid out its 750-seat Ritz to install 700 chairs in the Park, under construction by Robert Schwartz, now operating the Park. On completion of the Park, Schwartz will close the Paramount, which he has under lease.

Equipment Orders Placed

Jewett City, Conn., Aug. 2.—The new 750-seat Ritz, to be finished this fall by American Seating Co., will have National Theatre Supply Simplex sound and projection. American Seating will install the chairs.

Acquire Two Ohio Houses

Cincinnati, Aug. 2.—Mr. and Mrs. Robert Whitaker, who operate the Opera House, at Bainbridge, and the Van Wert, at Van Wert, have purchased the Linda, at Shawnee, and the Delwyl, at New Straitsville, from Elia Hut- tem and Christian Davey, respectively. The Linda will be renamed the Shaw- nee.

Gerts Madison Building Concession

Madiison, Aug. 2.—The common council here has approved an ordi- nance permitting the Fair Oaks Thea- tre, which is contemplating the erection of a new house, to build within four feet of the 12-foot alley running through the block.

Theatre officials asked for this con- cession, maintaining that if the theatre had to be within the 15 foot limit, 50 front row seats would have to be eliminated. It was contended that elimination of the seats would prevent profitable operation of the theatre.

Renew N. C. Leases

Raleight, N. C., Aug. 2.—The North Carolina Theatres, Inc., have reached an agreement on renewal of a lease on the Ritz, Schine and the Ritz will be reopened, probably about Sept. 1. The State was closed about 60 days ago for the summer. It will be reconditioned before reopening.

To Renove Conn. House

Worcester, Mass.—The Manager of the Ritz Theatre of Worcester, Inc., a new corporation which has purchased and will operate the state Ritz Theatre, plans to close the house today for renovation.

New Bridge Theatre Opened

San Francisco, Aug. 2.—The new $75,000 Bridge Theatre, in the Rich- mond district, was opened with celebra- tions following the conclusion taking part in the ceremonies. Manuel Zerga is the manager.

New House for San Francisco

San Francisco, Aug. 2.—Immediate construction of a 1,000-seat theatre in the Mission district, to cost $150,000, has been announced by Levyn Enterprises, following negotiation of a $1,000 lease involving more than $1,000,000. The theatre will be opened early in 1940.

Seats and More Seats

Columbus, Aug. 2.—Delegates decided that the fact is regarded as seriously overset in both the first and subsequent classifications, George E. and John Rappold, representing a building a 600-seat neighborhood house at a cost of $17,000, on Parsons Avenue, which they also operate.

Chesbrough Circuit Divided

Columbus, Aug. 2.—Division of the 14 neighborhood houses comprising the Chesbrough circuit has been effected with consent of William and Ethel Chesbrough, owners. Under terms of settlement, the circuit will consist of the oper- ation of the eight houses here and two in Dayton, while Mr. Chesbrough re- mains the local Emgress, and the Chest, in Dayton.
CBS Grosses 20 Million In 6 Months

Consolidated income statement of CBS for the first half of 1939, ending July 1, shows a gross from all sources of $20,129,210.56. This compares with a gross of $18,344,005.42 for the same period in 1938.

Net profit for the six months of 1939, following deductions of $7,463,919.28 for operating expenses, $3,034,928.43 for administrative and general expenses, and income and payroll taxes, and Federal taxes, amounted to $2,771,891.84. This compares with a net profit of $2,576,132.01 for the first half of 1938.

CBS board of directors yesterday declared a cash dividend of 45 cents a share on the Class A and Class B stock, payable September 8 to stockholders of record Aug. 25.

All Net Works Show Big Billings Increase

Continuing an apparently endless upward trend, billings for July on the networks were at their all-time high. LOC-tic and Mutual, in common with NBC and Mutual, showed substantial increases over previous monthly totals, with CBS setting the pace in the major network. The $16,949,912.14 NBC and Mutual, shared, is $2,311,953.25 higher than the July 1938 billings of $14,637,959.29. NBC's total billings for July 1939, volume represents a rise of 111.9 per cent over the total for July 1938, which was $2,958,710. Mutual's July, 1938 billings increase last July's total of $107,108, by 29.6 per cent.

For July, 1939, NBC's total revenue is expected to be the biggest revenue month in the network's history. For Mutual, the month is the 15th consecutive 30-day period that the network has shown an increase over the corresponding months of preceding years.

Cumulative total for the year on CBS amounts to $18,304,926, a gain of 13.7 per cent over the billings for the like period of 1938, which amounted to $16,949,912. NBC's cumulative total amounts to $25,882,492, up 7.9 per cent compared to the like period last year, when the total was $23,982,384. Mutual's cumulative total is $1,840,818, an increase of 21.9 per cent over the total for the corresponding months last year, of $1,309,287.

U. S. Television System

Dover, Del., Aug. 2—United States Television System, Inc., was formed here yesterday. Its television broadcasts with a capital of $10,000. Frederick Farren of East Elmhurst, N. Y.; John E. Buell of New York, the chief administrative officers of Syndey, N. Y., were the incorporators.

S. F. Fair Recording

The San Francisco World's Fair has purchased 1,000 pressings of Abe Lyman's new recording of "San Francisco" for distribution to film houses along the Pacific Coast.

BANNER RADIO LINES

—By JACK BANNER—

CBS TELEVISION... CBS has not announced the date it will start regular television programs in New York. But it will be on or about Nov. 1, which is just about one month later than expected. The delay is necessitated by revisions in the new transmitter. Television improvements are being made so rapidly that even a brand new transmitter has become obsolete in part.

FOREIGN PICTURES ON THE AIR: Tuesday night saw the showing by NBC television of the French picture "General Without Buttons." The film was frankly disappointing as a television subject, as will be all foreign language pictures. The English titles are barely discernible on the page. Production sound will be utilized to follow the action. NBC, it is believed, in the future will not lease any more foreign pictures for television beyond those already contracted for, and will lease only English films, documentaries, and whatever American product it can obtain.

A REGULATION... musical metronome, set at fast tempo, is used to open Edwin C. Hill's Amoco Gas programs. To its beat Anouncer David Ross spouts the letters of Amoco. Someone the other day dammed the metronome and set it at slow speed, so that instead of spelling out Amoco at the usual staccato pace, poor Dave Ross had to wait for what appeared to be interminable minutes between each letter. As it was, the show was eight seconds over.

ON THE AIR... L. B. Wilson, president and general manager of WDAY, Grand Forks, Minn., is the first member of the station's staff to be appointed for the first broadcast of January 1940, when the station inaugurated its 50,000-watt power last week. The men were presented with Red and Blue neckties representing the NBC Red and Blue networks. Since the ties were ordered several weeks ago, the last letter of CBS affiliation came up, Wilson made an apology with each presentation.

PERSONALS... Samuel C. Fuller, formerly of KDKA, WLW and the Kaslo agency, will join Young & Rubicam's production staff next week... Betty Winkler and Robert Jennings will be married in two weeks... Bob Moss has replaced Owen Crump as producer of the "Grouch Club"... In 1937, J. Shapiro of the American Legion, guaranteed five talks and education, is Europe-bound on vacation, as is Dr. Vladimir Zorvkin of R.C.A....

TELEVISION RUMPSUS... The sound and fury coming from NBC's and Mutual's new television crews has just about given up hopes of disposing formerly successful agencies. The networks are the "old-time" network. They've experienced the film which is grand-daddy of all the reporter-settler's-story stories ever screened.

Joseph M. Schenck of 20th Century Fox, George Schaefer and Ted Deline of RKO are in Hollywood just in time for the outrank of the highly alphabetical war for position. Ted Deline of RKO is in New York in August was a cooler place than this on Monday night.

Marquee Problem—Warners! "The Lady and the Knights," formerly known as "The Knight and the Lady," has been retitled "The Private Lives of Elizabeth and Essex," which will be quite a strain on the average exhibitor's supply of upper and lower class features.

Writers, Ray Bergman of "Cimarron," first draft of "The Days Before Lent," has been okayed by Harry Rapf and he's proceeding with the screen play, . . . James Whitmore of "The Lady Comes to Dinner," will be handled by Warner's staff. . . . Leonard Lee will collaborate with W. P. Lipscomb on "Safari" for Paramount... "Bombshell," directed by William Wyler, is to script "Secrets of a Private Nurse," Abel Finkel to script "Two Sons" and Charles Belden to do "The Singing Cop."

Directors—Norman Taurog will direct MGM's "Broadway Melody of 1940." . . . Edward Ludwig has been given megaphone command of RKO-Loew's "Swiss Family Robinson."

Players—Judith Anderson plays a top role in David O. Selznick's "Rebecca." . . . J. Garret, London singing star, is here for a part in Paramount's "Victor Herbert." . . . Friscia Lane and Jeffrey Lynn are to co-star in "Moon"... "The Thin Man," by John P. Marquand and Erich Maria Remarque is to be filmed in England... Reginald Owen's drawings are featured in "Remember," MGM.

Curtis Brown Ltd., authors' agency, has formed a subsidiary company to sell rights of writers' work for radio and television. The new company, with Frank Classic in the enterprise, known as Curtis Brown-Alan C. Collins, Inc., will handle the program business under the firm name of Chase & Ludlam, and previously was with NBC. Curtis Brown-Alan C. Collins, Inc. also will act in negotiations for personal appearances by its author.
ON PICTURE DAILY

NEW YORK, FRIDAY, AUGUST 4, 1939

NATE the sympathy single

Trial of Trust Suit By Jan. 1

Very Doubtful

Calendar Crowded, Knox
Tells U. S. Attorneys

There is little likelihood that trial of the Government anti-trust suit against the industry can be started before Jan. 1. Federal Judge John C. Knox said yesterday after hearing the Government's plea for a preference for the case of the Federal Circuit, that he had no reservation on the Government motion.

The court's view coincides with that expressed by industry attorneys in recent weeks, as reported in Motion Picture Daily. Judge Knox pointed out that the court's calendar is crowded with cases of equal importance and that it would be unfair to grant a preference in this case to one party over another.

The Government case is on the court calendar now for trial about March 1. The motion for a preference on the calendar asked for Nov. 1 as the date for the start of the trial.

Broadcasters Plan
Own Music, Protest
High Fees by Ascap

The broadcasting industry, through its association the National Association of Broadcasters, is embarking on plans to build its own reservoir of music, and thus make it less dependent upon the Ascap than it has been heretofore.

The Copyright Committee of the National Association in New York Aug. 9 to set plans and to engage a specialized staff for that purpose. The NAB's contract with Ascap expires Dec. 31, 1940.

The drastic decision in this direction was taken at a meeting here yesterday following a conference between Ascap's president, the NAB, and John G. Paije, general manager of the music society.

Miller said that radio has paid Ascap approximately $20,000,000 for music in the past six years alone. He said that that the radio industry expected to continue to pay substantial sums of money for music, but that it could no longer remain as largely dependent upon a single source of music.

Chief objectives of the broadcasters, Miller said, are:

(Continued on page 4)

Columbia Division
Chiefs Meet Here

A meeting of Columbia division managers will be held here today and tomorrow to discuss sales policies on "Golden Boy" and "Mr. Smith Goes to Washington.

At the meeting there will be Jack Cohn, vice president; Abe Montague, general sales manager; Nate Spingold and Rube Jacker, assistant sales managers. Also, Division Managers Sam Moscow, southern; Phil Dunas, midwestern; Carl Shaltit, central; Sam Gan- lanty, mid-easterd, and Jerome Safron, western. Safron has been at the home office for the past few weeks.

At the close of the meeting Montague will be the host to the men aboard his cruiser and at a steak broil ashore later. The Columbia sales manager will act as chef.

(Continued on page 4)

First Union Pact

For N. Y. Managers

First union contract in New York covering wages and hours for film theatre managers and assistants is being drawn after negotiations were completed yesterday between Theatrical Managers, Agents and Treasurers Union and Five Boro Circuit (Goldman-Leff-Strauberg). Terms of the contract, which will go into effect Sept. 1, are: 1. Assistant managers are to be paid $15 per week, 2. Assistants are to be paid $12 per week. 3. Representatives for the union and theatre management will meet at 10 a.m. on Aug. 26 to discuss the proposed contract.

(Continued on page 5)

Union Battle Crisis Grips
Entire Amusement World;
4A Polls 30,000 on Strike

By EDWARD GREIF

Battle lines were more closely drawn yesterday for what appears to be imminent warfare involving every phase of the entertainment field in the jurisdictional struggle between Associated Actors and Artists of America and the I.A.T.S.E. Preparing for the fight, the 4-A attacked three fronts.

A strike vote was sought in a mail referendum sent to the 30,000 4-A members.

The American Federation of Radio Artists, of which the IATSE is an affiliate, by a membership referendum ordered its members to suspend fighting the union's demand that it be forced to arbitrate rather than fight.

Actors Equity called a special council meeting for two o'clock this afternoon to determine whether charges should be pressed against Miss Tucker and whether she should be suspended pending a hearing.

The L.A. submitted no formal action but made two statements:

A spokesman for the Stagehands Union, Local 1, which has jurisdiction over the Manhattan area, declared that any retaliatory moves against Equity would be decided upon by George E. Browne, L.A. president, who has sole and complete power and whose orders would be followed implicitly.

James Brennan, L.A. vice-president, pointed out that Screen Actors Guild, which is now leveling charges against Browne and William Bloff, has publicly expressed their thanks to both these men for their assistance in obtaining the first A.G. contract from film producers. Brennan asserted that Guild leaders had acknowledged at that time that the contract could not have been obtained without L.A. aid.

The fight is expected to open on Broadway's legitimate stages where the first test of power will occur. Miss Shalit is to appear in "Lea- d Me to Me" which is scheduled to re-

TMT Film Unit
Votes 1A Merger

The executive board of the motion picture division of the Theatrical Managers, Agents and Treasurers Union voted unanimously last night to apply for affiliation with the IATSE. Approximately 300 members of the legitimate stage section of TMT held a heated session at the Capito Hotel last night, but failed to take any action. The consent of both groups, legitimate and film, is needed for the proposed merger. The TMT group will insist upon getting an "A" charter.

20th-Fox Reports
$3,419,658 Profit

Consolidated net operating profit of $2,325,525 for 26-week period ended July 1, after deduction of all charges including Federal income taxes, was reported yesterday by 20th Century-Fox. Profit for the corresponding period last year was $3,419,658.

Second quarter profit, after all charges, was $1,101,275, compared with $1,224,250 for the first quarter, and $1,778,121 for the second quarter last year. No dividends were received from National Theatres Corp., in which 20th Century-Fox is interested, during the first half of either year.

After allowances for dividends on preferred stock profit for the half year was equivalent to 93 cents per share on 1,741,988 shares of common outstanding. Profit per share for the second quarter was 43 cents.

Gross income was $27,846,208 of which $27,200,458 was from sales and rentals of films and accessories.


**Insider's Outlook**

**By SAM SHAIN**

**ABREY FLANAGAN** writes from London that especially to amuse the new Militia, theatres in Oswestry, Shropshire, will be permitted to open Sunday nights. Hitherto picture houses have not been allowed to show films on Sunday, but with the building of a camp to house some of Britain's new militia, the Council has decided, at the request of the authorities, to grant special permission. The army must be entertained.

On the roof of the Radio City Music Hall, at the annual party of the Music Hall employees, there were 1,200 in attendance and be entertained with a show presented under the supervision of Mrs. Walter B. Austin, who was master of ceremonies, introduced W. G. Van Schmus, managing director, as their beloved leader, he echoed the sentiments of everyone present.

HARRIS WOLFSBERG, M-G-M district manager in Kansas City, was in New York for home office conferences. He relaxed the other night in the cocktail room of the Essex House and jokingly was persuaded to get up and try the rhumba with an Arthur Murray teacher. Believe it or not, he had never rhumbaed in Kansas City, but he won the prize as best dancer on the floor!

THE versatile Loew exploitation gang is currently dividing its efforts between conquering the air . . . and the water! All theatres are participating in a city-wide Model Plane Contest on "Only Angels Have Wings" and innumerable Swim Contests in conjunction with "Tarzan, Weaselmuller." The blow-off of the plane competition will take place at Floyd Bennett Airport with several outstanding airmen acting as judges. The aquatic contest being tied up with Manhattan Beach and a flock of private pools scattered over four of the New York boroughs.

EVERY year some American is honored for outstanding contribution to humanity by the Variety Club of America. The first award went to Rev. E. J. Flanagan, R. C. founder of Boys Town, Nebraska. This year, in broadening the scope of selection, there has been created a nominating committee of eleven prominent editors and writers to choose who shall be so honored.

This committee comprises: Harry M. Bitten, publisher of the Pittsburgh Sun Telegraph; Summer Blossom, editor of The American Magazine; Charles B. Cheney, managing editor of the Minneapolis Journal; Edward J. Meenan, managing editor of the Memphis Press-Scimitar; Edward T. Leech, editor of the Pittsburgh Press; Burrows, Matthews, editor of the Buffalo Courier Express; Channing Pollock, author and editor of Shoreham, N. Y.; Lee Ellinkey, editor of the Philadelphia Daily News; John Manning, editor of the Detroit Times; Fulton Oursler, of Liberty Magazine, and the Reverend Flanagan.

CLIFFORD FISCHER is bringing over a new French show for the San Francisco Fair which will be known as "Follies Supreme.

TEDDY ARNOW, Loew's Westchester publicity man, spent days working out a "Tarzan" gag. As per schedule, the so-called "white god" emitted some unworthy shrieks early one morning from a treetop. As expected, the local gendarmerie arrived en masse and led the lusty ape-man off to the clink. That wasn't so bad, and everything would have been swell had not the photographers arranged ten minutes sooner than they were scheduled, and the cops smelled a hoax. Arrow's wild man was then unceremoniously escorted to the city line. Result: no Tarzan, no nothing, and Arnow is patrolling the Hutchinson River Parkway in search of his stunt man.


**Schine Men Frolic at Outing**

GOVERNSVILLE, Aug. 3.—Schine circuit executives and managers who attended the serious business of the circuit's convention for three days here, today, took in a small Community Club and later at Adirondack Inn at Sacandaga Park.

The country club was the scene of the annual Schine golf tournament. Buses and cars carried the conventions to the Inn for a roast, and many fine men came from New York for the event.

The judges decided to delay selection of the winners in the golf tourna-


tment until next year. As耕杉nt, Schine.

Toll and Bingo Brandt will spend the weekend in Saratoga.

**Stock Deals By Schenck, Loew Shown**

WASHINGTON, Aug. 3.—Only three managers of major entertainment companies were on hand today for the gathering of motion picture companies at the securities of their corporations in New York were reported in the first semi-annual meeting of the Securities and Exchange Commission, Inc., last night.

The report showed the acquisition of a 50,000 shares of Standard Oil Company stock, its 20,000 shares in Standard Oil Company stock, bringing its interest to 97.92%; and the disposition of 100 shares of Loew's Boston Theatres common stock, reducing its holdings to 23,584 shares.

WASHINGTON, Aug. 3.—Harry Cohn, movie star, yesterday, was on hand in the city’s nuclear heart, to light the way for 500 shares of Paramount Pictures common stock to be acquired by Mr. Cohn, held 1,756 shares of common stock and 72,284 voting trust certificates through the "Joan Perry Account," he held. A corrected report for May showed the acquisition of 500 shares of Paramount Pictures common stock by Frank Cohn, Paramount Pictures manager, for $600,000.

John Ferguson Dies

LYNN, Mass., Aug. 3.—John Ferguson, 92, died here today. He was the first owner of the Ferguson Studio of B. M. G-M stock manager. Other survivors are another son, Kenneth J.; and another daughter, Elizabeth White.

Funeral services will be held here Saturday.

**Walker in MPTOA Post**

Frank C. Walker, head of the Comerford Circuit, has been elected first vice-president of M.P.T.O.A. succeeding the late M. E. Comerford.
Hollywood Previews

“Miracles for Sale” (M-G-M)
Hollywood, Aug. 3.—“Miracles for Sale,” with its chief character a former magician engaged in manufacturing illusions for legal gain, is a most novel picture and lends itself well to extensive exploitation campaigns. This M-G-M production, featuring Robert Young and Florence Rice, has the qualities of suspense, comedy, and thrills mixed in such proportions as to demand a repeat, “Miracles for Sale” could well walk off with the first of a picture that has Young’s portrayal as the illusionist who becomes interested in a murder case.

Supporting Young and Miss Rice are Frank Craven, Henry Hull, Lee Bowman, Cliff Clark, Astrid Allwyn, Walter Kingsford, Frederic Worlock, Gloria Holden and William Dennarest.

The film is directed from a screenplay by Harry Ruskin, Marion Parsonnet, and James Edward Grant who adapted the book by Clayton Rawson.

Young becomes involved in a double murder when he attempts to aid Miss Rice prevent a seer from trying to obtain $25,000 posted by a psychic research organization to be given to anyone who successfully communicates with the dead. After various clues are bandied about in approved melodramatic style, Young finds the murderer, but only after various sanguine and terrific runs.

Running time, 70 minutes. VANCE KING

“Fugitive at Large” (Darmaur-Columbia)
Hollywood, Aug. 3.—The perennial Jack Holt comes to the screen, this time in a dual role, in a compactly made, well knit story of criminal injustice in which an innocent man is sent to a chain gang for a crime he did not commit. The plot is based upon a remarkable resemblance of Holt to the criminal, which is brought out by an excellent performance of both Holt and the criminal, who is played by Helen Mack.

With Holt in the Larry Darmaur production are Patricia Ellis, Stanley Fields, Guinn Williams, Arthur Holt, Cy Kendall, Jonathan Hale, Leon Ames, Don Douglas, Welden Heyburn, Ben Weldon and Leon Beaumont.

The screen play was written by Eric Taylor and Harvey Gates, from Taylor’s original story. Lewis D. Collins directed, and Rudolph Flothow was associate producer.

The case of mistaken identity sends Holt, a surveyor, to the chain gang from which he later escapes and attempts to find the real criminal. Caught by the law again, Holt’s story is finally believed when the real criminal comes out of hiding to rob a bank.

Running time, 65 minutes. VANCE KING

Gibraltar Circuit
Sets Denver Meet
Denver, Aug. 3.—Gibraltar Enterprises, Inc., will hold its annual managers’ convention and business meeting at the Cosmopolitan Hotel here Aug. 11-13.

In addition to company officers and theatre managers, attending will be advertising men, bookers, maintenance men and directors. The company, of which Charles R. Gilmore is president, conducts and operates 8 theatres in the Denver area.

Officers will be elected for the coming year and the directors may declare a statement of policy on industry matters, including the trade practice code, arbitration and the like.

Identified with the company are several well known theatre men including H. H. Enright, Casper Wys, William Otzenberg, Scottbluff, Neb.; Everett Cole, Alamosa, Colo.; Thomas Murphy, Raton, N.M.; Elize, Wyo.; M. J. Green and Nathan Saloom of Sante Fe, N. M.

“U” Boards Meet
Board meetings of Universal Corp. and Universal Pictures Co. were held yesterday. J. Cheever Cowdin, chairman, reported on foreign market developments in connection with his recent European visit.

Diaz’ Son Asks W. B. Revise of “Juarez”
MEXICO CITY, Aug. 3.—A demand that Warners be compelled to make “historical rectifications” in “Juarez” was made last week by the Federal Public Prosecutor General here today by Portorito Diaz, junior civil engineer and son of the late President of Mexico who is portrayed in the picture. The complaint makes no mention of damages or penalties against the producer.

The complaint charged that the film “places his father in a ridiculous light” and disregards historical facts, “Juarez” is playing here at the Cine Orfeon and is doing well despite the fact that newspaper critics were almost unanimous in “panning” it and pointing out historical inaccuracies.

Odum Leaves Paramount
G. B. Odum, associated with the Paramount home office theatre department for the past four years, and prior to that an independent exhibitor, resigned from the company in the near future to return to independent exhibition. In addition to theatre work, Odum is credited in production of two features produced at Astoria for Paramount release. He is a charter member of the recently formed Picture Pioneers, organization of 20-year industry veterans.

Lucas-Jenkins Men Conclude Convention
POINT PETER, Ga., Aug. 3.—The entire force of executives and city managers of the Lucas-Jenkins Circuit concluded a three-day meeting here this week at the country estate of Will Jenkins, this furthest north strip of land in Georgia.

Fresh and salt water swimming, lake and deep-sea fishing were intermingled with round-table discussions of theatre problems.

The meeting was attended by Lucas, William K. Jenkins, vice-president and treasurer; E. E. Whittaker, district manager, and the following city managers and partners: Charles Powell of Moultrie; A. Latimer Heard, Ether O. McCoy, W. H. Brown, Leon W. Coon, A. S. Cowles, W. F. Jones, John Crum, W. H. Sellers, Savannah, W. J. Davis, Atlanta; E. B. Whitman, Atlanta; C. F. Rhodes, Accounting Department; A. J. C. Cowles, Booking Department; and L. E. Shields, Columbus.

Special topics were discussed by Mrs. King, Whittaker, Tidwell, Goodwin, Cowles, Rhine, and Davis, with general discussion by all those in attendance.

Sues on Projectors
Radtke Patents Corp. filed suit yesterday in the U. S. District Court at Waycross, Ga., against Mil- loughy Camera Stores, Inc., to restrain it from selling 16 mm, motion picture sound projectors which al- legedly infringe upon Radtke’s patent called, “Method and means for optically reproducing sound.” The plaintiff, assignee of Albert R. Radtke also seeks an accounting and damages against the defendant.
Union Crisis
Imperils All Amusements

(Continued from page 1)
open at the Imperial Aug. 21. If she is suspended at that time, the Equity council will cancel her contract.
Stagehands are expected to retaliate by expelling the Musicians' Union, Local 802, is expected to support the stagehands. Principals and chorus of the show number about 70, mostly with 40 to 50 musicians also in the show.

Ask for Loyalty Pledge
A referendum sent to 4-A membership included "a pledge, a vote and a petition." Members were requested to pledge loyalty to the A.F.A. and its branches, never to be member of the A.F. or I.A., and petitioned the A.F. of L. executive council, which meets Monday in Atlantic City, to reject the "imputed attempt of outsiders to interfere in our affairs."

The strike vote reads: "We vote to strike if deemed necessary by the governing board or council of our branch, in fact, by any board or council in the field affected to respond thereto."

The letter continued with the B.F.T. union's preparations for any eventuality, "...We must govern our own affairs independently of domination by Mr. Browne and independently of unjustified interference from any outsider, as we have for the last quarter of a century."

AFRA Makes Pledge
Immediate efforts to gain signatures were successful, 4-A officials said, and in a special meeting Aug. 4-A includes S.A.G. (screen), Equity, (qualified stage), A.F.R.A. (radio), Musical Theater Actors (drama), Brothier Artists (burlesque), Chorus Equity, (qualified stage chorus) Hebrew Actors and Hebrew Chorus, Hungarian Actors, Italian Actors and American Guild of Variety Artists, (vaudeville, night clubs and circus) which authorize it to sign.

Besides suspending Miss Tucker, A.F.R.A. pledged its entire resources for the fight. S.A.G. expelled her earlier this week. Miss Tucker, however, is not presently working in either jurisdiction. Equity, when it meets today, will probably follow their lead, but a bitter battle in the council is anticipated as some members feel employment of new members will be jeopardized if the stagehands counter-act.

I. "Range War"

Paramount-Harry Sherman

Hollywood, Aug. 3.—If all the Harry Sherman "Hopalong Cassidy" pictures for the 1939-40 Paramount program are to be as good as "Range War," exhibitors need not hesitate in recommending them to their patrons. This feature is entertainment that pleases. Its melodrama and excitement, semi-mystery, suspense, comedy and secondary romantic love story blend into a compact whole. In commenting on the show, one cannot overlook the audience value of the exceptionally artistic photography of the scenic backgrounds. It is impressive in the manner it amplifies the picture's diversified elements.

Based on a story by Josef MONTAGUE which Sam Robins adapted, Leslie Howard played the production with a showmanship of fire. As William Boyd, and co-starred in the role of "Hop-along," but while he stars ample opportunity is given Russell Hayden, Britt Wood, Willard Robertson, Francis McDonald and Earl Hodgins to do good work in their respective parts.

Roberson's continuing hamstringing of cattlemen, stage cock robbing and railroad sabotaging brings Boyd and his mates, Hayden and Britt, into action. Certain that the only way to reach Robertson is to light fire with fire, Boyd turns bandit for a time to lure Robertson and his cohorts into a trap. Preceded by the necessary suspense, love story development, surprise and strategy, Cassidy finally gets his foes into a monastery where, to the tune of a loud and lively gun battle, the outlaws are captured and law and order restored in the cattle country.

Running time, 65 minutes. "G."*6

G. McC.

"Island of Lost Men"

(Paramount)

Hollywood, Aug. 3.—The nerve tingling melodrama which has kept persons coming to film theaters for more since "The Perils of Pauline" reaches a new high modern in Paramount's "Island of Lost Men." It is a story of a self styled "king" whose jungle empire is a refuge for criminals upon whom the law's preys as well as upon honest men. Laid somewhere in the morasses north of Singapore, the picture presents an opportunity for showmen to engage in spectacular exploitation campaigns.

Expertly cast with Anna May Wong, J. Carrol Naish, Anthony Quinn, Eric Blore, Broderick Crawford, Ernest Truex, Rudolph Forster, William Haade and Richard Loo, and given a pleasing investiture by producer Eugene J. Zukor, "Island of Lost Men" is a robust piece of entertainment. There are no lost motions in the direction of Kurt Neumann and the screenplay of William R. Lipman and Horace McCoy based on the play by Norman Reilly Raine and Frank Butler. There are more chills, thrill and menace packed into its 60 minutes than have been experienced in a similar feature for a long time.

To the jungle river island ruled with an iron hand by Naish, in the role of an egotistical, manipulac half-caste, comes a pretty Chinese girl seeking to find her father, a Chinese general who disappeared with $300,000. She is precipitated into the strong drama in which one of the criminals seeking refuge with Naish stirs up a native rebellion, and another inhabitant is bent on the same mission as the girl.

VANCE KING

Running time, 60 minutes. "G."*6

"G" denotes general classification.

Small Names Agency

Edward Small Productions, Inc., has appointed the Buchanan & Co., as their hands advertising on its forthcoming production, as yet untitled, for U. A. release.

Correction

UNIFIED ARTISTS wishes to advise exhibitors that in its product announcement, the issue, DAVID NIVEN should appear as co-star with Loretta Young in the Walter Wanger production, "ETER- NALLY YOURS."
UL'S Expansion
Remarkable
Distributing Setup
Success from Start

By ALBERT MARGOLIES

EARLY in 1919, five of the famous box-office names in motion pictures, under the leadership of William G. McAdoo, who had a short time before resigned as Secretary of the Treasury, formed the United Artists Corporation to distribute their pictures. These five famous persons were Mary Pickford, Charles Chaplin, Douglas Fairbanks, William S. Hart and D. W. Griffith.

All excepting Hart are still in the company, D. W. Griffith is presently associated with Pro-ducer Hal Roach whose pictures are released by U. A. Chaplin and Fairbanks are returning to production this year, and Mary Pickford exer-cises an active interest in the company's affairs.

McAdoo was invited to head the company, but declined in favor of his assistant, Oscar A. Price, so that now Price came to be the first United Artists president. He held the post for almost a year.

Then, as now, the stock of the company was divided among the producing members.

Hiram Abrams succeeded Price as president. Dennis O'Brien (O'Brien, Driscoll & Raftery) was vice-president. The O'Brien firm and Schwartz & Frohlich are still counsel for the company. Charles Schwartz and Louis Frohlich were friends and associates of the late Nathan Burkan. Burkan was a vital factor in the affairs of United Artists during his lifetime. Burkan made the deal under which Samuel Goldwyn joined United Artists and was a friend and adviser of Maurice Silverstone, present head of the company's world-wide operations.

Producers Own Bosses

United Artists was organized as a distributing company. It has always been that, leaving production entirely to independent producers who finance themselves and are their own bosses, the 20 years of its existence, United Artists has adhered to this principle and while the company has helped producers from time to time financial-ly, the company never has gone into produc-tion on its own.

Today producers who are non-owners also share in the profits of the company, along with stockholder-producers under a plan which was conceived and executed under direction of Maurice Silverstone.

In the first ten years of the company's exist-ence, United Artists historians record that the founders swelled their ranks by releasing pictures for 29 producers and adding three additional owner-members.

Joseph M. Schenck, who had been producing, Buster Keaton, Norman and Constance Talmadge became the first new stockholders in 1924. Schenck also was named chairman.

In 1926 Hiram Abrams died and Schenck be-came president and Al Lichtman, general man-ager.

During the Schenck-Lichtman administration, the company underwent a period of expansion. The most important event was the formation of 20th Century Pictures by Schenck and Darryl Zanuck. Twentieth Century embarked on an am-bitions and successful schedule of big pictures.

Schenck, not only had brought Norma Talmadge into the fold, but John Barrymore, Gloria Swanson, also Samuel Goldwyn, Morris Gest, Mary Pickford, Panama Pictures, the five stars to form the company. Their names were joined to the United Artists banner, which became the symbol of the company.

The company's first (Continued on page 20)

Celebrating United Artists
Twentieth Anniversary
12 Producers On UA Roster
New Season Product Greatest in History

By MONROE GREENTHAL

Director of Exploitation and Sales Promotion of United Artists.

WITH 12 producers making 28 to 32 pictures, United Artists' 1930-40 season represents one of the most extensive releasing programs undertaken by the organization in the 20 years of its history.


T

This will be followed by "Rebecca," based on the famous best-seller by Daphne Du Maurier.

(Continued on page 20)

Industry Salutes United Artists!

T

is appropriate that the industry should give recognition, at this time, to United Artists Corporation, on the occasion of that company's twenty-fifth anniversary, and MOTION PICTURE DAILY is happy to add its voice in acclaiming the event.

In the fifth of a century of its operations, United Artists has reflected credit generously upon the motion picture business. It has won a reputation for bringing the finest of amusement to a world-wide public.

Brilliant productions by brilliant pro-ducers have made United Artists a vital company, and the industry whose thousands of theatres play United Artists pictures has had a share in the success of the company.

Maurice Silverstone, chief of the world-wide operations of United Artists, is the personification of the company's achievement. He has served United Artists around the world and today sits at the head of the company.

To United Artists, to Maurice Silverstone, to the producers, and to the company's world-wide staff, congratulations!

—SAM SHAIN
UNITED ARTISTS

acknowledges
with gratitude
the friendship
and support
of exhibitors

thru

TWENTY GOLDEN YEARS

and points with
pride to an even
more brilliant
future as today it
attains its greatest
producer strength

Mary Pickford  Charlie Chaplin  Douglas Fairbanks
Samuel Goldwyn  Alexander Korda
INDIVIDUALLY

"BACK OF EVERY GREAT PICTURE IS A GREAT PRODUCER"

[Signature]
DISTINCTION and showmanship are the reasons why the public, exhibitors and critics alike look forward to each new DAVID O. SELZNICK production with an assured foreknowledge of quality. It is therefore with pride that UNITED ARTISTS announces continuance of its releasing agreement with Selznick International Pictures.

ORIGINALITY of the Selznick organization is reflected in the starring of Leslie Howard in INTERMEZZO, which introduces the beautiful new continental star Ingrid Bergman, with Edna Best, and will be released this season. Mirroring the infatuation of a famous musician for his young accompanist, and the swift events that engulf them, this newest Selznick production dares to depict problems found in the lives of millions concentrated in the lives of three.

SURPRISE and excitement, the two priceless ingredients of any motion picture, are what DOS has captured for the filming of REBECCA, the year's outstanding best-seller by Daphne Du Maurier, 400,000 copies of which have been sold since publication last fall. With Man-of-the-Hour Laurence Olivier in the leading role, Alfred Hitchcock—whose superb treatment of "The Lady Vanishes" and other films has earned him the title "Master of Melodrama"—will direct. Details of two more Selznick International pictures will follow soon.
Chaplin's first all-talking picture — Chaplin's first picture in three years — based on the most timely, most important topic in the world today, is now in production. **CHARLES CHAPLIN** in "THE GREAT DICTATOR", the season's big-news picture, will climax the magnificent career of the greatest of all screen stars. In connection with his plans, Mr. Chaplin says: "I am making a comedy picture on the lives of dictators which I hope will create much healthy laughter throughout the world."
Five big, important scope pictures — all of them in the breathless beauty of final Technicolor perfection — will comprise Alexander Korda's box-office activities for 1939-40. First: FOUR FEATHERS . . . 7,200 seconds of flesh-and-blood excitement, filmed in actual locales in the heart of Africa, bringing authentic thrills no screen has ever held before. Directed by Zoltan Korda with Ralph Richardson, C. Aubrey Smith, John Clements and June Duprez. Second Korda hit: OVER THE MOON, giving Merle Oberon, star of "Wuthering Heights", her first comedy role in a story by Robert E. Sherwood. Third Korda hit: THE THIEF OF BAGDAD starring Sabu, Conrad Veidt and John Justin in a spectacle that promises to have the most unique appeal in years. Fourth Korda hit: Merle Oberon in SINNER, with Laurence Olivier, from "Manon Lescaut", the famous love story of a passion-swept man and woman. And Fifth: Kipling's THE JUNGLE BOY with Sabu in the title role.
Douglas Fairbanks resumes his production activities by presenting *The Californian*, the kind of colorful, romantic, action picture which in the past made his own starring vehicles so sensationally successful at the ticket window. Now in the role of producer, instead of star, Mr. Fairbanks will soon announce a cast of vigorous marquee strength for this production based on the dramatic career of Lola Montez, dancer, adventuress and sweetheart of kings. The exploits of this exotic woman in the pioneer country of Southern California constitute one of the strangest and most glamorous stories in history.
Samuel Goldwyn Standards of Showmanship — Samuel Goldwyn Business — will be even higher this year than it was with "Wuthering Heights", "The Hurricane", "Dead End" or "Stella Dallas". For Goldwyn starts your new picture season with a new note in entertainment — Jascha Heifetz in *They Shall Have Music!* with Andrea Leeds, Joel McCrea, Walter Brennan and Gene Reynolds, directed by Archie Mayo. Back of this picture is the specific purpose of attracting new patronage for you thru the magic music of Heifetz, with all your regulars revelling in a down-to-earth story of kids with dirty faces and hungry hearts. Mr. Goldwyn's next picture will be Gary Cooper in a fighting role in *The Human Comedy* with Andrea Leeds and David Niven, under the direction of Henry Hathaway... a roaring thrill-and-action picture of American soldiers in the Philippines, always outnumbered... never outfought.
Famous for his showmanship innovations, Wanger leads off with WINTER CARNIVAL starring Ann Sheridan, the most exploitable star since he gave you Hedy Lamarr in “Algiers”. This picture of winter sports, youth and fun, takes you behind the scenes at Dartmouth when 1,500 wild women hit the campus. Richard Carlson, Helen Parrish, Robert Armstrong, Marsha Hunt, James Corner and Alan Baldwin give additional cast interest, with Charles R. Riesner directing. Next will be Joan Bennett in THE HOUSE ACROSS THE BAY the story of a woman who dared hope for love while her man was in Alcatraz. MY PERSONAL LIFE by Vincent Sheean takes a reporter around an action-teeming world. ETERNALLY YOURS starring Loretta Young and directed by Tay Garnett, gives your audience the hilarious low-down on a magician with every trick up his sleeve except how to manage his women. Fifth from Wanger will be SEND ANOTHER COFFIN by F. G. Presnell, with more laughs per murder than “The Thin Man”. 

WALTER WANGER
From the greatest stories of today and yesterday, the producer of “The Count of Monte Cristo” and “The Man in the Iron Mask”, has shaped his new season’s plans. Half a million readers of Howard Spring’s best-selling novel, *My Son, My Son!* are waiting for cast announcements on this story of two fathers and their dreams for their boys. Twelve thousand exhibitors are cooperating with Mr. Small on a direct-to-the-public poll for star selections. *Two Years Before the Mast* by Richard Henry Dana, translated into 25 languages and reaching a book sale of 1,320,000 copies, will follow. Then watch for *The House of Monte Cristo*, unfolding the further amazing exploits of the most fabulous character ever written into a book or pictured on the screen; *Kit Carson* based on the career of the colorful frontier hero and adapted from the newspaper serial read by 17,000,000 Hearst readers; *South of Pago Pago*, a big production of tropic glamour; and finally *Valentino*, the life of the greatest of all popular idols, an idea which has brought Mr. Small congratulatory letters from thousands of exhibitors.

Edward Small
Hal Roach’s five special feature productions cover the entire range of audience interest from gay laughter to stark drama. First will be a slight case of murder involving the only girl who’s got more than the farmer’s daughter—THE HOUSEKEEPER’S DAUGHTER, from the novel by Donald Henderson Clarke, co-starring Joan Bennett and Adolphe Menjou with Peggy Wood. Next the famous novel and play that shocked a million people by its realism, OF MICE AND MEN, by John Steinbeck, author of “The Grapes of Wrath”. Lewis Milestone will direct. Thorne Smith, author of the “Topper” novels in TURNABOUT tells hilariously about a husband and wife who change places and sexes. For adventure follow CAPTAIN CAUTION by Kenneth Roberts, author of “Northwest Passage”. And then the startling, astounding 1,000,000 B. C., dramatizing the birth of civilization at the dawn of time . . with special effects by Lewis Tallhurst who took similar credit on “The Good Earth”. In addition to these five specials, LAUREL & HARDY will be reunited in FOUR-REEL FEATURES to carry them to new heights of popularity.
The box-office astuteness of SOL LESSER as a production expert is well known to every exhibitor. The box-office distinction of ERNST LUBITSCH as a director is recognized wherever pictures play. These two names are linked for the first time by UNITED ARTISTS which is happy to add them to its list of eminent producers. Mr. Lubitsch will personally direct an untitled ERNST LUBITSCH PRODUCTION, details of which will soon be announced. Mr. Lesser will produce the Pulitzer Prize Play of 1938, OUR TOWN by Thornton Wilder. Our Town is every American town superbly charged with humanness, romance and dramatic simplicity...so appealing that Alexander Woollcott said: “In all my days as a theatregoer, no play moved me so deeply.”
It is with a very special pride that UNITED ARTISTS welcomes to its organization a distinguished member of a distinguished motion picture family who have contributed their talents abundantly to the benefit of the film industry. DAVID L. LOEW brings to production a thorough, practical knowledge of theatres and theatre problems through years of experience in actual theatre operation. His long studio activity, too, has proved dramatically his qualifications as a top UNITED ARTISTS producer. His first release will be the picturization of **A CELEBRATED PLAY** now in the final stages of negotiation. Watch for the early announcement of its famous title and the stars who will appear in its cast.
INDIVIDUALLY

DAVID O. SELZNICK
CHARLES CHAPLIN
ALEXANDER KORDA
DOUGLAS FAIRBANKS
SAMUEL GOLDFYN
WALTER WANGER
EDWARD SMALL
HAL ROACH
ERNST LUBITSCH
SOL LESSER
DAVID L. LOEW

RELEASED THRU UNITED ARTISTS
Biggest Selznick Season
By WILLIAM HEBERT

SELZNICK International Pictures will have the busiest production season of its history in 1939-40 following the release of current productions, "Gone with the Wind," and "Intermezzo," it is disclosed by John Hay Whitney, chairman of the board, and David O. Selznick, president. The company is preparing to make five pictures, in addition to the two now being readied for release.

In eight years, David O. Selznick has created more box-office successes than any other producer, according to Fane’s survey of motion picture progress.

Selznick has brought to the screen 26 pictures which have been No. 1 attractions at the box-office. He has earned the honor of being ranked as the screen’s No. 1 producer. It is significant that every one of these Selznick pictures has been rated high artistically as well as financially.

Selznick now launches his fourth season as a producer for United Artists. First of his new product for United Artists is "Intermezzo," starring Leslie Howard, who also is an associate producer.

Second on the Selznick program is "Rebecca," about to go into produc-
(Continued on page 38)

Korda Hails ‘Bagdad’
Million Dollar Wanger Films
By ALEXANDER KORDA

FOLLOWING the general release of "Four Feathers" throughout America this month I will have concluded the film upon which I am prepared to stake a great deal. This is "Thief of Bagdad," which, I am prepared to say, now that it is three-fourths completed, will be one of the most unusual pictures ever to be made at any studio.

Photographed in magnificent color, because this type of story would suffer greatly in black and white, it will present a challenge to the imagi-
(Continued on page 41)

$5,000,000 Roach Budget
By FRANK SELTZER

THE Twentieth Anniversary celebration of United Artists marks also the first anniversary of the association of Hal Roach Studios with United Artists. For the 1939-40 season, the second under the United Artists banner, Roach announces the most ambitious program in his history.

More than $5,000,000 will be spent on five pictures and a series of four Laurel and Hardy comedies.

Realizing that good story material is one of the most important factors in turning out screen product of major proportions, Hal Roach, operating head of the studio that bears his name, is basing his program on five recognized best-selling novels.

First of the features, now nearing completion, is adapted from Donald
(Continued on page 47)
Daring Romance
Overwhelming Love Story
Sensational Entertainment

Selznick International
presents

LESLIE HOWARD
in
INTERMEZZO

introducing
INGRID BERGMAN

with
EDNA BEST

Associate Producer - - LESLIE HOWARD
Director - - GREGORY RATOFF
Dynamic Stars in an ominous melodrama with a startling climax

Selznick International

presents

Daphne du Maurier’s

REBECCA

with

LAURENCE OLIVIER

and

a strong cast to be announced

Producer - - DAVID O. SELZNICK
Director - - ALFRED HITCHCOCK
Every now and then comes a picture too big for wornout film adjectives. FOUR FEATHERS is such a picture...a panorama of adventure in the real Sudan where 3,000 men and a girl lived six months to bring you this story of cowardice redeemed by blood-drenched courage.

You will see the 8,000 Dervishes in all their primitive savagery...1,800 camels in thundering stampede...Kipling's fierce Fuzzy-Wuzzies...in Kitchener's roaring victory at Omdurman on a battlefield ten miles wide. All told with suspense-charged action. All filmed in the startling magnificence of finally perfect color.

ALEXANDER KORDA presents

FOUR FEATHERS
with RALPH RICHARDSON • C. AUBREY SMITH • JOHN CLEMENTS • JUNE DUPREZ
Directed by ZOLTAN KORDA
IN TECHNICOLOR
RELEASED THRU UNITED ARTISTS
— it is no idle boast that “ETERNALLY YOURS” co-starring Loretta Young and David Niven, as the new season’s most romantic team, represents the finest attraction we have ever produced.

The Cast—
LORETTA YOUNG
DAVID NIVEN
HUGH HERBERT
BILLY BURKE
C. AUBREY SMITH
BRODERICK CRAWFORD
ZASU PITTS
VIRGINIA FIELD
RAYMOND WALBURN
EVE ARDEN
RALPH GRAVES
FRED KEATING

The Story—
ORIGINAL SCREENPLAY
GENE TOWNE and
GRAHAM BAKER

It has all of the elements of box office appeal—romance, suspense, thrills, smart comedy situations and dialogue; magic elaborate settings and wardrobe, a compelling story enacted by a brilliant cast and directed by TAY GARNETT.

Walter Wanger
Box Office Results!

San Francisco . . New York City . . Asbury Park
Atlantic City . . Santa Barbara . . wherever
it has been shown the result has been the same
. . smashing summer box office records.

THE

MAN IN THE IRON MASK

starring

LOUIS HAYWARD      JOAN BENNETT

is

EDWARD SMALL’S

Box Office Salute to United Artists
on the occasion of its

TWENTIETH BIRTHDAY
And Looking
Ahead—Not 20
Years, but a few months

The same brand of showmanship that made THE COUNT OF MONTE CRISTO one of the greatest box office pictures of all time and which has endowed its worthy successor, THE MAN IN THE IRON MASK, with the same profitable characteristics, will bring you a program of pictures as part of the 1939-40 offering of United Artists.

Great subjects—great titles—great writers—great directors—great casts—everything that showmanship can do to provide the kind of entertainment that the public wants will be found in such pictures as—

MY SON, MY SON!
SOUTH OF PAGO-PAGO
TWO YEARS BEFORE THE MAST
THE LIFE OF VALENTINO
KIT CARSON, AVENGER
THE HOUSE OF MONTE CRISTO

EDWARD SMALL
PRODUCTIONS, INC.
READY AND FOR A

THE HOUSEKEEPER'S

starring

JOAN BENNETT • ADOLPHE MENJOU

with JOHN HUBBARD • WM. GARGAN • GEORGE E. STONE
PEGGY WOOD • DONALD MEEK • MARC LAWRENCE

Hal Roach
WAITING...
Big September Date!

presents
DAUGHTER"

DIRECTED BY HAL ROACH
FROM THE NOVEL BY DONALD HENDERSON CLARKE
Screen Play by
Rian James and Gordon Douglas

RARIN' TO WOW 'EM LIKE NEVER BEFORE!

Stan
LAUREL and HARDY
in
"A CHUMP at OXFORD"

Streamlined to the New 4 Reel Streamlined Length
July 28, 1939.

Dear Dick:

Best wishes on your deal with United Artists!

There is no doubt you are starting off on the right foot by selecting "MISS BISHOP" by Beth Streeter Aldrich as your first vehicle, as I consider it one of the most entertaining and best pieces of American literature I have had the pleasure of reading.

Kindest regards.

Sincerely,

[Signature]

"Thank you, Frank Lloyd"

DICK ROWLAND
Richard A. Rowland proudly announces that his first production for U.A. release will be

"THREE CHEERS FOR MISS BISHOP!"

starring

Barbara Stanwyck

in the greatest role of her career—with a mighty supporting cast

directed by

Archie Mayo

"THREE CHEERS FOR MISS BISHOP!"

is the touching, entrancing story of America's progress, seen through the eyes of one woman—a woman who has played a part in the life of every man, woman or child. It has magnitude, lure and charm.
United Artists
Sales Personnel

HARRY L. GOLD
Vice President

L. J. SCHLAIFER
Vice President


T. L. DAVIS
B. J. ROBBINS
JAY SCHRADER
RALPH CRAMBLET

M. DUDELSON
G. R. FRANK
HARRY BODKIN
H. M. MASTERS

EARL COLLINS
DENNIS McNERNEY
SYD LEHMAN
J. D. GOLDHAR

IRVING SCHLANK
MOE STREIMER
CHARLES STERN
FRED G. ROHRS

D. V. McLUCAS
BEN FISH
J. J. DERVIN
EWEN MacLEAN

GUY F. NAVARRE
W. E. TRUOG
LOU WECHSLER

J. S. ABROSE
DAVID PRINCE
A. M. GOODMAN
Congratulations from

Gary Cooper

and

Henry Hathaway

Next:

The Real Glory
LEWIS MILESTONE
PRODUCER-DIRECTOR
"OF MICE AND MEN"

A HAL ROACH PRODUCTION
FOR UNITED ARTISTS RELEASE
ON THE OCCASION OF THE TWENTIETH ANNIVERSARY OF UNITED ARTISTS I WISH TO EXPRESS MY PLEASURE IN HAVING BEEN ASSOCIATED WITH MR. WALTER WANGER AND MR. DAVID O. SELZNICK IN THE MAKING OF PICTURES FOR UNITED ARTISTS RELEASE.
GEORGE BRUCE

"THE DUKE OF WEST POINT"
ORIGINAL SCREEN PLAY

"KING OF THE TURF"
ORIGINAL SCREEN PLAY

"THE MAN IN THE IRON MASK"
SCREEN PLAY

PREPARING FOR IMMEDIATE PRODUCTION

"SOUTH OF PAGO PAGO"
ORIGINAL SCREEN PLAY

EDWARD SMALL PRODUCTIONS
FOR
UNITED ARTISTS RELEASE
Noted Stars Who Formed Company

(Continued from page 5)

MARY PICKFORD

D. W. GRIFFITH

Maurice Silverstone was born in New York City December 4, 1895, and educated in the public schools of New York. He holds a law degree from New York University.

20th UA Year For Silverstone

(Continued from page 5)

next assigned to Australia and New Zealand. He remained there for two years and then was named general manager of British distribution.

United Artists business in the British Isles was developed to the highest point in the company’s history during Silverstone’s administration.

Silverstone soon was promoted to the managing directorship of United Artists in Great Britain, and in 1934 his field of activity was extended to the entire European continent.

12 Producers On UA Roster

(Continued from page 5)

and starring Laurence Olivier. It will be directed by Alfred Hitchcock, who made "The Lady Vanishes" and who has won a world-wide reputation for his masterly treatment of melodrama on the screen. It will be followed by two more Selznick productions, as yet untitled.

"The Great Dictator" is the title of Chaplin’s first picture in three years, and the first all-talking film he has ever made. It will be, in Chaplin’s own words, “a comedy picture on the lives of dictators which I hope will create much healthy laughter throughout the world.”

Alexander Korda will have at least five pictures, all in color, headed by “Four Feathers,” starring Ralph Richardson and C. Aubrey Smith and filmed largely in the actual locales of the Anglo-Egyptian Sudan.

"Over the Moon" will bring Merle Oberon to the screen in a story by Robert E. Sherwood, author of "Abe Lincoln in Illinois." This will be followed by "Thief of Bagdad," starring Sabu, and "Sinner," with Merle Oberon, adapted from Prevost’s "Manon Lescaut." On the Korda program is Kipling’s "The Jungle Boy," with Sabu.


Fifty-Four’s five productions are Ann Sheridan in "Winter Carnival." This will be followed by "Second Fiddle," starring Sienna and Loretta Young; Joan Bennett in "The House Across the Bay"; "My Personal Life," adapted from the Van Kersen short story; and "Send Another Coffin," from the mystery thriller by F. G. Pressnell.

Edward Small contributes six productions to the United Artists pro-
“Samuel Goldwyn’s THEY SHALL HAVE MUSIC!

has

THRILLS

says FRANK BUCK celebrated big-game hunter

“If I know anything about THRILLS this picture has them! I was thrilled thru every minute of it!”

SAMUEL GOLDWYN presents

Jascha HEIFETZ in THEY SHALL HAVE MUSIC!

with ANDREA LEEDS • JOEL McCrea
GENE REYNOLDS • WALTER BRENNAN

Directed by ARCHIE MAYO

Released thru UNITED ARTISTS
Record UA Sales Year

Accounts Show Heavy Increase

During the past year, the United Artists domestic sales organization, headed by Harry L. Gold and L. J. Schlaifer, vice-presidents, has achieved selling results never before attained in the 20-year history of United Artists. United Artists sells pictures individually and gets preferred playing time. The company's widely publicized slogan has been: "Behind every great picture is a great producer — behind United Artists pictures are the industry's greatest producers."

The sales organization ever keeps this slogan in mind. After compiling an extraordinary record for the past 12 months, it might be truthfully stated that behind United Artists' pictures and producers there is one of the greatest selling organizations in the industry.

Both in Canada and the States there have been new records established. Exhibitors have accorded United Artists films greater holdover time and extended playing time than the company has enjoyed previously.

Artists pictures are the industry's greatest producers.

The following artists pictures have played to a greater number of accounts than any previous season.

This kind of sales coverage is proof enough of the strong selling personalities of the district managers and the rank-and-file salesmen and the branch managers.

The company's district managers are: Haskell L. Masters, in charge of the Canadian sales; Ben Fish, District Manager for the Los Angeles territory; J. D. Goldhar, District Manager making his headquarters at Detroit; David Prince, under the direction of Alfred Hitchcock, with Laurence Olivier and Judith Anderson.

Selznick is one of a family whose fame in the theatrical world is outstanding. His father, Lewis J. Selznick, was a noted pioneer in both production and exhibition. His brother, Myron Selznick, is one of the most important actor's representatives.

Born in Pittsburgh, May 10, 1902, David was taken to New York by parents while still of school age. Before he finished a term at Columbia University, Selznick went to Friedlander to "grow up with the business."

Landing a job at Metro-Goldwyn-Mayer, he did not rest until they gave him "Forgotten Faces," "Street of Chance," and "Four Feathers." Later, he became executive assistant to the managing director, and for a time was in charge of the huge Paramount studios. Having that time, he made "Honey," "Manslaughter" and "The Texan."

Selznick introduced the system of unit production, with an associate producer being responsible for the pictures he made. As he says, "This is the only way to make good pictures."


Southern District Manager; Bert M. Stern, with headquarters at Cleveland; Charles Stern, Eastern District Manager, and Joe Stetin, Special Representative, with headquarters at the New York Exchange.

Each of these district managers supervise company sales in an important section of the country and they are vital factors in the United Artists organization.

In the Home Office, Paul Lazarus is in charge of the handling of contracts with the producers' representatives and sends their approval to the various Exchanges in which the deals originate; Phil Dow acts as assistant to Vice-President Harry L. Gold, for the east, and Seymour Gold as assistant to Vice-President Harry L. Gold, for the west. Howard Kastner, sales manager, and A. S. Gold, director of sales research, are also important factors.

The United Artists sales organization is as important a part of the company as the studio is. The Selznick studio is the largest in Hollywood, with a staff of 1,500 people, and it is estimated that the Selznick producing operation is worth $5,000,000 a year to the company. The United Artists sales organization is just as important as the studio.

Biggest Selznick Season

(Continued from page 3)

World-Wide Business

3,000 Employed
In Foreign Service

United Artists pictures are shown everywhere. The company's foreign distribution reaches the furthest corners of the earth. There are 3,000 employees in that foreign service, under the overall direction of Arthur Kelly.

In Britain the United Artists activities are under the supervision of E. T. Carr and George Archibald, joint managing directors. The company's British operations are linked with United Artists cinemas, theatres, and offices, operated by Oscar Deutsch. This chain is one of the biggest in Europe. Walter Gould heads the Latin-American operations of United Artists.

Carr joined the company 18 years ago as a salesman and was elevated to his present position, as was Archibald, following Murray Silverstone's return to America, to head the company's world-wide operations.

Walter Gould is also managing director of the U. A. Export, Ltd., which controls and directs the activities of the company's exchanges and licences throughout South American and continental Europe. Lacy W. Kastner is general sales supervisor.

Georges Rouvier represents the United Artists Export, France, with headquarters in Paris. Other United Artists European representatives are M. Fournet in Belgium; O. B. Mantell in Czechoslovakia; I. Madsen, in Denmark; Harald Astrom, in Sweden; E. Arias, in Barcelona; and Paul Rapport, in Switzerland.

Cecil Marks is general manager, in Australia, and in New Zealand, the United Artists manager is Bernie Allen.

In the Far East, Norman Westwood, in China, and Joe Galtz, in Japan, keep the U.A. sales banner flying. Charles Core is in the Philippines; Sydney Albright, in Java; Carlos Moore, in Brazil; and Latky, in Peru. Max Baker heads the company's operations in the Straits Settlements. Under Gould, as assistant, Walter Gould, are Guy F. Morgan, in Argentina; Enrique Baez, Brazil; Jorge Suarez, Chile; W. F. Froh, Colombia; Helmer Ginder, Cuba; Sam Seidelein, Mexico; Victor J. Schobert, Peru; Carl Ponedel, Puerto Rico, and Guy C. Smith, in the Canal Zone.

A. A. Loew is in South Africa.

will have an important part in "Ordeal," and Allen, who distinguishes herself in a difficult role in "Gone with the Wind."

Leslie Howard is serving for the first time in the dual capacity of star and associate producer in Selznick International's "Intermezzo," which is in the making, and is a Swedish star, to American films.
“Samuel Goldwyn’s THEY SHALL HAVE MUSIC!

—says FLOYD GIBBONS, famous adventurer and journalist

“This is REAL LIFE...the real life of real city kids...and, against the background of great music, it is one of the most exciting experiences I have ever had.”

SAMUEL GOLDWYN presents
Jascha HEIFETZ
in
THEY SHALL HAVE MUSIC!

ANDREA LEEDS • JOEL McCREA
GENE REYNOLDS • WALTER BRENNAN
Directed by ARCHIE MAYO
Released thru UNITED ARTISTS
NEVILLE E. NEVILLE
Producer of

"AN ENGLISHMAN'S HOME"

is proud to distribute his picture through an organization for which he has the greatest affection.

On this 20th Anniversary he wishes

UNITED ARTISTS

MANY MANY
MORE
ANNIVERSARIES

Neville E. Neville

ALDWYCH FILM PRODUCTIONS, LTD.
DENHAM STUDIOS
ENGLAND
Advertising

Very Vital

Farnol Explains Work of Staff

By LYNN FARNOl Advertising and Publicity Director, United Artists

The producers whose combined output constitutes United Artists' program have one thing in common, it is that they are different, each from the other. And if the advertising, exploitation and publicity on United Artists pictures have one single, identifying characteristic, it is that the campaign is individual and different.

Its very nature precludes or denies the possibility of a change of pace or the breathing spell between big pictures that is the salvation of the advertising department of every major company. With United Artists, every picture has to be a big picture and "big" doesn't mean in terms of money spent on national advertising either.

It means "big" in the study and planning of a campaign that is given a picture by advertising men and copy writers, by feature and publicity workers, by exploitation stunt men, by a radio staff and a dozen others long before the picture is in production. It means "big" in the advertising work that the exhibitor does in the exhibitor's program, which the public with its knowledge of film wants to be the biggest, longest and the most important of his career, the United Artists advertising and publicity department starts off fighting. It must start off fighting. And it has to fight all the way.

With eleven producers, each interested and expected to have pictures to the exclusion of everything else, each alive with the fact that his current picture is the most important of his career, the United Artists advertising and publicity department starts off fighting. It must start off fighting. And it has to fight all the way.

United Artists and its producers are not being generous with the exhibitor when they provide the custom-made exploitation that has come to be expected of every release. Such concentration is the result of the pressure of competition, between producers, of the economic necessity of making each dollar count and the maximum return without let-up or relaxation of the importance and the exploitation opportunities inherent in each picture in the anticlimax of the individual exhibitor. He starts out on the premise, "This is a big one." He exploits it accordingly. And, in the national advertising that it places behind its releases, in the concentrated Hollywood publicity buildup with the theatre and the work of the field exploitation staff, United Artists expenditures would probably amount to double the average release. As I have said before, this is not generosity; it is out of the desperate, the necessities of U.A. and the kind of an organization it is.

The men who do this work, most of them experienced in exploitation of exhibitor service, the high esteem in which he is held by the theatre circuit heads and the field staffs of U.A., and the evidence of the success of his work.

United Artists is in charge of publicity, handling New York outlets and the vast and complicated mechanical process of mailing and wiring throughout the country. Under him is a staff of writers and idea men and women, covering various branches of the work such as fan magazines, fashion editors, radio columnists and so on.

One of the principal duties performed by Margoles is to act as publicity contact between the U.A. home office and the West Coast press representatives of the various producers whose pictures are released by United Artists.

Virginia Morris writes the ads, for the press books, for the national newspapers and magazines, for the trade papers. Morton Frankel and Joseph Gould are responsible for the elaborate press book that U.A. sends with its pictures. Forty people in all comprise the department. To every one of them, each new picture is to be a most important thing in his life.


Walter Wanger


An original story by Gene Towne and Graham Baker, Teray Gartett, director; a factioning by John Meachen of Vincent Sheean's great novel, and two other productions as yet untitled.

Hal Roach


"Of Me and Men," the John Street novel, to be directed and supervised by Lewis Milestone. "1,000,000 B. C.," an imaginative picturization of the beginning of time.

"Captain Caution," from the novel by Kenneth Roberts. Also a production based on a Thorne Smith novel. Also, a series of four Laurel and Hardy pictures.

Edward Small


Douglas Fairbanks

"The Californian," a dramatization of the book by the same name by Zane Grey. The Lathibich-Lesser production and the David Loci production remain to be announced.

Richard Rowland

"Three Cheers for Miss Bishop," with Barbara Stanwyck.


Korda Hails 'Bagdad" Favors Color In His Pictures

(Continued from page 3)

nation of the filmmaker. Conceived on a scope so as to deliberately envelope anything to be found in the old spectacles, "Thief of Bagdad" will bring evolutionary entertainment to the screen.

I made these statements because I have surveyed all the massive films of the past two decades and decided, even before a camera turned, to go beyond these attractions in story, color and imaginative scope. All these features, I am sure, will be reflected directly at the box-office.

Sales Conference, and two new discoveries, John Justin and June Duprez, will be seen in the film. For the latter two I predict a fame as great as Laughton's, Donat's or Merle Oberon's. The settings, as different from the accepted scenic design as any can be, have been designed by my brother Vincent and mark a new point of departure for the screen in this field.

Avoids Production Rut

From this time I intend doing films completely out of the production rut. Timely films, to meet current problems, are all very well and should be made—and I intend making them—but I will try first to present the public with pictures that will become open doors into a world of relaxation and entertainment. I think the world prefers the latter, great as its need for the former may be.

Along these lines, I have completed "Over the Moon," a completely light and entertaining film in color, starring Merle Oberon, and will soon embark on "Sin" adapted from "Manon Lescaut," also starring Miss Oberon. After that will come "Jungle Boy," with Safi in the same role of the famous Kipling stories.

Sticks to Color Films

Most producers have announced color as the coming development. They have all since departed from that standard at some time or another. I have announced and stayed with a medium I believe now outdates any other similar expression in films. All my product is in color—it is growing as important as sound. The past year has done much for the international producer. It has had audiences prove that films are acceptable anywhere, no matter who produced them or in what country, provided they are real entertainment.
Congratulations

EASTMAN FILMS
BRULATOUR SERVICE

FORT LEE  CHICAGO  HOLLYWOOD
Salute!

For a fifth of a century...for twenty years we have watched and admired your consistency and your progress as a leader in this greatest of all entertainment mediums.

And now...in our own twentieth year we salute you, United Artists, with this wish for your future...that you will march on and on to even greater success and glory.

NATIONAL SCREEN SERVICE

...Prize 20 Years Old Baby of the Industry!
An Appreciation

To work toward a worthwhile goal is commendable.

To reach that goal, fairly and honorably, is praiseworthy.

United Artists, that is your history. May history repeat itself.

Consolidated Film Industries, Inc.
Many happy returns of the day to

UNITED ARTISTS

and heartiest congratulations on their twentieth anniversary from

DENHAM LABORATORIES, Ltd.

who are happy to be doing the entire release printing for United Artists in Great Britain.
Congratulations

UNITED ARTISTS

DU PONT FILM MANUFACTURING CORPORATION
INCORPORATED

9 Rockefeller Plaza
New York . . . N. Y.
Plant . . Parlin, N. J.

SMITH & ALLER, LTD.
6656 Santa Monica Blvd.
Hollywood . . California
Kelly Knows
The World!

Real ‘Trader Horn’

of United Artists

By SAMUEL COHEN

Foreign Publicity Manager of

United Artists

An interviewer once described Arthur W. Kelly as "the real Trader Horn of Hollywood." In his official capacity as vice-president of United Artists in charge of foreign distribution, Kelly has traveled the highways and byways of the globe, observing the activities of United Artists' foreign region which embraces 123 branches and agencies head quarters in Aberdeen to Zanzibar.

Born in London of Welsh-Irish parentage, he was educated in the city of his birth. At 20, he had both feet in show business, being manager of one of the greatest vaudeville enterprises in England. It was during this early period that he became friendly with a young London stage performer named Charlie Chaplin.

Chaplin Gives Kelly Job

Chaplin's faith in his friend's business acumen was demonstrated years later. Upon the formation of United Artists Corporation, Chaplin offered Kelly the position of eastern representative of the Chaplin company. The knowledge and experience gained in directing the sales of the great comedian's pictures throughout the world incidentally established the highest prices heretofore obtained for Chaplin's films, proved invaluable to Kelly when he joined United Artists as the company's active officer. He became the logical man for the job of foreign head and in May, 1926, he assumed his present position.

LEWIS MILESTONE

Roach Budget Of $5,000,000

(Continued from page 19)

Henderson Clarke's, "The Housekeeper's Daughter," co-starring John Barrymore and Adolphe Menjou, is a fast moving comedy romance centered about Hilda, the alluring housekeeper of the Roach household, the men who figure in her colorful career.

An impressive supporting cast includes John Hubbard, comparative newcomer to the screen for whom a great future is predicted; William Gargan, George E. Stone, Peggy Wood, Marc Lawrence, Victor Marks, Louis Alphonse, Donald Meek and Harry O. Guyer. The film is one of the outstanding successes of the past season, directed.

Of Men and Men Set

Following this, John Steinbeck's, "Of Men and Men," play and prize-winning stage play of "Men and Me" will be brought to the screen. Cast for this film, one of the most important of the year, has not yet been decided, although numerous tests have been taken by a leading actor under consideration.

Interest in this film is widespread and is evidenced by the number of and city of every section of the country. Lews Milestone, maker of "All Quiet on the Western Front" and "Front Page," will direct.

Frank Ross, executive vice-president of the Roach studios, has been named associate producer on this film.

Thrilling Fantasy

Third on the forthcoming schedule is a thrilling fantasy of early civilization, entitled "1,000,000 B. C." Amazing technical innovations will be employed in this unusual spectacle which will portray early man's struggle against prehistoric monsters and will combine excitement with romance and suspense.

Louis Tolhurst, whose camera wizardry received such enthusiastic acclaim in "The Good Earth," will again bring some startling effects to the screen in this film, directed by Hal Roach, Jr., who was honored with a full-budgeted production upon attaining his twenty-fifth birthday, will serve as associate producer.

Currently, young Roach is acting in a similar capacity on the Laurel and Hardy series of four-reel comedies.

Next to go before the cameras will be "Captain Caution," a stirring romantic adventure by Kenneth Roberts, author of "Northwest Passage." With a cast to include Hollywood's top-flight names, and played against backgrounds tremendous in scope, it untolds the tale of a defiant girl and a swashbuckling first mate who sail against the British in the War of 1812.

Completing the pretentious feature program will be a screen adaptation of Thorne Smith's hilarious novel. In this story the author of the famous Topper series allows his imagination to run riot.

The four Laurel and Hardy comedies, streamlined into four-reel subjects for fast-moving, fun-packed film fare, will be budgeted on an "A" picture schedule. The first of these, "A Chump at Oxford," has been completed under the guidance of Alf Goulding.

David Wark Griffith, pioneer director and producer, is now associated with Hal Roach. Griffith was prevailed upon to return to picture making by Hal Roach, a personal friend of 23 years' standing. Griffith will serve in an advisory capacity on the 1939-'40 program and in addition will act as consultant on story material.

Buckley Two Decades with UA

HARRY D. BUCKLEY, vice-president in charge of exchanges operations for United Artists, was born and educated in St. Louis, Mo. Buckley's first business experience was gained in theatrical circles in his home city, where he remained until the beginning of the World War. He joined the colors as a private in the Eighty-Ninth Division, and shortly thereafter won a lieutenant's commission.

After the Armistice was signed and the United Artists Corporation was formed, Buckley was appointed manager of the new organization's Kansas City exchange. After a year and a half in this capacity, he was made branch manager of the more important Los Angeles exchange remaining at this post until Douglas Fairbanks asked him to become manager of the road showings of "Robin Hood."

Buckley held two other key posts—acting general manager of the Douglas Fairbanks Pictures Corporation and business manager for Mary Pickford and Douglas Fairbanks in New York City—before he became vice-president of United Artists and a member of its board of directors.

In December, 1926, he was named vice-president of the company, acting as one of the three members of the United Artists executive committee and in 1928 was appointed to Joseph M. Schenck, chairman.

Our Regrets

Due to the fact that their photographs did not arrive in time for publication, the pictures of Hugh O'Connell, of Dallas, C. E. Pennsalt of New Orleans and A. W. Hartford of Salt Lake City were regrettably omitted from the page of United Artists Sales Personal.

27-Yr. Record

For Goldwyn

'The Real Glory'

His Next Release

SAMUEL GOLDWYN, stockholder and producer of United Artists, has been in the motion picture business for more than 27 years. A native of Hungary, he arrived in the United States in 1898 and has been a resident of New York City since 1901. Goldwyn formed his own company of Samuel Goldwyn Inc., and joined with Douglas Fairbanks, Mary Pickford and Charles Chaplin, since he became a joint owner of United Artists. Since then all his pictures have been released through United Artists. He is represented on the Board of Directors by James A. Mulfy.

Million Dollar Wanger Films

(Continued from page 19)

the Baltimore Symphony Orchestra, is doing the musical score. The picture is scheduled for October release. "Send, Another Call" by F. C. Pressnell is a gay, fast-moving story and is among the season's best sellers. Wanger thinks he has something even bigger than "This Man" series in this one. This picture goes into production on Aug. 20 with Tay Garnett directing. "Scenesters" from Ken Englund, John Lay and Robert Taliman. "House Across the Bay" is a drama about the women who wait for the return of their men from "Real Glory," which John Meehan is doing. "The Apache" will direct. Joan Bennett will have one of the starring roles. Production begins in September.

Travel Shorts

Rounding out its 1939-40 program of full-length feature release, United Artists will also distribute a series of travel shorts in color, known as "World Windows."
My sincere congratulations to United Artists on the occasion of their twentieth anniversary and to my friend Murray Silverstone. I am looking forward to many more happy "returns."

OSCAR DEUTSCH
Managing Director
Odeon Theatres Limited
In the twentieth year of its corporate existence, U. A. (United Artists) invited M. S. (Murray Silverstone) to remain in the U. S. A. so that he could be the center of things U. A.

From these events the Pathe rooster presents a success formula—with a lusty crow of congratulations.
NATIONAL THEATRES AMUSEMENT CO., Inc.

Spyros P. Skouras

FOX WEST COAST AGENCY CORPORATION
Charles P. Skouras

FOX MIDWEST AMUSEMENT CORPORATION
Elmer C. Rhoden

FOX INTER-MOUNTAIN AMUSEMENT CORPORATION
Rick Ricketson

FOX WISCONSIN AMUSEMENT CORPORATION
Harold J. Fitzgerald

EVERGREEN THEATRES CORPORATION
Frank L. Newman
TECHNICOLOR

Herbert T. Kalmus
President

GREGORY RATOFF
DIRECTOR

"INTERMEZZO"
A SELZNICK INTERNATIONAL PRODUCTION FOR UNITED ARTISTS RELEASE
THE proving period for Eastman’s new negative films has been left far behind. With their special emulsion qualities reinforced by typical Kodak dependability, Plus-X, Super-XX, and Background-X are firmly established as successors to other notable Eastman films for the motion picture industry. Eastman Kodak Company, Rochester, N. Y. (J. E. Brulatour, Inc., Distributors, Fort Lee, Chicago, Hollywood.)

EASTMAN

PLUS-X
for general studio use

SUPER-XX
for all difficult shots

BACKGROUND-X
for backgrounds and general exterior work
ROSS FEDERAL SERVICE

FROM COAST TO COAST
OUR BEST WISHES TO

United Artists

ROSS FEDERAL RESEARCH CORP.
18 EAST 48th ST., NEW YORK

Here’s to even
Greater Success
in the next
20 years

JOSEPH H. TOOKER
Congratulations to
United Artists

•

Fabian Theatres

Congratulations to
UNITED ARTISTS CORP.
on their
20th ANNIVERSARY

•

CENTURY CIRCUIT
50 ROCKEFELLER PLAZA
NEW YORK

Congratulations to
UNITED ARTISTS CORP.
on their
20th ANNIVERSARY

•

Arthur Gottlieb

FILM LABORATORIES
OF CANADA
TORONTO, CANADA
Congratulations—

RADIO CITY MUSIC HALL
ROCKEFELLER CENTER

Congratulations to

UNITED ARTISTS
ON THEIR
20th ANNIVERSARY

A. H. BLANK

Congratulations!

Loew's Theatres

F. H. Richardson's
BLUEBOOK of
PROJECTION
Sixth Edition, Second Revision, supplemented with
SOUND TROUBLE CHARTS
and ALPHABETICAL INDEX
ORDER TODAY • $7.25 POSTPAID
QUIGLEY BOOKSHOP
ROCKEFELLER CENTER, NEW YORK

UNITED ARTISTS CORP.
Uses Transportation Advertising
in New York City
Why Don't You?

BANCROFT ALDEN
745 Fifth Ave., New York
Eldorado 5-6700
"Time; 'About Town,' Head Capital Shows

WASHINGTON, Aug. 3—"On Borrowed Time" drew $23,500 at Loew's Capitol to lead the city.

Estimated takings for the week ending July 27:
"On Borrowed Time" (M-G-M)
LOEW'S CAPITOL—(3,404) (25c-40c) 7 days. Stage: Johnny Burke. Gross: $85,100. (Average, $12,157)
"Hacles" (M-G-M)
LOEW'S COLUMBIA—(2,314) (25c-40c) 3rd. run. 7 days. Gross: $5,856. (Average, $850)
"Cotton-stem, Mr. Chips" (M-G-M)
LOEW'S PALACE—(3,700) (25c-55c) 3rd week. 7 days. Gross: $7,800. (Average, $1,114)
"Slade a Million" (Univ.)
RKO-REX—(1,500) (25c-55c) 7 days. Gross: $4,200. (Average, $600)
"Mom Against Town" (Par.)
WARNER'S EARLE—(2,108) (25c-40c) 7 days. Stage: No name. Gross: $5,300. (Average, $757)
"Daughters Courageous" (W. B.)
WARNER'S METROPOLITAN—(1,991) (35c-48c) 7 days, 2nd. run. Gross: $3,000. (Average, $429)

First Union Victory For N. Y. Managers
(Continued from page 1)

these employees will also be taken care of before the T.M.A.T. contract is signed.
T. M. A. T. drive to obtain contracts from all New York city independent houses is scheduled to get under way in earnest late this month. The Five Boro contract will probably be used as the basis of union demands. The union is now concentrating on the Vogue, Bronx, which is scheduled to reopen tonight. A 24-hour picket line has been maintained in an effort to stop alteration work going on there.

Hollywood In Brief

Hollywood, Aug. 3—Al Daff, U.S. representative in the Far East, arrived from New York to spend a week at the studio before going back to his headquarters in Tokyo. Business in the Orient, says he, isn't as badly shot as all the shooting going on there would lead you to assume.

Charles ("Hurricane Hutch") Hutchenson comes back to pictures and to the serial field he once dominated in Republic's "Dick Tracy's G-Men." He's been out of films eight years.

Linda Darnell, who started a rave wave with her performance in "Hotel for Women," has been relieved of a small part she was playing in "Drums Along the Mohawk" and given a big one in "Johnny Apollo," an operation which comes under the general head of Zanuck showmanship.

B. P. Schulberg has bought "The Middle Window," which has to do with life-after-death in England and Scotland, for production this year. 20th Century-Fox has borrowed Andy Devine from Universal for a spot in "Little Old New York." Jack Roper, who took that shelving from Joe Louis a while back, is to fight again in "Wall Street Cowboy" and take another shelving.

Summer visitors in town get three fresh gives of the cinema nobility in all its glory next week when "Stanley and Livingstone," "The Wizard of Oz," and "When Tomorrow Comes" are given their local previews—all formal. Long time no such trio of colorless within a week.

David O. Selznick is pleased about signing Robert Stevenson to a directing contract. Says the deal, following his previously concluded pact with Alfred Hitchcock, gives Selznick-International England's two foremost directors.

Julian Lester, son of the famous Sol, has joined his parent's Principal Productions as assistant to distribution executive Louis Hyman.


Writers—Leon G. Turton, retired G-man who wrote "Confessions of a Nazi Spy," is back in town to do more writing for Warner and other studios.

Lieut. Commander Frank Wead has been brought in to work on the screen play of Cecil B. DeMille's "Royal Canadian Mounted."

Andy Hardy's $16,000 Leads in Cincinnati

CINCINNATI, Aug. 3—"Andy Hardy Gets Spring Fever" came through with a terrific $16,000 at the RKO Palace and both.

Estimated takings for the week ending July 26-29:
"Daughters Courageous" (W. B.)
RKO-TELESCOPE—(2,500) (25c-40c) 7 days. Gross: $14,000. (Average, $2,000)
"Andy Hardy Gets Spring Fever" (M-G-M)
RKO PALACE—(2,700) (25c-40c) 7 days. Gross: $16,000. (Average, $2,300)
"Second Fiddle" (20th-Fox)
RKO PALACE—(2,000) (25c-40c) 7 days. 2nd. week. Gross: $4,000. (Average, $600)
"The House of Fear" (Univ.) (2 days)
"Daughters Courageous" (Col.) (2 days)
"Grand Jury Secrets" (Par.) (2 days)
RKO FAMILY—(1,000) (25c-25c) 7 days. Gross: $1,200. (Average, $200)
"On Borrowed Time" (M-G-M)
REX—(1,500) (25c-40c) 7 days. 2nd. week. Gross: $7,800. (Average, $1,100)

IATSE Blocks RKO Ushers Consent Vote

Informal hearings before an examiner of the N. Y. State Labor Relations Board on petition of United Ushers, Doormen and Cashiers Union, C. I. O., for certification as collective bargaining agency in RKO houses here ended yesterday without agreement being reached. The matter will go to the U.U.D.C., which will decide whether formal hearings should be held.

The formal hearings are designed to obtain an agreement for a consent election. However, the I.A.T.S.E. refused to give its consent on the ground that it alone had jurisdiction and that the U.U.D.C. did not have a majority of the employees.

The members of our organization from coast to coast join the rest of the Motion Picture Industry in paying tribute to United Artists and to Murray Silverstone. We sincerely congratulate you on your twenty glorious years and wish you continued success.

FAMOUS PLAYERS CANADIAN CORPORATION, Ltd.
N. L. NATHANSON, President
BIG NEWS

Carole Lombard • Cary Grant • Kay Francis

"IN NAME ONLY"

CHARLES COBURN • HELEN VINSON • KATHARINE ALEXANDER
JONATHAN HALE • MAURICE MOSCOVICH

PANDRO S. BERMAN in charge of Production • Directed by John Cromwell
Produced by George Haight • Screen Play by Richard Sherman.

That's the kind we mean when
AT 4:12 YESTERDAY AFTERNOON "IN NAME ONLY" HAD FORGED WAY AHEAD OF THE SAME-TIME OPENING-DAY FIGURES OF "BACHELOR MOTHER" AT RADIO CITY MUSIC HALL... AND "BACHELOR MOTHER," REMEMBER, FINISHED ITS FIRST WEEK GLORIOUSLY UP IN THAT COVETED $100,000-A-WEEK CLASS!

WE SAY BIG ONES FROM RKO RADIO!
Trial of Trust Suit By Jan. 1
Very Doubtful

(Continued from page 1)

Paul Williams, assistant to the Attorney General, argued that the case is of extraordinary public concern and would require many months to try. He said the Government would likely require four months to prepare the case. Company attorneys subsequently stated that the defense would require six to eight months, Thus, it is estimated that the case will occupy virtually all of 1940.

Company attorneys opposed the Government motion. Col. William J. Donovan of RKO, counsel against the Government, stated that trial should be started as soon as possible but pointed out that the Government had had its case in preparation for many months, whereas the defendants have had only eight or nine months of preparation, and still have many non-cases.

Most industry attorneys, including Thomas D. Thacher of counsel for Paramount and Ralph Harris of counsel for 20th Century-Fox argued for start of trial in March when the case would normally be on the calendar. They argued that no emergency is involved requiring an early trial and that the defendants cannot be prepared properly before then.

David L. Poddle, acting as special counsel for the Government, did his first public "suit in the case in rebating the attorneys for the defense. He said that there was a "chance to survive" in the industry; that "we" have hundreds of complaints from all over the country and that it was not until after November, the companies should be able to.

Earlier in the day, Federal Judge Edward J. Devitt ordered a conferral of United Artists for a further bill of particulars from the Government on charges against the company. United Artists is now required to file its answer to the Government's bill of complaint within 10 days.

Jurist Can't Get Film
Federal Judge John C. Knox told industry attorneys during the hearing on the Government motion for a preference for the anti-trust suit on the Federal Court calendar yesterday, that he is presiding in a 77-B theatre reorganization case and that "I can't get pictures for that house for love or money." Its weekly rent is estimated from $50,000 to $30,000.

The theatre is located in an eastern city, he said.

Thomas D. Thacher of counsel for Paramount later told the court: "There must be distribution of pictures between the cheap theatres and the better theatres; it can't be helped.'

Motion Picture Daily

CBS expanded its programs considerably on international and foreign affairs, concentrating on the first half of the year to 103 hours, contrasted with 88% in the first six months of 1938. At the same time, international and foreign affairs rose from 80 broadcasts totaling 29½ hours to 19 programs totaling $52½ hours.

There was a 20-hour rise in time allotted to religious broadcasts. The increase was from 168 programs totaling 61½ hours in the first six months of last year, to 203 programs consuming 81½ hours during the same 1939 period. Agriculture had the biggest boost of all divisions, from seven broadcasts totaling two hours, to 58 programs consuming 21½ hours.

Time devoted to news went from 104½ hours in the first six months of last year, to 122 hours. Deans had a 113 per cent increase from 47 shows consuming 23½ hours to 128 hours taking up 49½ hours. The first half of the year saw religious music broadcasts sent out, totaling 206 hours. There were 183 children's programs totaling 72½ hours, 34 broadcasts taking up 12 hours were devoted to civic welfare and 22 programs totaling 5½ hours were broadcast in connection with labor.

The commission also received applications for increase of night power from 100 to 250 watts from Stations KDLV, Salt Lake City, in an application filed with the Federal Communications Commission.

CBS' Serious Shows Make Big Increase

Station WABC-TV's "Movie at Work" program, 7 to 7:30 p.m. every day, is building up the nightly audience to the point that the station will be able to carry more sponsored programs next season.

Movieline News and CBS News will have a news program the majority of the time the "Movie at Work" is on the air.

CBS to Interview Movietone at Work

Movieline News and CBS News will have a news program the majority of the time the "Movie at Work" is on the air.

Movieline News and CBS News will have a news program the majority of the time the "Movie at Work" is on the air.

Movieline News and CBS News will have a news program the majority of the time the "Movie at Work" is on the air.
KFL to Weigh Actors Dispute On Thursday

I.A.T.S.E. Organizing Only Vaudeville

After a series of hotel room conferences over the weekend, the A.F. of L. executive council meetings start at Atlantic City today. Thursday afternoon, the council will hear the dispute between Associated Artists and Artists of America, parent body of actor unions, and the I.A.T.S.E. which claims jurisdiction over performers. Retaliatory moves by the I.A. against Screen Actors Guild, Actors Equity and American Federation of Radio Artists, who have taken steps to oust Sophie Tucker, president of American Federation of Actors, are expected to develop immediately after Thursday's vote. Meanwhile, the I.A. is playing a waiting game and permitting the A.F. to take the responsibility for the warms that might develop. At present, the I.A. takes the position that it is organizing only vaude.

NLRB Sets SWG Parley Aug. 17

Hollywood, Aug. 6.—A new complaint, charging coercion, intimidation and threats of blacklisting of Screen Writers Guild members was filed by the N.L.R.B. against eight major studios Friday. Hearing was set for Aug. 17 in Los Angeles. This will be the third open hearing since 1937. Lengthy accusations of alleged unfair labor practices were set forth.

Respondents named were Universal-Salient, Selznick International, 20th Century-Fox, Loew’s, Warners, RKO, Columbia and Paramount.

The last hearing was suspended several months ago when the studios

NLRB Asks Hearing On Studio Unions

Los Angeles, Aug. 6.—N.L.R.B. officers here over the weekend asked the National Board in Washington to set a formal hearing in the jurisdiction dispute between the I.A.T.S.E. and the United Studio Technicians Union and to open the way for a vote of workers on their choice of bargaining agency.

William R. Walsh, the Board's senior

Contest

MOTION PICTURE DAILY

VOL. 46. NO. 25
NEW YORK, MONDAY, AUGUST 7, 1939
TEN CENTS

U.S. FILES SCHINE TRUST SUIT TODAY

Case Similar to Action in Oklahoma; Majors Accused of Combination

WASHINGTON, Aug. 6.—The Department of Justice tomorrow will file suit in equity in the Federal District Court for the western district of New York, at Buffalo, seeking dissolution of the Schine circuit and naming the Schine companies and all of the major producing companies as engaging in unreasonable combination to restrain trade in the distribution of motion pictures in the states of New York, Ohio, Kentucky, Maryland and Delaware.

Disclosing its plans for the filing of the suit, the Department tonight named the Schine Chain Theatres, Inc.; Schine Theatrical Co., Inc.; Interstate Circuit Theatres, Inc.; Schine Theatrical Corporation, Inc.; Schine Enterprise Corporation; Schine Chain Theatres of Ohio, Inc.; Schine Lexington Corporation, and Chesapeake Theatres Corporation as plaintiffs and defendants, and Loew’s, Inc., RKO, Universal, Twentieth Century-Fox, United Artists, Warners, Columbia, Vitagraph, Paramount Pictures and Paramount Film Distributing Corporation as defendants.

It was said at the Department that the case is another “Oklahoma suit” in that it is similar to the proceeding instituted on April 20 against the Griffith Amusement Company and its associated companies in operating in Oklahoma, Texas and New Mexico.

At that time, it was stated at the Department that there were a number of other independent theatre circuits organized and affiliated to the Griffith organization and that all of the Griffith suits would be brought as the investigation developed.

“Proceeding is designed to break the monopoly control exercised”

Films Contributed

$68,772 to N.Y. Fund

Motion Picture Division contributed $68,772 to the Greater New York Fund during the drive which ended in June, according to the report of J. Robert Rubin of Loew’s, chairman of the industry division. The figure represents a 13% per cent increase over collections of $60,556 last year.

Contributions were received from 97 firms and employee groups this year, as compared with 77 firm and group contributions last year. Four vice-chairman supervised collections in as many industry divisions, they are: the producers and distributors group under Ned E. Depinet, who con-

American Films in Spain Get Same Deal as Others

By AL FINESTONE

American distributing companies are being accorded a complete welcome by the Nationalist Government in Spain and there will be no discrimination, according to Julio Elias, distributor of Barcelona, who has arrived in New York on a buying trip. Likewise, he said, there will be no favoritism or lobbying by the various companies represented in Spain.

The last hearing was suspended several months ago when the studios

American Films in Spain Get Same Deal as Others

By AL FINESTONE

American distributing companies are being accorded a complete welcome by the Nationalist Government in Spain and there will be no discrimination, according to Julio Elias, distributor of Barcelona, who has arrived in New York on a buying trip. Likewise, he said, there will be no favoritism or lobbying by the various companies represented in Spain.

The Summer season is usually slack in Spain, but in the Fall film business will take a marked upturn, Elias believes. Already, M-G-M, 20th Century-Fox and Universal have brought in new films, and the other major American companies are expected to apply for permits.

Regulations covering films have not been officially promulgated as yet, but it is expected that they will be printed this month in the Official Gazette. The trade expects certain restrictions aimed to build up foreign exchange. One, which is virtually certain of adoption, is that 25 per cent of the foreign currency obtained from imports as well as exports of films be turned over to the Government in exchange for an equivalent in pesetas, either in Spain or in the country of origin, for use in foreign trade.

The proposed quota regulation providing for the production of one Spanish film for every 10 imported is also expected to be adopted. All films must be printed and dubbed in Spanish.

The import duty is based on weight of films. The duty is now 25 pesetas per kilo (2.5 pounds). Before the war the duty was 25 pesetas for American films and 15 pesetas for films from other countries. Negotiations are admitted free under bond if later returned to the sender.

(Continued on page 7)

(Continued on page 2)

(Continued on page 2)

(Continued on page 7)

(Continued on page 7)
Motion Picture Daily

Monday, August 7, 1939

U.S. to File Schine Trust Action Today

(Continued from page 1)

by the Schine theatre organization in the exhibition of motion pictures in parts of New York, Ohio, Kentucky, Maryland and Delaware," it was explained by the Department.

"While operations of the two organizations are not nationwide, its effect upon the independent theatre owners in its area of operation is substantially similar to that of the major producing companies within the areas of their operations. "Because of the control by this chain of a large number of theatres, it is able to make blanket contracts for all desirable pictures for its theatres without competing with local independent exhibitors. "This action seeks, among other things, to break the monopoly combination in the area in which it operates. To effect such object, the suit asks that the exhibitor-defendants be dissolved and their properties rearranged under several separate organizations or corporations, such manner as to create competitive conditions and prevent further violations of the Sherman act. "It also seeks injunctive relief by directing that practices resulting in this monopoly control and its oppressive exercise be enjoined. In addition, it seeks to enjoin the producers from licensing pictures except on a local competitive basis. Finally, it seeks an order directing the acquisition of additional theatres or financial interest therein by the defendant chain."

British Film Men Eye Italian Market

London, Aug. 6—Neville Kearnery will go to Rome next week to discuss, among other things, the possibility of British producers’ return to the Italian market.

It is believed that certain producers invited to participate in the Venice Film Festival have indicated willingness to do so if guaranteed bookings in Italy.

British companies have been wary of Italian offers since the ENIC monopoly decree went into effect Jan. 1 whereby the films are permitted to be imported at a price set by the Government agency.

Federal Theatre Gets Death Blow

Washington, Aug. 6—Last hope for revival of the Federal Theatre Project failed Saturday when the Senate, 86 to 4, voted down a fight which would delay adjournment, refused to accept an amendment to the third deficiency bill that provided a $450,000 aid to the Pepper of Florida, to repeal the ban on the project in the relief appropriation bill passed last month.

Bloom Joins Agency

Merle L. Bloom, formerly of the sales staff of WABC, has joined the executive staff of the Elaine-Thompson Company, Inc., in charge of all radio activities.

<Purely Personal>

HERMAN WOBBER, 20th Century-Fox general sales manager, left Friday for the coast to confer with Darby L. F. Zanuck on forthcoming product and close circuit deals.

CLYDE EDWARD'S Chicago 20th Century-Fox branch was the company's total delivery championship of the 1938-39 season. R. G. March's St. John was second.

MRS. LILLIAN TURNER of the Brandt circuit will fly this week to Sun Valley.

WILLIAM SISTROM arrives Monday from England on the Queen Mary.

EDGIE RUBEN of the RKO studio left Friday for the coast.

CHARLES COBURN made a personal appearance at Fabian's Palace, Albany, with "Bachelor Mother," in which he plays a part.

HUGH HUBER, secretary-treasurer of Hal Roach studios, left Friday for the coast.

ADOLPH SCHMIESEL of the Universal staff returns from vacation today.

M. D. BLIENEN of the Forysthe, East Chicago, Ind., is vacationing here.

Among exhibitors here for the World's Fair are H. B. EYTVIG, associated with the Lake Shore Theatre in Chicago, and his son, JULIAN; HARRY DAVID, Paramount partner with the Intermountain Circuit in Salt Lake; WILLIAM BOBPACK, booker for the Intermountain Circuit, and WILLIAM N. WOLFSON, manager of the Paramount Theatre, Montgomery, Ala.

SHERLEY ROSS will be guest of honor at the annual show of the Toronto Star in Toronto on Aug. 23.

ERROL FLYNN and LAWRENCE TIBBETT were passengers on the United Airlines’ Mainliner which arrived in New York from the Coast Friday.

EDMUND SOUMIAMI, attorney, has moved his offices to the New Amsterdam Building.

Zukor at Convention

SYDNEY, Aug. 6—Paramount's annual sales convention for Australia, New Zealand and Far East was concluded here last week with Adolph Zukor and John W. Hicks attending. They then left for Brisbane, continuing their tour of Australia which will be concluded Aug. 18, when they sail for California.

Biff in Hollywood

Hollywood, Aug. 6—William Biff, formerly west coast representative for George Brownie, I.A.T.S.E. president, arrived Friday by plane, presumably from Washington where he had gone two weeks ago. He conferred with Brownie in the east.

Joe Schwartzwalder Schine Golf Champ

GLOVERSVILLE, Aug. 6—Joe Schwartzwalder, Schine Auburn city manager, who made the lowest gross score and a hole in one at the convention golf tournament here Thursday, has been declared the 1939 Schine golf champion.

Second prize went to John Wynn of Gloversville, and third to M. A. CONROW of Allez Service. The meeting ended Friday with the following speakers: J. Myer and Louis Salath, Schine; Marsh Goldner, Marsh & Tannen, Delaware district manager; Hugh Elsasser of DeVry Corp., Chicago; A-Mike Vogel, Motion Picture Herald; Gene Curtis, Schine advertising head; and Howard Antevil, chief of legal staff.

AFL to Weigh Actors Dispute

On Thursday

villagers who have been ousted by the 4-A and will probably go into the stock of non-interference with other actors. Others doubt, however, that it would limit the Strike Funds Under Local 1 of the I.A., will refuse to sign "Leave It to Me," legitimate show in which Miss Tucker was scheduled to open Aug. 21, either to play on Broadway or go on the road. Further moves against any show on Broadway are also anticipated.

Miss Tucker was suspended by Equity Friday pending a hearing on the charges Aug. 22, one day after she was scheduled to open in "Leave It to Me." Vinton Freedley, producer of the show, said he was "in the middle," that he might sue Equity for damages and postponed the opening.

Miss Tucker denounced Equity for being "bad losers."

Ralph Whitehead, A.F.A. executive secretary, said he had received a petition from theanding to the "Ferrets," an opposition minority in the union, and that the matter had been referred to the national board.

Charges against Harry Richman, A.F.A. president, will be considered tomorrow by Equity.

TMAT Affiliation With IATSE Nears

Affiliation of the Theatrical Managers, Agents and Treasurers Union film division with the I.A.T.S.E. appears certain the union was conferred with George E. Brownie, L.A. president, yesterday.

If Brownie offers the TMAT. T.M.A. affiliation charter, the president is expected to accept and break away from the legitimate group if necessary to do so. The TMAT-T.M.A. is expected to split agents on I.A. affiliation.

The T.M.A. board of governors approved the start of talks with Brownie by a 5 to 3 vote Friday.

(Continued from page 1)

villagers who have been ousted by the 4-A and will probably go into the stock of non-interference with other actors. Others doubt, however, that it would limit the Strike Funds Under Local 1 of the I.A., will refuse to sign "Leave It to Me," legitimate show in which Miss Tucker was scheduled to open Aug. 21, either to play on Broadway or go on the road. Further moves against any show on Broadway are also anticipated.

Miss Tucker was suspended by Equity Friday pending a hearing on the charges Aug. 22, one day after she was scheduled to open in "Leave It to Me." Vinton Freedley, producer of the show, said he was "in the middle," that he might sue Equity for damages and postponed the opening.

Miss Tucker denounced Equity for being "bad losers."

Ralph Whitehead, A.F.A. executive secretary, said he had received a petition from the "Ferrets," an opposition minority in the union, and that the matter had been referred to the national board.

Charges against Harry Richman, A.F.A. president, will be considered tomorrow by Equity.

TMAT Affiliation With IATSE Nears

Affiliation of the Theatrical Managers, Agents and Treasurers Union film division with the I.A.T.S.E. appears certain the union was conferred with George E. Brownie, L.A. president, yesterday.

If Brownie offers the TMAT-T.M.A. affiliation charter, the president is expected to accept and break away from the legitimate group if necessary to do so. The TMAT-T.M.A. is expected to split agents on I.A. affiliation.

The T.M.A. board of governors approved the start of talks with Brownie by a 5 to 3 vote Friday.

TMAT Affiliation With IATSE Nears

Affiliation of the Theatrical Managers, Agents and Treasurers Union film division with the I.A.T.S.E. appears certain the union was conferred with George E. Brownie, L.A. president, yesterday.

If Brownie offers the TMAT-T.M.A. affiliation charter, the president is expected to accept and break away from the legitimate group if necessary to do so. The TMAT-T.M.A. is expected to split agents on I.A. affiliation.

The T.M.A. board of governors approved the start of talks with Brownie by a 5 to 3 vote Friday.

TMAT Affiliation With IATSE Nears

Affiliation of the Theatrical Managers, Agents and Treasurers Union film division with the I.A.T.S.E. appears certain the union was conferred with George E. Brownie, L.A. president, yesterday.

If Brownie offers the TMAT-T.M.A. affiliation charter, the president is expected to accept and break away from the legitimate group if necessary to do so. The TMAT-T.M.A. is expected to split agents on I.A. affiliation.

The T.M.A. board of governors approved the start of talks with Brownie by a 5 to 3 vote Friday.

TMAT Affiliation With IATSE Nears

Affiliation of the Theatrical Managers, Agents and Treasurers Union film division with the I.A.T.S.E. appears certain the union was conferred with George E. Brownie, L.A. president, yesterday.

If Brownie offers the TMAT-T.M.A. affiliation charter, the president is expected to accept and break away from the legitimate group if necessary to do so. The TMAT-T.M.A. is expected to split agents on I.A. affiliation.

The T.M.A. board of governors approved the start of talks with Brownie by a 5 to 3 vote Friday.

TMAT Affiliation With IATSE Nears

Affiliation of the Theatrical Managers, Agents and Treasurers Union film division with the I.A.T.S.E. appears certain the union was conferred with George E. Brownie, L.A. president, yesterday.

If Brownie offers the TMAT-T.M.A. affiliation charter, the president is expected to accept and break away from the legitimate group if necessary to do so. The TMAT-T.M.A. is expected to split agents on I.A. affiliation.

The T.M.A. board of governors approved the start of talks with Brownie by a 5 to 3 vote Friday.

TMAT Affiliation With IATSE Nears

Affiliation of the Theatrical Managers, Agents and Treasurers Union film division with the I.A.T.S.E. appears certain the union was conferred with George E. Brownie, L.A. president, yesterday.

If Brownie offers the TMAT-T.M.A. affiliation charter, the president is expected to accept and break away from the legitimate group if necessary to do so. The TMAT-T.M.A. is expected to split agents on I.A. affiliation.

The T.M.A. board of governors approved the start of talks with Brownie by a 5 to 3 vote Friday.
While the industry thrills to the news of the greatness of M-G-M's "WIZARD OF OZ" here is the ever-growing list of theatres which will play it in the biggest simultaneous launching any picture ever got! Synchronized with giant $250,000 ad campaign!

SHE LIVED ON THE WHEN
BACK STREET of LOVE!

(Here's a Selling Line and Message that will excite every woman in the country!)

It Lives and Breathes of the Greatest Moments in a Woman's Life!

John M. Stahl's Searching Artistry brought to you by Universal!

IRENE DUNNE   CHARLES BOYER

in

TOMORROW COMES

with

Barbara O'Neil · Onslow Stevens
Nydia Westman · Fritz Feld

A JOHN M. STAHL PRODUCTION

Produced and Directed by JOHN M. STAHL
Production in Mexico Faces Deep Crisis

MEXICO CITY, Aug. 6.—Depression is deepening among Mexican film producers and to some extent for their exhibition as well. Production is almost at a standstill, limited virtually to films that were started some time ago and whose producers are determined to complete them. Faulty financial conditions and lesser demand are the principal factors.

Exhibitors generally prefer American and other foreign films to those made here because the former are easy to exploit, have well-known stars, require little advertising and are sure to return a profit. The Mexican pictures are more or less speculation, demanding costly publicity, so exhibition is practically nil.

A characteristic shows that there are about 30 films made in Mexico on the shelves because of their unsuitability for exhibition. Some exhibitors hope to alleviate this situation by encouraging a demand in the Argentine for Mexican pictures.

However, the Argentine producers are seeking a market in Mexico, with 21 films having arrived here with plans for showing. The Mexican producers resent this "foreign invasion."

French pictures have recently come into popularity, and even the Japanese are attempting to make inroads, the legation having screened a dozen films for exhibition in Hollywood. The Hollywood need not worry. Nearly 96 per cent of the pictures shown in this country are American.

**Albany Incorporations**

**Albany, Aug. 6.—**Statement and designation has been filed by the Legis- lature of the State of New York incorporating the firm of the Secretary of State. Papers filed by Phillips and Nizer, 1501 Broadway, showed 400 shares of stock, 100 at $100 and 300 shares, no par value. New York office is at 1097 Broadway, with Fortune Gallo, executive direc- tor, in charge.

Papers of dissolution were filed by the Ruth Outdoor Advertising Cor- poration, Colosi, with the Secretary of State, through Isadore Taub, Al- bany.

Incorporation papers have been filed with Michael F. Walsh, Secretary & H. A. M. Corporation, Inc., New York, with A. F. Solomon, Estelle Klein and Ethel Woolf, 233 Broadway, as directors. Charles Gold- man, same address, filed the statement.

Theatre Communications, Inc., has been incorporated with total capital of $98,800 in 20 shares. Directors are Paul J. Davis, 320 E. 42nd St., New York; John S. Mannan, 100 Bridge St., Stamford, and Frank A. Visone, 87 Lake End, Rock, Merrick, L. J. Thomas W. Conable, 111-29 196th St., Rock pictures, is listed as a subscriber.

Triad Theatres, Inc., 200 shares, no par value, with George Blake, 126 Girard St., Brody, Susanne Groves, 114-20 263rd St., St. Albans, L., and Ruth Cantman, 410 E. 42nd St., New York, attorney is Frederick Silver, 110 E. 42nd St., New York.

Transatlantic Distributors, Inc., has been incorporated to conduct a motion picture distribution business, with $20,000 stock. Shares will be valued at $200. Directors are Milton Lowenthal, Saul Bernstein and Anna Schwartz, New York.

Van-Lope Amusement Co., Inc., Jamaica, has been issued a license with capital stock of $10,000, 1,000 shares. Directors are Elmer V. Olson, Herbert S. Schow and Harold C. Benhim, Lakewood. Alton R. Erickson of Jamestown is attorney.

**P.C.P. Sends First Five Before Cameras**

Hollywood, Aug. 6.—Launching the first of a scheduled 60 releases for 1939-40, Producers Pictures Corp. will open five before the cameras this month.

Exchanges have been notified of the following October release dates: Oct. 1, "Torture Ship," to be directed by Victor Halperin; Oct. 8, "The Sagebrush Family Trail," starring Bobby Clark; Aug. 7; and "The Beast of Berlin," with Sherman Scott, director; Oct. 22, "Wanted for Murder," starring Pare Lorentz, and "The Man From Oklahoma," starring George Houston, with Robert Tansey, director.

Distribution will be through its own and affiliated exchanges.

Abe Fischer, former sales executive for Gaumont-British in the Middle West, has been appointed manager of Ben N. Judell's Chicago exchange, and in addition, will act as district manager for Producers Pictures in the Chicago, St. Louis, Detroit, Cleveland, Milwaukee, Minneapolis, Kansas City, Indianapolis, and Omaha territories. Harry Rathen is eastern representative and district manager.

**Dismiss Shubert Suit**

Supreme Court Justice Edward A. McGoldrick on Friday dismissed an action for $5,300 brought by J. J. Shubert, of Chicago, on behalf of Douco Corp. against Charles D. Coburn for recovery of $3,000, representing the sales price of film rights to the play "The Farmer's Wife." Action was dismissed for failure to prosecute.

**Montreal Safety Films**

MONTREAL, Aug. 6.—City of Montreal and Province of Quebec jointly plan a series of films demonstrating public safety to children.

To Open Yonkers House Films and summer stock shows at half-week intervals will be the policy at the Warburton, Yonkers, which will be opened soon by Robert Grosman.

**Bingo Games Extended in Cincinnati**

CINCINNATI, Aug. 6.—Local exhibitors, already suffering appreciable effects of the economic depression, face even greater inroads on theatre attendance through action of City Council. A local ordinance which has been elected to include labor, civic, cultural, and patriotic organizations and thed, auxiliaries as eligible to receive playing rights from City Manager Sherrill, who, since Jan. 1, has limited permits to churches, religious and fraternal societies.

Theatre men are worried, especially since one member of the Council declared in open meeting that "Bingo is a harmless amusement and pastime, and should be played by everyone."

Within the past week the local in- dividuals have been petitioning the Council to include theatres in the eligibility list for permits, but the proposition lost by one ballot. Councilman E. H. Curtiss, Police Chief Weatherly released the July report showing 156 games having been played in the permit system, with total attendance, 188,503. Admission receipts totaled $154,426.55, prices, $37,367.48, with profit to sponsoring organizations being $117,058.71. The report showed lowest ad- mission 20 cents, with the top $1.
Banner Radio Lines

By Jack Banner

Wrong Sponsor... About 1,500 spectators sweated in one of the hallrooms at the Congress Hotel Thursday night to watch the "glamour girl" contest which WHN and Zeke Manners are conducting. The show was on the air and at the first reading of the commercial a roar went up from the perspiring crowd. A manufacturer of air cooling equipment sponsors Manners' programs.

Bowes Phone Response... Survey of telephone response to Major Bowes' program which just completed its 11th three-month period on CBS, reveals that more listeners registered telephone votes during this period than ever before. While there was an average of 8.9 calls for every 100 residence phones, the next year this increased to 43.5 calls, while the new high of the last quarter is 47.7 calls.

Gosh to Produce Independently... At the close of September, Mr. Martin Gosh will terminate two extremely successful production years at CBS by setting out on his own to produce package programs. To do the job he'll open offices in New York and Hollywood. He will, however, continue on the Bob Benchley show as production head upon the program's return to the air in October. Gosh, in opening his business, will try an idea that impresses one as a winner. Formerly with Warner Bros., he'll steal a leaf from the picture business by confining his efforts solely toward building the entertainment, and will turn over the releasing—or selling—to another agency.

PERSONALS AND NOTES... Congratulations to Bill Koslka, NBC's new publicity manager, who on Friday became the father of a boy, his second child, and of the Congress in London, now in Europe with Mrs. McMillin, will return to his desk Aug. 21. Jane Stockdale of the Chicago Compton is visiting in New York... John Taylor, general script supervisor at the same agency, will fly to Chicago on Oct. 14 or 15, to plug his program handled by the agency... Bob Coleman, the Mirror's dramatic critic, will make a guest appearance in "I Had a Chance" over NBC tomorrow night.

Congress Treats Lightly With Film, Radio Measures

(Continued from page 1)

reported by a Senate committee but not acted upon.

All of the film and radio activity was confined to the Senate, where the Interstate Commerce Committee held lengthy hearings on the Neeley block booking bill and shorter hearings on the Cullin bill. Both bills were passed by the Senate, the Barbour bill without difficulty but the Neeley bill only after long debate. A Senate committee also held hearings on the Johnson bill to ban liquor ads, on which it split with reports submitted by both the majority and minority.

In the field of film legislation, all of the pertinent bills were referred to the committee. These included the Neely, Edimon, Cullin and Celler bills to ban block booking; the Cullin bill for creation of a federal motion picture commission; the Dickstein bill to bar alien actors, on which he was turned down by his committee last year; the Hobbs bill to try out films in recording court trials; the Sirovitch, McGranery and Moser bills to create a bureau of fine arts, the Barbour and Osborns bills on fight films, and several measures dealing with copyright.

Various bills relating to the radio measures were the White, Connerie and Wigglesworth resolutions for investigation of the Federal Communications Commission and the broadcasting industry, and the Wheeler, White and Lec bills for reorganization of the FCC, asked for by President Roosevelt.

Other measures included the Celler proposal for establishment of a Government broadcasting station, the Larabee resolution for further investigation of superpower and the experiments by the broadcasting companies to operate with 500 kw., and a number of bills dealing with liquor advertising, copyright and other phases of broadcasting, such as the Maloney bill requiring disclosure where radio endorsements are paid for, the Schwellenbach bill requiring the keeping of a record of requests for time, and the Celler bill dealing with liability for defamation.

New Radio Firm

Jacques Green, Jack Kappes and Joseph Herman have formed a new radio production firm, Radiant Production, Inc. The firm will be looking for individual talent and preparing programs for television. Green is a well-known radio musician, while Jack Kappes is a contributing script writer, lately with McCann-Erickson.

RCA $724,091 Profit

Net profit of $724,091, after all deductions, for the quarter ended June 30 is reported by RCA. Six-month profit was $2,172,201 compared with $2,524,736 for the similar period last year.

NLRB to Hear Writers’ New Complaint

(Continued from page 1)

agreed to recognize S.W.G. as sole bargaining agency for writers, though no agreement was reached on the length of the contract, percentage of royalties and right of writers to own material written during layoff periods.

Case Splits NLRB

WASHINGTON, Aug. 6—Dissection among N.L.R.B. members was disclosed over the weekend in connection with the Screen Writers Guild complaint against eight major studios.

The newest member of the board, William M. Leiserson, declined to sign an amended complaint in the case. Alleging Wagner Act violations, the complaint was issued Aug. 1, calling for hearings Aug. 17.

No reason was given for Leiserson’s action. It was said at the Board that this is the first instance in which any of the members had refused to sign a complaint, which is merely preliminary to the holding of hearings.

NLRB Asks Hearing On Studio Unions

(Continued from page 1)

member here, said a hearing is necessary before an election can be held. He declared that the differences between the two unions in the holding of a certification election are “only minor.”

The U.S.T.G. hailed the move as a “victory” while the I.A.T.S.E. was silent.

The N.L.R.B. has been unable to get both parties to agree to a contingent election and also on appropriate bargaining units due to the I.A.T.S.E. being organized along craft lines and the U.S.T.G. on vertical unionism, like the C.L.O.

It is believed the Board’s action will force both parties to make fresh negotiations with the I.A.T.S.E. over the union’s demand for closed shop contract and wage increases.

Films Contributed $86,772 to N. Y. Fund

(Continued from page 1)

tributed a total of $60,433; the exhibitors group, under B. S. Moss, which contributed $3,427; the laboratory group, under H. S. Yates, which contributed $852, and the allied accessory group under Herman Robbins, which contributed $4,218.

Among the larger contributors were: The Warner Brothers, $10,000 company contribution; and $10,048 employees contribution; 20th Century-Fox, $7,500 company, and $1,817 employees; Paramount, $5,000 company, and $2,199 employees; Warner, $3,800 company, $4,000 employees; RKO, $2,500 company, $4,231 employees; United Artists, $2,500 company, $857 employees; United Artists, $1,000 company, $2,316 employees, and National Screen Service, $2,500 company, $500 employees.

New Fair Program

WMCA has scheduled a World’s Fair program titled “Fun at the Fair,” which is to begin August 21 at 8:25 a.m., and Mondays, Wednesdays and Fridays thereafter at that time.
THE THEATER

By RICHARD WATTS Jr.

IT STRIKES me that when I go to say that Walt Disney is another film man without pretentiousness or sophistication, that I am trying to write fan-magazine stuff.

Nevertheless, it is the only way in which Disney can be described, and I think it is important to say so in a community hidden by the phony pretentiousness, since the creator of Mickey Mouse, Donald Duck and "Snow White and Seven Dwarfs" is the one person working out here who can without any justification be referred to as a genius. It is strange that in so many years of connection with stage and screen I had never before met Mr. Disney or visited his studio, and it is only fair for me to report that I was delighted with the attention on caste, and it is therefore all the more pleasant to find that the Walt Disney studio is a completely democratic community in which all the employees actually do seem to be fellow workers engaged in the pleasant manufacture of masterpieces. It is not my purpose, however, to write about a studio, or even about the conception of the man responsible for the cinema's most definite works of art. I have something more pleasant to say, I have seen parts of "Pinocchio," the next full-length Disney film.

What I saw was a rough draft without color and with intermittent synchronization and most of the characters merely sketched in. Yet, even from this somewhat primitive version of what is to come I can tell you that here is an authentic masterpiece in the making which already makes "Snow White and the Seven Dwarfs" look like a scratch-pad exercise. I should warn all of the critics who raved about the earlier work to start looking up new superlatives, for here is a thing that is really lovely imagination is far ahead of anything in its field. I should tell you also, that it contains at least two new characters in the persons of Jiminy Cricket and Figaro, a kitten—that is to say, Dopey, Mickey and Donald in the rich field of the Disney imagination and will occupy a place with them in our modern folklore.
Trade May Get New Pact Draft Tomorrow

Newly revised draft of the trade practice code is expected to be given to the trade tomorrow. Company lawyers completed their work on the arbitration provisions yesterday and turned their draft of the rules over to William F. Rodgers of the negotiating committee.

The new draft, which is expected to be the one which will go into effect, will be presented at the meeting of the board of directors of the Southeastern Theatre Owners Association at Atlanta tomorrow. Ed Raykendall, M.P.T.O.A. president, will attend.

Code Retroactive
To June 1, Report

Industry trade practice code will be retroactive to June 1 and will apply on all products released on 1939-40 schedules, according to an M.P.T.O.A bulletin issued to its members yesterday.

The retroactive feature is cited in the statement, in answer to reports that distributors are deliberately delaying the putting the code into effect until the selling season is over because so many provisions apply to pictures released after the code was opened.

(Continued on page 6)

Nine New Plays Scheduled
On Broadway Next Month

By EDWARD GREIF

Nine new shows are presently planned to open on Broadway's legitimate stages in September. Four are musicals, four dramatic pieces and one is a series of revivals. No new addition to the present list of 11 now on the boards will be made in August with the exception of the possible re- sumption on Aug. 21 of "I Must Love Someone," which suspended in mid-July.

Customary optimistic predictions for the new season are being qualified this year by pointing out that three important factors may play a large part in its success. Threatened warfare between Actors Equity and Stagehands Union may tie up production in New York. Descriptions of a few companies will have to contend with the large expected increase in the number of players on the stage.

One show, "Leave It to Me," has already been cancelled by the war. At the present time, backing is difficult to obtain because of the uncertainty.

Other factors are amendment of the Dramatists Guild pact to re-introduce film company backing, and a new ticket code to open. Consensus of opinion among both producers and dramatists is that if the provision that a $15,000 payment for production in order to acquire film rights, is permitted to stand, few film companies will enter Broadway production.

Principal hope for the ticket code lies in the fact that the Spellenbill is expected to pass the City Council early in September and thus line price advances to 75 cents without further enforcement of the code by the League of New York Theatres. Violations would then be punished by the police instead of the League.

None of the three issues, however, is expected to be resolved before the opening of the new season.

(Continued on page 6)

SAG Leaders
Fly on Strike
Mission Here

Will Go Before A. F. of L.
Council Thursday

Backed by 500 strike votes already on hand, Ralph Morgan, president of Screen Actors Guild, asserted on the coast yesterday that the S.A.G. was prepared to order studio strike unless the A.F. of L. council order the I.A.T. S.E. to withdraw its charter from American Federation of Actors.

A delegation of screen actors will leave the coast by plane tonight and arrive here tomorrow. On Thursday, the delegation, supplemented by stars of radio and the legitimate stage, will appear before the council at Atlantic City.

TWA is supplying a special chartered plane with a traffic manager aboard to facilitate a speedy flight. The ship will be called the "Star Special."

It leaves Hollywood at 9:30 P.M. and arrives in New York at 5:30 on Wednesday. Those aboard will be Ralph Morgan, SAG president; Larry Storch, Edward Arnold and Arthur Lynne, Curran, Wayne Morris and Henry Hull.

Ken Thomson, SAG executive secretary, will go by plane and Chester Morris by train.

Morgan's threat was in anticipation of a move expected to be made by

(Continued on page 2)

 UA Lists Winners
In Sales Campaign

Bert Stearn, United Artists Central district manager, and Ben Fish, Far West district manager, tied for first prize for the company's district managers in the 20th anniversary sales drive which ended July 1. Cash prizes will be awarded to a large number of winners in various classifications.

Harry Gold and L. J. Schlaffner, United Artists vice-presidents, described the drive as the most successful in the company's history.

Winners in other divisions are: James Honder, Cincinnati, leading Eastern division salesman; F. M. Higgins, Seattle, leading Western division salesman; Guy Navare, San Francisco, leading Western division manager; D. Griesdorf, Winnipeg, leading Eastern division branch manager; Ray Curran, St. Louis; Elmer

(Continued on page 2)
COMMUTER AIR SERVICE!

TO CHICAGO
4 HRS. 35 MIN.!

Now — 8 Fast Flights a Day!

Now there's a fast TWA flight to Chicago any time you want it! TWA's new, frequent, convenient departures actually make it possible for you to commute by air to Chicago!

TWA's Nonstop "Sky Chief" leaves 3:15 p.m. daily, and arrives at 6:34 that night! Also Nonstop "GoldCoast" leaves at 4 p.m.; arrives at 7:05. Six other convenient nonstop flights! ... $44.95

Schedules Shown are Standard Time
10% Discount on Round Trips!

Phone Travel Agent or N0 6-1640
Transcontinental Western Air In
70 E. 22d St. — Air Desk, Penn. Station

SHORTEST, FASTEST COAST-TO-COAST

MOTION PICTURE DAILY

Tuesday, August 8, 1939

TMAT Battle Today Over I. A. Charter

(Continued from page 1)

urors, too, are in favor of affiliation.
Walter O'Conner, their chairman, is one of the leaders in the affiliation move.
The committee which conferred with Brown included Sol Abraham, president; James Murphy, Charles P. Carroll, Joseph Grossman and Murray Seaman, William Fields, press agent, refused to attend.

Petitioners who signed the request for the special meeting of the govern-

ors were Carroll, Joseph Silverman and Charles Sholdo, of the film divi-
sion, and Thomas Burke and Charles Bowman, of the legitimate stage side.

Also set for tonight is an executive board meeting of the M.P. Division.
Up for discussion will be a strike against the Paramount, Springfield, which is scheduled to reopen Thursday, and continuation of a strike at Vogue, Bronx, which reopened today.

UA Lists Winners In Sales Campaign

(Continued from page 1)

McKinley, Washington; Jack Reid, Winnipeg; Roy Sachs, Dallas; Harold Hardin, Seattle, and David Brown, Pittsburgh, Boos of the leading branch in each district.

In addition, all employees of the San Francisco exchange will receive a prize as a result of that branch's record in exceeding its played and earned quota by the greatest margin of any exchange during the drive.

MOTION PICTURE DAILY

Tuesday, August 8, 1939

SAG Leaders Fly on Strike Mission Here

(Continued from page 1)

Stagehands' Union, Local 1, I.A.T.
S.E., to tie up Broadway legitimate shows for 24 hours, subject to the action of Justice Wagner. Representatives of Sophie Tucker, A.F.A. president, were in the city.

Meanwhile, the A.F.A. continues to operate in the vaudeville field and is preparing to move into larger quarters shortly.

Courtroom sources revealed that a decision on the application for temporary injunction made by A.F.A.'s Friday evening that the Legitimate Artists of America and American Guild of Variety Artists will be hand-
ed down at noon today.

Broadway producers, worried by threatened labor war which has already forced the closing of one show, "Leave It to Me," are considering steps to prevent further casualties.

Board of governors of League of New York Theatres met tonight for discussion of the problem.

RFC $750,000 Loan To Disney Revealed

WASHINGTON, Aug. 7—Reconstruction Finance Corporation's monthly report issued today disclosed that Walt Disney was advanced $750,000 at about the same time that an advance of $400,000 was made to Educational Pictures by the RFC.

It was explained, however, that no information regarding the making of loans is made public other than in the RFC's reports, participated in the Disney financing with the Bank of America and National Trust and Savings of Los Angeles.

Harry Warner Sails Abroad Tomorrow

Harry M. Warner, president of Warners, is scheduled to sail for Europe tomorrow on the Queen Mary. He will confer with company repre-
sentatives in London and Paris, including Sam Sax, who is in charge of British production.

Mr. Warner managing di-
rector in Great Britain, who has been visiting here, will sail on the same boat.

River's Depth

Movietone Cameramen On Air in Tunnel

Deep below the surface of the East River, Al Gold and Leroy Kennedy, Movietone News cameramen, were interviewed while at work on the "Movietone on Air in Tunnel" program CBS Saturday night.

The interview took place while the cameramen shot film of the construction work of the Queens Midtown vehicular tunnel, from 42nd St. to Long Island City. This was at the middle point under the water, about 125 feet.

Truman H. Talley, producer of Movietone in New York, and Cleve radio tieup, with Dan Doherty acting as technical adviser. Brewer Morgan, producer of the air show, and John Reed King, announcer, handled the "mike" end.

Newsreel and radio crews were in the unfinished tunnel for three hours, much time being required to set up the lights, cameras and wires. The interview on the air required a half hour.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

Published daily except Saturday, Sunday and holidays. By Consolidated Publishing Company, Inc., Rockefeller Center, New York City. Telephone Circle 7-3000. Cable address "Quispabu, New York," Martin Quigley, Editor-in-Chief and Publisher; Colvin Brown, Vice-Pres, General Manager; Watters R. Rothacker, Vice-President; Sam Shain, Production Editor; William Weitzer, Art Director; Joseph Silverman, Managing Editor; London Branch: Canary Wharf, 18, and 23, North Wharf Road, London, England; Foreign Manager; London Bureau, 24 South Michi-
gan Ave., Chicago, Illinois; London Depot, 9, Long Acre, London W.I, England; Corresponding Editor, London, England; or The American Institute of Theatrical and Allied Arts, 111 W. 57th St., New York, N.Y., or by cable address "Quispabu, London." All contents copyrighted 1939 by Motion Picture Daily. No part may be reprinted without the permission of the publishers; Motion Picture Herald, Better Theatres, Teatro Ad Astra International Motion Picture Almanac and Fame. Entered as second class matter at New York, N. Y., under the act of March 3, 1879. Subscription rates: $5 per year in the Americas and $12 foreign. Single copies 10c.
"PAPA'S NOT HOME
HE WENT TO SEE
'LADY OF THE TROPICS'!"

Dear Mr. Exhibitor:

We have just screened a picture which will be in the headlines of the trade press box-office reports immediately after release, August 11th. When you book the picture, just call out the cops and settle down for a long run. Here comes ROBERT TAYLOR, HEDY LAMARR in M-G-M's "LADY OF THE TROPICS."

Directed by Jack Conway • Produced by Sam Zimbalist • Screen Play by Ben Hecht

THE FRIENDLY (especially in Summer!) COMPANY
New York Crowds and Critics Thrill and Cheer as Carole Battles Kay for Cary!

"Magnificently done...has superior quality...a generally excellent cast contributes in making it one of the most adult and enjoyable pictures of the season."

-B., N. Y. Times

"...As real and believable as one would ever wish to encounter...A first-rate emotional film that will bring tears to the eyes...fine and entertaining."

-R. W. D., N. Y. Herald Tribune

"A fully grown-up drama of love...will interest the women particularly, for it deals with their problems not only realistically but boldly."

-Bland Johaneson, N. Y. Daily Mirror

"Fine direction and splendid acting."

-Kate Cameron, N. Y. Daily News

"Easily one of the better bets for moviegoers...Carole Lombard cast with Cary Grant and Kay Francis in 'triangle' situation of absorbing interest."

-B., N. Y. Journal & American

"From first to last it is realistic, beautifully executed and fascinating...A refreshing summer film, light in tone and absorbing in its character studies."

-Sidney B. Whipple, N. Y. World-Tel.

"Romantic drama with glittering cast...convincing and interesting...should prove a profitable tearjerker."

-Eileen Creelman, N. Y. Sun

"Good...glorifies the other woman...yesterday’s crowded houses seemed enormously pleased."

-Archer Winsten, N. Y. Post
ANOTHER SUMMER SENSATION FROM THE COMPANY THAT JUST RELEASED "BACHELOR MOTHER!"... FIRST DAY OF "IN NAME ONLY" TOPPING THE BIG ONES RIGHT AT THE PEAK OF THE SUMMER'S HOTTEST WEATHER!... NO WONDER DOZENS OF OTHER PRE-RELEASE KEY RUNS ARE ALL SET FOR THE NEW HIT SHOW TO COME THEIR WAY!

Carole Lombard
Cary Grant
Kay Francis

"IN NAME ONLY"

CHARLES COBURN • HELEN VINSON • KATHARINE ALEXANDER
JONATHAN HALE • MAURICE MOSCOVICH

PANDRO S. BERMAN in charge of Production • Directed by John Cromwell
Produced by George Haight • Screen Play by Richard Sherman

we say BIG ONES from RKO RADIO!
9 New Plays
To Broadway
In September

(Continued from page 1)

is expected to be settled before the new season gets under way later Labor Day.

Musicals set for September include George White’s new “Shuffle in the Shade,” Leonard Sillman’s “A Midsummer Night’s Dream,” with music by Benny Goodman and the locale altered to New Orleans in the 19th century, to be produced by Erik Charell and Jean Rodney; “Buggy Ride,” based on a book by Don Herold, to be produced by Lew Gessler and to star Joe Cook; and a new edition of “Houseboat on the Styx,” with new music for the show by the same team, a run 11 years ago, to be produced by Ned Jacobs.

Revive Old Favorites

Leonard Sillman plans to revive old favorites in two new runs with permanent acting company supplemented by guest stars. Other dramatic pieces include a dramatization of Adolph Miller’s “My Mother Wet the Window,” set in the Revolutionary War by Charles O’Neill, to be produced by Actors Repertory Co.; “The Astoried Ostrich,” a farce of interest to George Mencken, to be produced by Ted Hammerstein and Martin S. Meyers; and “Skylark,” a domestic farce by Hildegarde Stucky, to be produced by John Golden and to star Gertrude Lawrence.

Plans beyond September are necessarily uncertain, as new ideas are always scheduled for October. These include a comedy by George S. Kaufman and Marc Harmon about a tour lecturer, to be produced by Sam H. Harris: “Ladies and Gentlemen,” a court room comedy by Ben Hecht and Charles MacArthur, to be produced by Gilbert Miller: “Too Many Girls,” a college musical with book by George Mark and music and lyrics by Richard Hart, to be produced by George Abbott; and “John Henry,” dramatized by Roark Bradford from his book of the same name, to be produced by Jacques Wolfe. Paul Robeson may play the lead, and it will be produced by Sam Byrl in the male lead. The Group Theatre plans four plays, including an intimate revue and an original by Clifford Odets.

Brock Pemberton is considering a play dramatized by Colin Clements, Roger Frank and John Gavette based on the short story “A Strange Meetings,” by Mark Twain, which they have called “The Awful Age.” Gessler has four more besides “Buggy Ride.” They are: “Play by Ernest Hemingway,” a musical with book and lyrics by Frank Loesser; “The Woodrow Wilson by Morris Zat;” and a musical by William F. Stucky, music by Harry Lafferty and lyrics by Bert Shevelove.

My Dear Children’l Due

Richard Aldrich and Richard Myers will bring “My Dear Children” by Catherine Pomeroy and Jerry Horwin, a comedy about parents touring since March, into town sometime in December. Doris O’Donley is slated to play the female lead in the place of Elaine Barrie. In addition they have scheduled “Foreigners,” a comedy by Frederick Loesdale; another by Melanie, possibly for Joan Crawford; and “Rats of Norway,” by Keith Winter, which is scheduled for a production in a London six years ago.

Golden is considering a revival of Frank Craven’s “The First Year;” a musical of “The Irish Rovers” playing in London six years ago.

Fredric March and Joanne Dru will star in a new production of “The Talk of the Town” in London, scheduled for a New York tryout in early fall.

Hollywood, Aug. 7.—The M-G-M publicity building for Leo, Jn., flowered in a studio party for the press on Friday and “man bites dog” isn’t news any more. Leo, Jn., hit publicity man Bill Blowitz on both hands.

Myke Lewis, who joins Harry Sherman Productions as director of sales, spent 25 years as a Paramount sales executive here and in New York. He left for the post a few months back because of ill health. Well again, he leaves shortly on a sales tour of Paramount exchanges in behalf of Sherman sales.

Curtis Edwards’ 69th birthday is today, Aug. 7. A hot Adirondack trip, at the Santor Hotel, L. A., and Eddie Can- tor, whose 25th year in show business was celebrated at the same hostelry a year ago, just to put the biggest affair of his kind ever held hereabouts, is chairman of the committee in charge of arrangements.

World preview of “Nurse Edith Cavell” has been postponed to Aug. 17 and Zasu Pitts, 21 years in pictures, is said to rule that of long standing to attend.

May Robson and C. Aubrey Smith, who are just about the best liked performers in Hollywood, are to be co-starred by Herbert Wilcox in “Have Her Fling,” a story he and Michael Hogan are basing on their idea that two such grand crooks ought to be paired in a picture.

RKO has decided “Sued for Libel” is a better title than “Headline Holiday.”

Erie C. Kenton, who directed “Everything’s On Ice” for Sol Lesser, will direct “Escape to Paradise,” Bob Breen’s next song film.

Story Dept.—Ben Jeudell’s Producers Pictures Corp. has signed Lorenzano to write the sequel play of “Mystery Express.” Warners have purchased “You Have to Learn Sometime,” by Richard Ourisman, and “The Munitions,” a pirate story by Vaughn Elston.

Playing—Piscilla Lane goes into “The Patent Leather Kid” opposite George Raft for Warners... Benny Clark, 13-year-old cowboy champion, has been selected to prepare for the first of his series for Producers Pictures, scheduled to start in September... Hasley Stafford, Baby Snook’s petted male parent, has contracted to enact a British soldier seriously in Paramount’s “The Light That Failed”... Jack Johnstone is slated for a supporting part in Monogram’s “The Murder in the Big House.”

Walters will make “Underground” as a successor to “Confessions of a Nazi Spy.” It’s a story of the under-ground movement in America for the Reich. John Garfield and Geraldine Fitzgerald will be featured. Anatole Litvak will direct... James Cagney and Mae Clarke are in “Invisible Stripes,” carrying on the “Each Dawn I Die” combination.

Frank Morgan has been added to the cast of “Balaikina” at M.G.M. The studio has acquired “Moving Pictures,” an established story by Eric L. Ergenbloom.

Weather Report—Temperature got up to 85 for a few minutes the other day, and that night it sprinkled. Town’s gettin’ common.

Gilbert & Sullivan Organization Society, a repertory company. Laurence Schwab and Courtney Burr are preparing a musical version of Gilbert and Sullivan’s “The Gondoliers” to be called “The Gondoliers.”

Hulbert Kills Folly Suit Against U. A.

Federal Judge Murray Hulbert yester- day dismissed the $750,000 treble damage anti-trust suit of Folly that United, Holding & Maine, now United Artists Corp, with leave to the plaintiff to amend its complaint within twenty days by the inclusion of a charge of conspiracy on the part of United Artists.

Decision does not affect the status of the remaining defendants which include the seven others, major Monogram Distributing Corp., Republic Pictures Corp, and Real Art Producers, and suit is likely to be settled.

At the same time, Judge Hulbert ordered Folly Amusement to file a motion for a preliminary injunction which charges defendants with conspiracy to force the plaintiff to close its Folly Theatre in Brooklyn through illegal restraint to obtain product. An application of Loew’s Inc, to strike out allegations of the complaint as inmaterial and irrelevant was de- nied.

Fearing Nothing, Schine Reply To Trust Suit

The U. S. Department of Justice alleges that the Schine chain of 190 movie theaters is a monopoly and one of the leading motion picture producing companies, are acting in restraint of trade.

Adverse judgment by the government is the allegation that the defendants kept theatres closed in certain small cities to prevent them from competing if they appeared.

The 21 defendants are divided into two groups, known as the “Schine defendants,” and the "distributor defendants.” The latter include the motion picture companies who maintain exclusive arrangements in the various communities.

The suit was filed at Buffalo by R. Norman Kirchgraber, assistant fed- eral prosecutor and it was an application to Federal Judge John Knight for an order to serve the Schine chain of theaters in Ohio, with headquarters in Cleveland.

The complaint was signed by At- torney General Frank Murphy, Thur- ston Moore, assistant attorney general in charge of anti-trust investiga- tions, U. S. Attorney George L. Groves, and three other attorneys.

The Schine circuit operates in 37 communities in New York state alone. It also operates in Ohio, Kentucky, Maryland and Delaware.

Orders New Trial Of Plagiarism Case

U. S. Circuit Court of Appeals yes- terday reversed a $50,000 verdict for $1,000,000 plagiarism suit of Dolores Lacy Collins as administratrix of the estate of Jimmie Collins against M-G-M and ordered a new hearing on the defendant’s application.


Fear Nothing, Schine Reply To Trust Suit

asked in the suit filed under the Scher- man Act

Code Retractive to June 1, Report

(Continued from page 1)
sales negotiations rather than to the signed contract.

"Thus the bulletin points out, "agreements or understandings" sec- cured from the exhibitor by chiseling film salesmen" will not be binding after the code is in effect.

It has been the opinion of the code’s drafters to make some provi- sion for settlement of trade disputes by conciliation and arbitration, which, it contends, forces the exhibi- tor to "bring a lawsuit" in order to have a grievance determined. It has been the opinion that conciliation was chosen over conciliation only to appease Allied States, "a minority fac- tion of exhibitors who have since repudiated the whole project."

The bulletin speaks optimistically of the recent industry conferences with official of the Department of Com- merce, expressing the hope that they will result in Federal assistance in achieving industry self-regulation.
"STANLEY AND LIVINGSTONE"
OPENING WEEK-END TOPS
EVERY 20th HIT BUT TWO*
IN ENTIRE ROXY HISTORY
and plays to bigger crowds
than any other theatre in
New York City!

* The exceptions: the phenomenal
records of "Alexander's Ragtime
Band" and "Jesse James"
Hollywood, Aug. 7.—Thirty-three pictures were shooting this week in Hollywood studios, and, as of this writing, twenty-seven are being prepared, and 86 are being edited.


M-G-M started one, short subject, Columbia, RKO and Warners each one finished. M-G-M is preparing one, twelve are being edited.

Van Buren Greets ‘Leading Citizen’

Van Buren, Ark., Aug. 7.—Bob Burns came home to Van Buren this week as the star of a CBS coast-to-coast broadcast preceding the premiere of the comedian’s Paramount film, “Our Leading Citizen.”

The program, the stage of the Bob Burns Theatre here, was witnessed by 42 newspapermen from neighboring states and leading southern citizens. Gov. Carl E. Bailey of Arkansas opened the morning and led telegrams from other governors.

Also on the program were Mayor T. G. English of Van Buren, Susan Haywood of Springdale, and Mrs. Frances W. Shaver, once Burns’ high school teacher. A musical program was presented by the local orchestra as part of the half-hour broadcast, from 8 to 8:30 P.M., C.S.T. Bill Slatzer was the announcer.

The film was shown in six theatres simultaneously in Van Buren and its twin town, Fort Smith. Tickets were sold for five houses, the Bob Burns Theatre having been reserved for the press and distinguished guests. The stars made personal appearances at all six houses before the film started.

Griffith Shifts Personnel

Oklahoma City, Aug. 7.—Griffith Amusement Co. has made the following changes in personnel.

E. R. Sclosun, operator of the Earl of Chester’s, Okla., has taken charge of all Griffith theatres in that city. He has become a Griffith part-time in El Reno. Kenneth Riddle, who has succeeded Sclosun, the El Reno theatre, has been transferred to Okmulgee, Okla., where he is city manager.

Turner Morrissey, city manager in Seebe, Okla., has resigned and been replaced by Calvin Council, who formerly managed Wellington, Tex. theatres. W. L. Turk at Sundray, Tex., has been appointed manager of Wellington theasres. Charles Oliver, assistant manager in Lampasas, Texas, for Griffith has been promoted to city manager of the Sundray, Tex., houses.

Recoveries After Operation

Des Moines, Ia., Aug. 7—J. J. Spandau, manager of the Universal Film exchange here, has returned to his office fully recovered after a recent operation in an Omaha hospital.

Bucks Connecticut House

Deep River, Conn., Aug. 7—The Essex Square Theatre here has acquired the 499-seat Pratt’s Theatre, formerly operated by Louis E. Pratt, and has closed the building for renovation. It will reopen about Oct. 1., Louis Pratt will be retained as manager.

Closed 10 Years, Reopens

Benton, Ark., Aug. 7—Wallace Kauffman, who has operated the Imp. here for 18 years has reopened the Baxtite. The theatre, closed 10 years, has been renovated.

British 16mm. Film Laws Go Unrevised

London, Aug. 7—The situation regarding the application of the existing 16mm. film laws remains virtually unchanged following the publication today of a report of the Home Office advisory committee, which has been appointed to investigate the situation.

Safety and censorship were exhaustively studied but no changes or new legislation were recommended. The committee considers the risk of fire and panic as negligible. It is expected that exhibitors will be satisfied with the report, in view of the refusal to tighten the regulations for competitive film exhibitions.

Theatre Personnel Notes

Sells Monona Business

Monona, Ia., Aug. 7—A. S. Sillen, owner of the Plaza Theatre here, is reported to have sold the business to Elmer Wesa of Hibbing, Minn., cf. Haines, Barron, Wis., where he will teach in a high school.

To Reopen in Cleveland

Cleveland, Aug. 7.—The Penn Square Theatre, closed all summer, will resume a foreign picture policy when it reopens on Aug. 15.

Closed for Remodeling

What Cheer, Ia., Aug. 7—The What Cheer theatre has been closed for a few days for a complete remodeling. New sloping floors are to be laid, two exits leading to the front added, ceiling lowered, the lobby, and the interior redecorated.

“Take a Chance” Night

Winfield, Ia., Aug. 7—E. S. Thompson has cancelled his Tuesday and Wednesday evenings at his Winfield theatre as “Take a Chance” night. Admission is ten cents, and buying a ticket that finds he has seen the picture before, can get his money back at the box-office.

Washington Club To Honor Lichtman

Washington, Aug. 7.—The local Variety Club will hold a testimonial dinner for John Lichtman, manager of the Civic Theatre here, on Aug. 18. It is understood that he will be present.

Negotiate Seattle Union Agreement

Seattle, Aug. 7.—One thousand members of six Seattle Theatrical unions for the last two years and the Northwest Tied看不到 共同工会, which contract would be effective for one year from the above date. Unions included in the negotiations are exhibitors, actors, musicians, projectionists, theatre employees, billing and building service workers.

British Industry Honors Quigley At London Party

London, Aug. 7.—Many leading executives and prominent members of the film trade, assembled at the Dorchester Hotel here last Monday to give Martin Quigley, head of Quigley Publications, on his visit to London. Every branch of the industry was represented and general opinion was that the delegation was the most representative and most pleasant group in the film trade.

Among those present were: Sam Eckman, Jr., and Ben Goetz, chief of M-G-M, and chief of M-G-M East production, respectively; Robert Karsch, executive producer for 20th Century Productions; George Archibald, joint managing director of United Artists and Associated British; W. J. Gell, chief of Pathe Pictures; Sam Sax, executive producer of Warner Bros. First National, Irving Asher; Neville E. Neville; Sam Smith of British Lion, and C. G. Dickinson, sales manager of Paramount.


Labor’s ambassador was there in the presence of George Elvin, secretary of the A.C.T.

The documentary file was reproduced by Paul Rotha, Jack Holmes and others.

Percy Phillipson of Automatic; Oliver Bell, director of the British Film Institute, who represented the Dominions.

Cleveland Theatres Talk Union Contract

Cleveland, Aug. 7.—John D. Kalafat has resigned as chairman of the labor committee of The Cleveland Motion Picture Exhibitors Association after two years of uninterupted activity for the past 25 years. He is succeeded by G. W. Erdman, secretary of the association.

The committee is negotiating with Local 160, I.A.T.S.E., on a new scale agreement to go into effect Aug. 31 upon the expiration of the present two-year agreement. These negotiations affect only independent theatres in the Greater Cleveland area.

Equity Acts Today Upon Ticket Code

Council of Actors Equity will meet today to consider the tentative report of the Resolation Code Committee which recommends resumption of negotiations with League of New York Theatres for a code for the new season. However, it appears likely that the committee have not been made public but it is known that they will include provisions for the establishment of a distribution of tickets to brokers, a new procedure for hearing grievances and changes in the composition of the grievance board. The final report of the committee is expected to meet again Aug. 17 to make final recommendations.
Huge Tribute
To Blumberg
By Exhibitors

700 Theatre Men Boost Testimonial Drive

A spontaneous exhibitor tribute to Nate J. Blumberg, Universal president, is under way in the form of an organized drive by theatre owners to supply contracts and play dates for the company's new season product, it was disclosed yesterday.

Spyros Skouras, head of National Theatres, is chairman of the testimonial drive which is believed to be the first of its kind initiated by exhibitors for a major company chief executive in the industry.

Mort Singer is chairman of the western activities and N. L. Nathanson of those in Canada. With approximately 700 exhibitors already participating, the move is spreading now to foreign territories. It is intended as a recognition of Blumberg's work in developing Universal as a company of "exhibitors for exhibitors."

Blumberg was formerly head of RKO Theatres and after entering Universal chose a number of former theatre executives for key administrative posts at both the studio and home office, notably Cliff Work as studio head and Matthew J. Fox as a vice-president.

Fox, who is now in New York from (Continued on page 11)

' Raffles' Third Film
Upon Goldwyn List

HOLLYWOOD, Aug. 8.—Samuel Goldwyn will produce a third picture for United Artists release next season. The film will be "Raffles," with David Niven starred, and Olivia de Havilland in the leading feminine role. John Balderston did the adaptation, and Sam Wood will direct. The film goes into production within two weeks.

Sol Lesser has signed a contract with Selznick International Studios, whereby he will shoot all his United Artists releases at the Culver City Selznick plant.

In association with Ernst Lubitsch, he will put "Our Town" before the cameras later this year. Hal Roach will start production on John Steinbeck's "Of Mice and Men," next Monday, with Lewis Milestone directing. Burgess Meredith and Lon Chaney, Jr., who have the leading roles, have been signed to long term contracts by Roach.

Summary of Union Warfare

1. Studio crafts will be asked by A. F. of L. to strike, if necessary, to crush CIO in Hollywood.
2. Producers and I.A.T.S.E. reach tentative agreement on five-year contract; U.S.T.G. condemns move.
3. Probability looms that every major theatre and studio in country may be closed as result of AFA-AAAA controversy.
4. Harry Richman, APA vice-president, temporarily suspended by Actors Equity.

Strike Peril
In Industry
More Acute

Bitterness Grows as AFL Meeting Nears

With the intertwining entertainment union controversy becoming more and more tangled, with the CIO-Fed. post-sensational developments, eyes of the entire motion picture industry and its relatives, involved today were those of Atlantic City where tomorrow the American Federation of Labor Council will formally hear the charges and counter claims.

The Atlantic City hearing will be closed to the press and to the public and only the official delegations, including the one which is due here by plane and train from Hollywood today, will be received into the hearing room, it was announced last night.

William Green, A. F. of L. president, appeared jittery over the entire situation, and admitted the muddled nature of the raging controversies which began when the CIO, was deprived of its charter by the A.A.A. about a month ago.

Green said he was uncertain about the jurisdictional angle, adding:

"It has been alleged that no jurisdiction was defined for the 4A when it was entered way back about 1902. We have been searching, but haven't found it. I don't know yet what the jurisdiction is. If we can't find what this jurisdiction is, the..."

IA, Producers
In Tentative
Studio Pact

HOLLYWOOD, Aug. 8—A tentative agreement on a five-year contract covering crafts held by the I.A.T.S.E. when it participated in the studio labor basic agreement was reached today between producers and Alliance officials.

In a joint statement, John Gately, international representative of I.A.T.S.E., and Joseph M. Schenck, chairman of the producers' negotiating committee, declared the pact covering terms of agreement is being drafted now and that negotiations would start immediately on hours, wage scales and working conditions.

Schenck reiterated his statement made in behalf of producers Monday night that negotiations with I.A.T.S.E. representatives do not involve the status of other contracts with studio employee organizations.

His statement last night was as follows:

"Pending negotiations with representatives of I.A.T.S.E., growing out of demands for closed shop, do not in any manner threaten existing contracts between producers and studio employee organizations.

"Producers will observe in strict accord with their terms all contracts now in existence, including those with the Screen Actors Guild, the Screen Directors Guild, American Society of Cinematographers and other agreements of similar nature.

"Nothing will arise in the present negotiations or in any negotiations in the future which shall cause producers to invalidate or impair contracts.

(Continued on page 2)

Strike Initiated
To Crush CIO
In Hollywood

LOS ANGELES, Aug. 8.—International unions having locals among the production crafts in Hollywood, the Labor Council in an emergency session last night drafted a long resolution declaring U.S.T.G. is invading the boundaries of all A.F. of L. crafts and asked representatives of affected International locals who are meeting this week in Atlantic City to prepare for a strike call and set up funds and facilities for an emergency.

J. W. Buzzell, executive secretary of the Council, flew from here to Atlantic City, bearing copies of a resolution for presentation to leaders of teamsters, electrical workers, musicians and carpenters Internationals, all of which are in the basic studio labor agreement; I.A.T.S.E. and such organizations as plasterers, plumbers, machinists, and stationery engineers which do not hold bargaining agreements with studios.

Also condemned in another resolution (Continued on page 2)

RKO Credit Claims
Hearing on Friday

Federal Judge Bundy yesterday set Friday for hearing of a petition of Irving Trust Co. as RKO trustee for court approval of settlement agreement reached with six RKO reorganization creditors on claims aggregating more than $2,240,000.

Claims of Public-Ixiana Corp. for $1,602,900 and of Orpheum Theatre Co. for $124,083, which are to be expedited; claim of Criterion Advertising Co. for $404,086, which is to be reduced to $314,333; claim of Alfred E. Siegel for $240,601, which is to be reduced to $11,672; claim of Chemical Bank & Trust Co. for services as trustee under a collateral note indenruable to be allotted as a preferred claim at $4,568, and claim of the U. S. Bank of Denver to be allowed as a general claim at $81,168.
AFL Employs Strike Threat
To Crush CIO

WALT DISNEY next Monday will have a "Donald Duck day" at the World's Fair, with events expected. Antonette Spitzer of RKO publicity is handling arrangements.

Back at their desks at the Altos home office are L. W. Conrow, president, and Bert Sanborn, Jr., president of the Altos of L., New York. L., and the Altos of L. local in another field has had a petition on file for the past two weeks. No action has been taken on it. The Board should suddenly become interested in a motion picture case affecting a motion picture industry, which should be made in a prejudicial attack against the A. F. of L.

Walt Disney
(Continued from page 1)

Warners Will Shift Philadelphia Policy
PHILADELPHIA, Aug. 8—Effective Aug. 25, Warners again will shift policy in most of their local theatres. The Stage shows will return to the Earle from the Fox, leaving the latter on a straight film policy.

The Capitol, for years a grind house with a daily change, will become a first run, using the product which formerly went to the Earle. Keith's will reopen as a third run, with frequent changes. The Stanton, Karolton and Palace will continue their second run policies. When the Aldine reopens, it will be a V.A. house as before.

Delay Ticket Code Action
Consideration of ticket code proposals for the new season was postponed until Aug. 22 by the Actors Equity council yesterday because consideration of the L.A. T. S. E. problem prevented discussion of the code. Charges against Paul Haakon were dropped when American Guild of Musical Artists offered to withdraw them. Haakon has joined A. G. M. A.

3 Flights Daily
NEW YORK
TO
LOS ANGELES
It's Cool All the Way!

THE PLAINSMAN
Lv. 7:10 A. M. Ar. 12:29 A. M.
Lv. 11:30 A. M. Ar. 7:31 P. M.

THE SOUTHERNER
Lv. 7:25 A. M. Ar. 1:25 P. M.
Lv. 4:15 P. M. Ar. 11:15 P. M.
Ask your travel agent or phone American Airlines
34 Vanderbilt Ave., and Rock-
efeller Center at 18 W. 49th St.

MOTION PICTURE DAILY
Wednesday, August 9, 1939

IA, Producers
In Tentative
Studio Pact

WALT DISNEY next Monday will have a "Donald Duck day" at the World's Fair, with events expected. Antonette Spitzer of RKO publicity is handling arrangements.

Back at their desks at the Altos home office are L. W. Conrow, president, and Bert Sanborn, Jr., president of the Altos of L., New York. L., and the Altos of L. local in another field has had a petition on file for the past two weeks. No action has been taken on it. The Board should suddenly become interested in a motion picture case affecting a motion picture industry, which should be made in a prejudicial attack against the A. F. of L.

Walt Disney
(Continued from page 1)

Paramount Seeks Dismissal of Action
Paramount Pictures, Inc., asked Federal Judge Conger yesterday to dismiss the minority stockholders' suit against Samuel Acheson and Frank Jablokov, brought against it, its officers and directors, American Telephone and Telegraph Co., Western Electric Co. and the three major companies, which had acquired stock subsequent to the merger of management and an agreement charged against the officers of Paramount. Judge Conger reserved decision.

Paramount Snub
Over Dramatic Work
Suit for $100,000 damages and an injunction was filed yesterday in the N. Y. Supreme Court against Paramount Pictures, Inc., by Opera Under the Stars, Inc., plaintiff contends that it owns exclusive rights to a dramatic musical work called "Un Homme en Habit" ("A Man in Dress Clothes") and that Paramount has either produced or is planning to produce a film adapted from the work.

Republic-Griffith Deal
Republic has closed a new season product deal with Griffith Amusement Co., covering 42 towns in Oklahoma and Texas. James R. Grainger, president, yesterday, William Underwood and Sol Solomons were in Oklahoma franchise holder representatives, and Bill C. Huggins, southern district manager, represented Republic, and Horace Falls represented the circuit.

Coward to Visit Studio
J. Cheever Coward, Universal board chairman, will leave at the end of the week for a brief visit at the Coast. Coward, who has made his studio his Summer headquarters, will return to the home office in about two weeks, at which time Matthew J. Fox, vice-president, who is now in New York, will return to the studio.

Patent rights of the industry producers and the multitude of union jurisdictional problems created by the diversity of talent, skill and experience required to produce motion pictures, we propose to give every effort to working out those problems in such a way as we deem best for permanent progress and peace of industry. We hope by conference and negotiation to improve the conditions for the common benefit of all concerned.

As the Gateley and Schenck statement was being prepared, representatives of the United Studio Technicians Guild, producers and two L.A. T. S. E. attorneys attending an impasse conference called by the N.L.R.B. attorney, William Walsh, who was supposed to preside over the hearing into the jurisdictional fight between the Alliance and U.S.T.G.

After the conference, Walsh issued the following statement:

"By reason of the failure of all parties on stipulations to expedite the holding of this hearing, it will be necessary to request the judge to adjourn the course. Accordingly notices of the hearing are being prepared and sent out. The hearing is tentatively set for Aug. 16."

Present were A. H. Peterson, A. F. of L. representative; Howard Roberts, U.S.T.G. officials; Charles Katz, U.S.T.G. attorney; Harold V. Smith and Lew Blix, I.A.T. S. E. officers; Leo Rosenbaum and Howard Leids; Herbert Ashton, Mitchell, Herbert Freton and Jack Carr, producers' attorneys.

Upon hearing of the agreement between A. G. M. A. and Warner brothers, Robertson, acting chairman of U.S.T.G., characterized the move as an "obvious movement on the part of Schenck to

(Continued on page 11)

Republic
(Continued from page 1)

utual obligations which they have made. A fundamental cooperation which are essential to the welfare of this industry and every person connected with it, cannot well be maintained or extended except upon solid foundations of complete good faith. We propose to act in respect to this industry's good faith.

"Despite complete complexity of the industry problems and the multitude of union jurisdictional problems created by the diversity of talent, skill and experience required to produce motion pictures, we propose to give every effort to working out those problems in such a way as we deem best for permanent progress and peace of industry. We hope by conference and negotiation to improve the conditions for the common benefit of all concerned.

As the Gateley and Schenck statement was being prepared, representatives of the United Studio Technicians Guild, producers and two L.A. T. S. E. attorneys attending an impasse conference called by the N.L.R.B. attorney, William Walsh, who was supposed to preside over the hearing into the jurisdictional fight between the Alliance and U.S.T.G.

After the conference, Walsh issued the following statement:

"By reason of the failure of all parties on stipulations to expedite the holding of this hearing, it will be necessary to request the judge to adjourn the course. Accordingly notices of the hearing are being prepared and sent out. The hearing is tentatively set for Aug. 16."

Present were A. H. Peterson, A. F. of L. representative; Howard Roberts, U.S.T.G. officials; Charles Katz, U.S.T.G. attorney; Harold V. Smith and Lew Blix, I.A.T. S. E. officers; Leo Rosenbaum and Howard Leids; Herbert Ashton, Mitchell, Herbert Freton and Jack Carr, producers' attorneys.

Upon hearing of the agreement between A. G. M. A. and Warner brothers, Robertson, acting chairman of U.S.T.G., characterized the move as an "obvious movement on the part of Schenck to

(Continued on page 11)
Call out the cops just as they did at the Apollo Theatre, Atlantic City (Biggest business of the year!) and Moorland Theatre, Ocean City, N. J. The first engagements of ROBERT TAYLOR, HEDY LAMARR in “LADY OF THE TROPICS” are phenomenal as expected! It's a lovely summer for M-G-M exhibitors isn’t it? Next: “WIZARD OF OZ.”

Screen play by Ben Hecht, directed by Jack Conway, Produced by Sam Zimbalist
Los Angeles
Warner's Downtown & Hollywood

Chicago
Balaban & Katz Roosevelt

New Orleans
Loew's State

Pittsburgh
Loew's Penn

Cleveland
Loew's Theatres

Sensational combined week as planned

Top opening gross in thirteen week of continuous long run

Crowds as big as ever until closing

Hot weather has no effect; crashes thru to one of season's biggest

All reports climb until closing

Held-Over at
Radio City Music Hall, New York. Also in Philadelp, New Haven, Hartford, Atlantic City, Asbury Park & San Francisco.
Opening on Thursday indicates $35,000. com-
"tak e in both theatres. Held over for second
t hits one of biggest openings of current year.

months. Held over for second smash

get window from early morning
re. Opening day 148% of average.

Edward Small's greatest hit
a outstanding opening figures.

l-out business as week-end grosses
reach from 150% to 175% of average.

EDWARD SMALL presents
The Alexander Dumas Classic
THE MAN IN THE IRON MASK
A James Whale Production
JOAN
HAYWARD BENNDEF
LOUIS
with Warren William • Joseph Schildkraut
Alan Hale • Directed by JAMES WHALE
Screenplay by GEORGE BRUCE
Released thru
UNITED ARTISTS
Boston Gives Neat $21,000 To 'Bachelor"

Boston, Aug. 8.—"Bachelor Mother," on a dual bill with "The Saint in London," brought in $21,000 at Keith Memorial. "Love, Life and Liberty," in its last week at Loew's State and Orpheum took in $15,000 and $20,000, respectively. "The Camerons" at each Dawn I Die and "Night Work" ran a good third with $16,500 at the Metropolitan.

Estimated takings for the week ending Aug. 2:

"The Lady and the Mob" (Col.) (3 days) $3,104,788.70 Gross, $18,627.00 Average, $6.00.
"I Died a Thousand Days" (Col.) (3 days) $2,247,410.60 Gross, $13,483.37 Average, $4.49.
"Outside These Walls" (Param.) (3 days) $1,535,616.10 Gross, $1,024.34 Average, $0.46.
"Stuart Pilot" (MGM) (1st run) $925,464.00 Gross, $6,200.00 Average, $1.00.
"Street of New York" (MGM) (2nd run) $880,161.00 Gross, $5,864.00 Average, $0.69.

American Far Ahead In Japanese Market

Of the 304 pictures released in Japan during the first six months of 1939, 226 were Japanese films, and 78 were foreign films. The foreign films included 64 American pictures, seven British, four French and three German films, according to figures prepared by the Motion Picture Division of the Nickelodeon Association.

Although only three German films were released during the first half of 1939, it is reported that 18 of the 30 films contracted for by Japanese interests from the Manchuria Motion Picture Association have recently been imported.

One of the special provisions of the "Manchukuo"-German trade agreement provides, it will be recalled, for the purchase of a specified number of German films by "Manchukuo."

Attendance in Tokyo's 296 motion picture theaters totaled 1,384,681 persons during 1938. Total attendance at all amusement houses amounted to $2,897,371,838, an increase of 3,829,944 over the previous year. Reports indicate that Tokyo attendances fell off by about 15 per cent in Tokyo during May, as compared with previous months, but receipts continue to be well above those for the corresponding period of last year.

Hollywood Preview

"Lady of the Tropics" (M-G-M)

Hollywood, Aug. 8.—Strange things happen in the languid East, that segment of the globe Kipling had in mind when he wrote "East is East and West is West and never the twain shall meet." About all that ordinary folk know about it—their knowledge generally derived from reading romantic fiction—is that there never seems to be anything extinguishers handy when smouldering passions flare.

"Lady of the Tropics" is a picturization of one of those strange happenings. It may be described as a flaming love story; one in which scant attention is paid to the spirit of the Production Code. The main locale is Saigon in Indo-China.

It's about an exotic half-caste girl and a world-wandering American. Living a life of Parisian glamour and gayety, the girl wants to escape her native land, but, because of her birth, French authority forever denies her a passport. The American meets, falls in love with and marries her. For a time, while his money lasts and while her wardrobe has second hand sale value, both are delightfully happy. But a jealous half-caste suitor whom she deceived has influence which prevents issuance of a passport and while he plants the seeds of suspicion of unfaithfulness in the husband's heart and mind he leads the girl to believe that her time for freedom is at hand and she makes the supreme moral sacrifice to assure it. Ecstatic happiness dissolves in tragic disappointment when she discovers she has been double crossed.

Invoking elemental law, she kills the man who blasted her dream of happiness. She now earns her own way, but it seems possible that her physical lure will be overlooked or ignored by men.

G. McC.

*a" denotes adult classification.

Washington Tent Gets Variety Cup

Washington, Aug. 8.—On behalf of Tent 11 Rudy Berger has accepted a trophy from National Club Barber John Harris in recognition of the local Variety Club's charity work during the past year. The trophy was voted "The Most Deserving Club" by members of the local press and Lowell Thomas "Nine Old Men."

Game is dated for Friday, Sept. 8, at Griffith Stadium.

Proceeds of the game will go to charity. Thomas and Barron are at present endeavoring to bring Gene Tunney, Westbrook Pegler, Ted Husing, Lew Lehr, Lanny Ross, Heywood Broun, Gershon Bamer and numerous other stars to Washington for the game.

Latin America Series

Edward Tomlinson, NBC commentator on Latin America, will start a new commentary series Sept. 7, with Buenos Aires the base of operations. Subsequent programs will come from Rio de Janeiro and other principal cities in Latin America.

Film Row Psychology

Kansas City, Aug. 8.—Two exhibitors were exchanging confidences on Film Row.

"So-and-so's dishes are no good. I've given away $4,000 worth and they didn't do me a dime's worth of good," said one.

"Yeah. I've used dress scarves and everything else. Dishes? Why, some of mine broke just sitting in the theatre."

A third man broke in: "Why don't you quit giving away so much junk?" They shook their heads. "Can't quit. Got to give something. Everybody else does."
Ruling Affects Sound, Silent Film Rights

LOS ANGELES, Aug. 8.—A decision nullifying rights of further payments to authors whose literary works were first published as silent film and later remade in sound was handed down yesterday by Federal Judge H. A. Hollzer.

Judge Hollzer ruled that Ralph Murphy, Donald Gallaher and M. and G. Amusements, Inc., New York corporation, were not entitled to damages and accounts from Warner Brothers Pictures, Inc., and First National Pictures, Inc., because the defendants remade the silent film, "St! The Octopus." Plaintiffs alleged that on April 30, 1928, they entered into contract with First National for sale and purchase of screen rights to "Octopus," their play, and that defendants last year produced a sound version of the silent film.

Their claims were denied by Judge Hollzer, thereby establishing precedence upon which rights to other silent films may be cleared.

Broadcasters Seek Ascap Fee Changes

The National Association of Broadcasters is willing to pay for the use of Ascap music, Neville Miller, president, said yesterday, but seeks an adjustment of the fees on the basis of the number of pieces which do not contain Ascap music.

Miller's statement was made in reply to an inference by Gene Buck, New York president of the American Federation of Musicians that broadcasters were seeking to avoid payments to authors and composers for their music by making sure that radio stations did not broadcast the popular songs and radio music of such public performers for a single program without complaint.

"We have informed Ascap that we are willing to pay when we use Ascap music, but that we are not willing to continue to pay on programs which do not use Ascap music," Miller said. "As their largest customer, we have asked them to set the price, and Ascap has refused."

Their request, damages were denied by Judge Hollzer, held in effect, that in acquiring motion picture rights companies were entitled to make any use of their rights as they wished for film material.

Forming Oklahoma Variety Club Unit

OKLAHOMA CITY, Aug. 8.—L. C. Griffith, producer of the Griffith Amusement Co., was elected president of a petitioning chapter of the Variety Club at a bimonthly meeting here in the Biltmore Hotel.

Other officers named were Morris Lowenstein, first assistant; W. P. Moran, second assistant; W. M. Zoelnder, treasurer; B. J. McKenna, secretary, and Ralph Talbot, Tulsa; Max Brock, Lawton, and Otto Rolte, Cheyenne, directors; R. F. Davis, Oklahoma City; and Sol Davis, directors, all of Oklahoma City.

A petition for membership in the national unit was presented by Pittsburgh by the 24 state amusement executives who have joined. Permanent club rooms, a membership committee and a charity project will be selected at the next meeting.

Legion Approves 8 Of New Decrees

National Legion of Decency for the current week has approved eight of 10 new pictures reviewed in this section and general patronage for four adults, and classed two as objectionable in part. The new films and their classification follow:


Playing Teacher

Cincinnati, Aug. 8.—"Movie Report Card" is the caption used by E. B. Radliff, film critic of Cincinnati Enquirer, morning daily, following pictures opening in local first run houses.

The titles, name of theatres and rating of films is tabulated daily under the byline "Mr. Pictureline," and the "markings" of A, B, C and D assigned. A feature of the column is the statistical and analytical ratings as Excellent, Good, Fair and Poor. Additional data and minor signs are used where intermediate ratings might apply.

14,000 Iron Men to 'Iron Mask' in Prov.

PROVIDENCE, Aug. 8.—Pair at Loew's State, "The Man in the Iron Mask" and "Panama Lady" garnered a much better than average $14,000, on a surprise in a weak, and strong $4,000 business done by "Daughters of the Desert," dubbled with "Code of the Secret Service," in a second week at the Capitol.

Estimated takings for the week end Aug. 2-3, "The Man in the Iron Mask" (U. A.) $14,000. "Panama Lady" (RKO) $2,250 (25c-35c-50c) 7 days, Gross: $1,100, (Average $15,000) "Daughters of the Desert" (W. B.) $8,350. "Code of the Secret Service" (W. B.) $6,000. "Blondie Takes a Vacation" (Col.) $4,650 (25c-35c-50c) 7 days, Gross: $1,500, (Average $2,000)

Only 'Mother' Woos Cin. From Baseball

CINCINNATI, Aug. 8.—"Bachelor Mother," with a terrific $16,000 at the RKO Albee, was the only picture to stand out in a week's business. All the natives flocked to the ball park to witness the National League games.

NEW YORK (RKO) RKO ALBEE—$3,300 (35c) 8 days, Gross: $16,000, (Average $2,000) Andrew Hardy Gets Spring Fever (M-G-M) $1,000 (4c). "Big Town Czar" (25c-35c-50c) 7 days, Gross: $1,000, (Average $1000) "Career" (RKO) $2,250 (25c-35c-50c) 7 days, Gross: $1,500, (Average $200) "Caste" (M-G-M) $2,250 (35c-50c) 7 days, Gross: $1,500, (Average $200) "Manhattan Speedway" (W. B.) $5,000. "My Man Godfrey" (Univ.) $1,000 (25c-35c-50c) 7 days, Gross: $750, (Average $100) "Daughters of Courage" (W. B.) $1,500 (25c-35c-50c) 7 days, Gross: $1,000, (Average $100)

Cohen Wins Conn. MPTO Golf Tournament

NEW HAVEN, Aug. 8.—Prize for low gross of the day, a $75, went to Joe Cohen of Boston, of the Poosner circuit, in the fourth annual cut MPTO golf tournament at Fayerweather Country Club, Milton, Conn., at the New Haven won the low net prize.

Best Connecticut exhibitor golfer is Leon Goodwin, assistant at the Litchfield Poli. Variety, who was the medalist. Ralph Thurston, of the Saybrook Theatre, second, and Jim Casey, of the New London, third. Many other prizes for golfers and non-golfers were distributed at the dinner which followed the 18-hole tournament in the afternoon. Irving C. Jacobs, Jr. and Edward Levy headed the committee in charge.

Solomon, Warners, Dies

NEWARK, N. J., Aug. 8—Funeral services were held Thursday at the home here for Sigmund S. Solomon, 50, manager of Warners' Sanborn in Irvington, N. J., who died Monday morning at his home.

Solomon joined Warners in the New Jersey zone in 1934, and managed the Branch Office here, Sanford, Irvington, Clifton, and the Sanford. Prior to his association with Warners, he was with Paramount. He twice won the Motion Picture Herald Silver Plaque for exploitation excellence. Interment will be in Brooklyn.

Theatre, Personnel Notes

Quits Colo. Theatre Field

DENVER, Aug. 8.—John Anderson is giving up his theatre interests in Colorado to move to California with his family and make his home. He recently owned two theatres in Fort Morgan, Colo., which he has sold to J. C. Parker, of Dalhart, Texas.

Iowans on Big Auto Tour

WAUKON, Ia., Aug. 8.—P. D. Cota and his wife, Ruth, operators of the Town and Cota theatres here, accompanied by their sons, Paul and Eaton, have left for several weeks' auto trip to New York. The New York Fair, the new England states and several points in Canada, returning home through Michigan and Wisconsin.

Buys State Theatre

ALLISON, Ia., Aug. 8.—H. L. Germer, formerly of Minneapolis, has taken over the interests of L. A. Miller in the State theatre here. He plans to install a new cooling system.

Sells Cleveland Theatre

CLEVELAND, Aug. 8.—Ben L. Cohen of Pittsburgh, recent purchaser of the Superior in Cleveland, has sold the house to Henry Hannon of Klopman continues as booker and manager.

Remodel for Vaudville

SHAMROCK, Texas, Aug. 8.—Mr. and Mrs. F. S. Oliver are increasing the seating capacity and enlarging the stage of their Library in anticipation of adding vaudeville this fall.

Robb & Rowley Open Another

SHERMAN, Texas, Aug. 8.—The new Texas was completed and opened here recently by Robb & Rowley, with H. H. Hayman, manager. The house was erected on the site of its predecessor, destroyed by fire some time ago.

Reopen Columbus House

COLUMBUS, O., Aug. 8.—The Majestic, recently closed by RKO and taken over by High Street Theater Corp., of which Maurice White is president, will reopen Aug. 4, with a double feature policy.

'B' Transfers Salesman

DENVER, Aug. 8.—Universal has transferred Carl Mock, salesman, to the Indianapolis exchange. He was recently added to the sales force of the exchange here.

Broadway Reopens in Denver

DENVER, Aug. 8.—Denver again has seven first run houses with the reopening of the Broadway theatre for the first time since closed for a few weeks for reserving, revoirting and recarpeting. John Denman manages it for Fox.

Installs Free Soda Bar

ALBANY, Aug. 8.—Fabian's Palace, first run house, has installed a large soda bar in conjunction with Royal-Cola, whereby patrons can drink the product free of charge.

Wednesday, August 9, 1939

MOTION PICTURE DAILY
Your Leading Citizen

"OUR LEAD!

"I whole-heartedly commend Paramount for having produced such a wholesome red-blooded picture."

RALPH L. CARR
Governor of Colorado

"I consider 'OUR LEADING CITIZEN' one of the best pictures I have ever seen on the screen. Many of the people who saw the picture with me expressed the same view."

E. P. CARVILLE
Governor of Nevada

"It should be seen by every citizen of the United States. I cannot commend it too highly to the public."

NELS H. SMITH
Governor of Wyoming

"This film is a powerful and stirring drama which emphasizes the importance of preserving the fundamentals and ideals of our American way of living. It should be seen by every citizen."

HENRY HORNER
Governor of Illinois

"A swell show—a great picture. Will do a lot of good."

PAYNE H. RATNER
Governor of Kansas

"Appealed to me more than any picture of recent time. So human—so real."

BELLE REEVES
Secretary of State
State of Washington, Acting for Governor Martin

A glorious entertainment...
Tens rave about...

"A splendid picture, well acted. A great emotional moral picture. Should meet with the approval of every right-thinking citizen."

RICHARD C. McMULLEN
Governor of Delaware

"A very interesting picture."

HARLAN BUSHFIELD
Governor of South Dakota

"A splendid picture."

JOHN MOSES
Governor of North Dakota

"Highly constructive as well as delightfully entertaining."

ROY L. COCHRAN
Governor of Nebraska

"In my opinion, the characterization of Bob Burns in this picture is his best."

CARL E. BAILEY
Governor of Arkansas

"A powerful picture. Any wage earner who sees it cannot help but be a better citizen for having seen it."

A. J. BOURBON
Acting Executive Secretary for Herbert R. O'Connor, Governor of Maryland

"'OUR LEADING CITIZEN' is a fine and enjoyable picture."

M. C. TOWNSEND
Governor of Indiana

Lorius screen achievement!

Paramount Pictures
**Hollywood Preview**

**Night Work**

(Paramount)

Hollywood, Aug. 8.—Fashioned for light laughter and eliciting quite a lot of it at the Hollywood preview, this item in the Fitch Family sequence is okay for just about any kind of theatre any time. Mary Boland and Charlie Ruggles give their usual fine performances and Clen Bevans turns in a character comedy job that rates high among supporting portrayals. Betye Lee, Dona Loyd, William Frawley and Edward Gargan are other names that mean something on marquee and screen.

Produced by William H. Wright and directed by George Archain- baud, this film is from an original screenplay by Monte Brice, Lloyd Coren and Judy Carol. The story is a sequel to a picture in which the steakjack grandparent of a boy the Fiches plan to adopt and his stay on the premises for the purposes of making up his mind whether or not he should permit the adoption. Miss Boland persuades Ruggles to pretend a physical prowess the steakjack grandfather considers an essential parental qualification and the comic developments derive from this attempt.

Best sequences are an altitudinous adventure in the "High and Dizzy" tradition and a domestic episode in which Ruggles and others attempt to show one of the boys how to work a problem in arithmetic.

Running time, 61 minutes. "G."

ROSEC WILLIAMS

**17-Inch Hot Dog**

Kansas City, Aug. 8.—W. P. "Bernie" Bernfeld, big-hearted exploitier for United Artists, received a 17-inch-long hot dog, complete with side-boards of condiments, to match, from Arkansas City, Kan., the other day. He took it down to Loew’s Midland to share it with John L. A. Davis, manager, McMans, according to Bernfeld, "seized the dog, ate every crumb, and then raised the devil with me for not providing mustard."

**Dawn’ Hits $5,800**

In Milwaukee Lull

Milwaukee, Aug. 8.—"Each Dawn I Die" and "Cowboy Quarterback," the latter item an excellent art picture, were the best features in the week’s première in the Warner and the other programs failed to clear average.

Estimated takings for the week ending Aug. 5:

1. "Second Fiddle" (20th-Fox) $2,100
2. "Almost an Angel" (Col.) $1,350
3. "Blue Mouse"—(95) (20-35-40-55) $1,200
4. "Suite—(900) (20-35-40-55) 7 days, $2,300, average, $330
5. "Undercover Doctor"—(Para.) (20-35-40-55) 7 days, $2,000, average, $286
6. "Winter Carnival" (U.A.) $1,900
7. "Trapped in the Sky"—(Col.) $1,700
8. "Orpheeum—(20-35-40-55) 7 days, $1,500, average, $214
9. "Goodbye Mr. Chips"—(MGM) $1,400
10. "This Be Your Life"—(M-G-M) $1,300
11. "Frentral Marshal"—(Rko-Fox) $1,200
12. "Big Ears"—(Univ.) $1,100
13. "Passport to Danger"—(Par.) $1,000
14. "Sweatshop Winner"—(F.N.) $1,000
15. "Palomar—(20-35-40-55) 7 days, $1,000, average, $214
16. "Andy Hardy Gets Spring Fever"—(M-G-M) $1,000
17. "They All Come Out"—(M-G-M) $1,000
18. "Inside Information"—(Univ.) $1,000
19. "Goodbye Mr. Chips"—(M-G-M) $1,000
20. "Each Dawn I Die"—(W. B.) $1,000

**To Build Four New Theatres in Houston**

Houston, Aug. 8.—Four new houses will beconstructed in the near future.

Interstate Circuit is erecting one at an estimated cost of $125,000. Hugo Winter will build one at an estimated cost of $100,000, which will be managed by W. W. Scott of Dallas; W. V. Ratcliff will build a $60,000 house, and Glass Theatres Corp. will erect the Studewood at a cost of $25,000. R. W. Glass formerly operated in Dallas.

**Rebuff Film to Start**

Roman Reubush, president of Credo Productions, Inc., will produce and will produce Thursday on "Miracle Eros," a fast, flesh talking feature, at the Film Art Studios under the direction of Joseph Ferrin. Berta Gerstein will be starred with a supporting cast including Michael Rosenberg, Albert Lipton and Durgi Conner. It will be at the camera.
Huge Tribute To Blumberg By Exhibitors

(Continued from page 1)

The coast for a home office visit of several weeks, revealed yesterday that Universal, in recognition of the tribute by exhibitors, will release a number of its most impor-
tant pictures of the new season dur-
ing August and September. It is indicated that the list will include 14 new productions by Sept. 1, all of which will be released during the period of the convention, according to Fox.

Each release will be accompanied by a special advertising and exploitation campaign within the industry as well as outside of it.

"The campaigns will be trade-wise as well as public-wise," Fox said. "You have to let the exhibitor know about your product before you let the public know.

Among the pictures which will be released during the testimonial period are "When Tomorrow Comes," with Irene Dunne and Charles Boyer; "Blind Fury," also with Boyer; "First Love," a first production from the new Harry Edington company, which will star Douglas Fairbanks, Sr., and Joan Hackett; "Tower of Lon-

Fox paid tribute to Work for in-

augurating a new order at the Uni-

versal studio, which he said has de-
veloped the best employee morale in the production community and is begin-
ning to result in "good pictures brought in on time."

"Universal is emerging from a he-
terrible period," Fox said. "I am cer-

tain," Fox said. "The company is just starting to roll. It has been able to reach an agreement with the help of exhibitors who came to its aid when it needed them. Universal has a debt to exhibitors that it will never forget."

Goldenold to Detroit

On Treadle Trend

Leonard Goldenold, Paramount home office theatre official, left for Detroit yesterday to confer with George Tendel and Earl Hudson on current operations of United Detroit Theatres.

Among, who tendered his resigna-
tion a month ago, has not withdrawn from the circuit yet and no successor has been named.

Negotiation of a new operating con-
tract between Paramount and Lucas & Jenkins, which had been scheduled to get under way only at the home office this week, has been postponed until next month.

250,000 See Autry

Gene Autry, Republic western star, got a big reception at the home office this week, which has been postponed until next month.

Producers and IA

In Tentative Pact

(Continued from page 2)

"We now understand that at the same time that this hearing was pro-
ceeding before the Labor Board, a statement was given in the public interest by the exhibitors indicating that they had reached a tentative agreement with I.A.T.S.E. on everything except hours, wages and the Wagger act.

"We, of course, have not seen this so-called agreement, but in our opinion it is not in harmony with the Wagger act. It is too bad for the theatre business to try to go on for it violates not only the spirit but the letter of the Wagger act.

"It is another effort on the part of Schenk to continue to deliver civil liberties to all studio workers over his cohorts, Browne and Bioff. We expect nothing else from the men and believe that with the aid of all right thinking people we will suc-
cceed in our effort to permit the proc-
cesses of law to go forward under the supervision of the U.S. government.

"No worker should be fooled by this official exercise. The only thing that Schenk to herd workers back into the company-dominated I.A.T.S.E. Schenk can rest assured that U.S.T.G. is not being fooled by that maneuver."

Peterson attacked the N.L.R.B. in a

statement which reads in part:

"The Board tried to high pressure us into waiving its own rules of pro-
cedure which requires five days' no-
tice before hearings are held. Fur-
thermore, the Board lacked the courage to attempt to divide jurisdiction of a labor unit before a hearing.

"But the Board, under prodding of Charles Katz, CIO atto-
ney, attempted to define jurisdiction over cameramen. When the I.A.T.S.E.

..." (Continued from page 1) Council itself will have to define it.

"Yesterday's sensational developments included the following: Ralph Morgon, general manager of the Screen Actors Guild, prior to leaving Hollywood with a large delegation, told reporters: "It will be a strike in Hollywood if our trip to Atlantic City is unsuccessful."

E. Browne, I.A.T.S.E. president, answered: "If the screen actors strike we will answer with another strike. We'll pull out all projectionists in the coun-
try."

Ken Thomson, executive secretary of the S.A.G., said: "We have a clear title to our juris-
diction from the A.F. of L's own records. We can and will prove it."

N. H. Chase, of the New York Court of Appeals, and William Goldrick denied an injunction to the A.F.A. in its fight against the A.A.A. A.A.A. had made an early trial on the issue involved.

4-A made a bid for the support of Theatrical Managers. Agents and distributors did not seem interested in dis-

cussing a working agreement with T.M.A.T. Board of Governors of T.M.A.T. meanwhile voted to submit the question of affiliation with the I.A. to a nationwide referendum of the mem-

ber theatres. The issue will be voted up for approval at a membership meeting in New York tomorrow night.

Harry Richman, A.F.A. vice-presi-
dent, was temporarily suspended from membership in Actors Equity by the Equity council yesterday and instruc-
ted to answer charges of conduct against the welfare of the union during a three-week period. Richman, A.F.A. president, who was similarly suspended last week, for postonement of payroll and for the right to have her attorney represent her, was de-

ied by the council.

Delegation of screen actors left Holly-

wood aboard the TWA "Star of War," he cleared for a large mass meeting at the airport. Another mass meeting was called for Sunday in Hollywood when the delegation will report. They will join a group of legitimate stage, radio and concert stars for their descent on Atlantic City tomorrow.

Green, plainly disturbed by the grow-
ing bitterness of the fight, de-

scribed the battle as "a headache."

By a vote of 11 to 3, T.M.A.T. board of governors voted to submit the question of I.A. affiliations to a referendum. However, a membership meeting will be held tommorow eve-

ning to approve this action.

Green said that the Motion Picture Division will be per-
mitted to participate neither in to-

gether nor for the referendum, but the question is being handled by Treasurers group and one faction of the managers group are behind it. The other faction of boardmen are against it. Last Thursday, a membership meet-

ing meeting rejected I.A. affiliation

Strike Peril In Industry More Acute

Closing of the Fifth congress with Congressmen being the most significant subject in the new issues. The reefs and their con-

nections.

MOVIE NEWS, No. 95—Anti-

British demonstrations in Tokyo. Close quarters. Police receive British money to Madrid. Congress adjourns. Sen-

ate predicts ousting of Roosevelt. Roosevelt celebrates birthday. Queen Eliza-

beth on tour. End of Endurance in '31. Court for British air mail flight. Gambling ship raided. Gas blast in London. Princess Elizabeth and Margaret visit former residence. Aquaplane derby. Put-

ing-out-the-cat contest.

PARAMOUNT NEWS, No. 106—British plane refuel in air. Mrs. Theodore Roose-
velt celebrates birthday. Shipment of gold arrives in Madrid. British laws for duty. Midgets have normal baby. lesbians in Colorado. Vandenburgh, Berkley, Tal and Garner speak as Congress closes. Opening of Bing Crosby's race-


T.V. NEWS, No. 7-—Weary One of the Day, No. 29—Congress ends session. Plane set for British air mail flight. Gambling ship raided. Gas blast in London. Princess Elizabeth and Margaret visit former residence. Aquaplane derby. Put-

ing-out-the-cat contest.


 bile pageant in Flint.

but this vote was not accepted by the T.M.A.T. Board of Governors on technical grounds.

Richman's suspension was antic-

ipated by the suspension of Miss Tucker. Miss Tucker's plea for the right to appear by counsel was rejected on the ground that Equity constitution does not permit such a procedure.

Preparing for the possibility of a referendum, the E.U.A. strike emer-

gency committee consisting of Paul Dullez, executive secretary, Walter Jacoby, Alt H. Turk and Lynn Kirkland. Chorus Equity appointed Ruth Richmond, executive secretary, Lever MacLean and Gerald Moore. Richman's appeal was made on the A.F. of L. session has been set for the Hollywood Legion Stadium at one next month.

Several last minute substitutions were made in the delegation which includes Ralph Morgan, S.A.G. presi-
dent; Larry Sheer, president of the junior group within the S.A.G.; Olivia De Haviland, Binnie Barnes, Shirley Temple, Edward G. Robinson, Jean Muir, Mischa Auer, Wayne Morris and Henry Hull. When they arrive at 5 P.M., today they will be joined by Talullah Bankhead, Agnes Moorehead, Jane Luikett, Fredric March, Jascha Hei-

etz and Lawrence Tibbitt. The ex-

ecutive group is the official committee composed of Frank Gil-

more, 4-A president, Turner and Henry Jeffe, associate counsel, will leave early tomorrow for City.

Columbia Travel Service

André de LaVore, world traveler and photographer, will make six travel films for Columbia during the new sea-

son. The terms of a deal closed with the company Sunday. The series will be known as Columbia Tours,
WORLD PREMIERE TOMORROW
Doors open at 1100 A.M.
AT THE AIR-COOLED
ANY* DAILY
ANY SEAT
25¢
EXCEL
SHOW VALUE
OF THE NATION

In spite of all competition, there's no getting around it; the Capitol has the biggest and best show in town!
— New York Times

"The Capitol has a stupendous hit this week!"
— Daily Mirror

Four Feathers
Directed by Henry King

For the world's leading producer of big-screen entertainment, the Capitol has the biggest and best show in town!
Loew's Gets
$15,000,000
Refund Loan

$8,000,000 Will Go Into
Immediate Reserve

Of $15,000,000, which has been
borrowed by Loew's Theatre & Realty Corp.,
the refunding of obligations and additional working
capital, almost $8,000,000 will be
placed in reserve, to be available
for future purposes.

Company officials say there are no
specific plans for the use of the
money at the present time.

The total sum was obtained through
a loan of $3,750,000 by the First Na-
tional Bank of Boston and an issue of
$11,250,000 of bonds which were
purchased in their entirety by the
Metropolitan Life Insurance Co. and
the Equitable Life Assurance Soci-
ety.

The borrowing was made at an
interest rate averaging 3.30 per cent,
which is considered low. The bank
loan will bear annual interest of 2 7/8
per cent and will be paid off in five
years in semi-annual installments of
$375,000. The obligations to be re-
tired bear 6 per cent.

The bonds are first lien 7½ per
cent bonds of Loew's Theatre &
Realty Corp., a wholly owned sub-
sidary. A sinking fund will operate
in five years to retire $400,000 of
the bonds semi-annually during the
final 10 years of the term of the is-
sue.

Approximately $7,000,000 of the
new financing will be used to retire on

(Continued on page 10)

Bonyd Seeks SEC
View on Atlas Plan

The Securities and Exchange Com-
mmission has been requested by Fed-
eral Judge Bondy, in examining the ref-
unding of obligations and additional working
capital, to consider $8,000,000 of
new RKO common stock, which was
disclosed during a hearing on the
underwriting plan before Judge Bondy
yesterday.

The S. E. C. will submit a report
on the proposal on Aug. 23 and if
Judge Bondy has not reached a de-
cision on acceptance or rejection of
the proposal by then, he will prob-
able be guided by that report, he
indicated at yesterday's hearing. Mean-
while, further consideration will be
given the proposal at another hearing
held tomorrow.

George Lelh, senior partner in
Bylye & Co., investment bankers, tes-
(Continued on page 9)

NLRB in Warning
To Producers, IA
Upon Studio Pact

Los Angeles, Aug. 9.—Any agree-
ment that I.A.T.S.E. makes with the
producers is subject to the outcome of
N.L.R.B. procedure involving the Je-
rig, union and the United Studio Technicians
Guild, the local Labor Board office
announced today.

Already termed by U.S.T.G. as
a violation of the Wagner act, the ten-
ative agreement announced yesterday
became the subject of a statement
telephoned here by George O. Pratt,
chief examiner.

Pratt said: "There has been brought to my
attention a press release in which it
was announced that a tentative agree-
ment on a five-year contract between
the I.A.T.S.E. and the producers has
been reached and that a contract em-
(Continued on page 10)

Coast Delegation Here;
Eager for Showdown
At Atlantic City

Refraiming from all official comment
about strike possibilities and a bolt
from the A. F. of L., representatives
of all actor unions within the Asso-
ciated Actors and Artists of Amer-
ica laid last minute plans last night
for their appearance today before the
executive council of the A. F. of L.

There could be no mistake, how-
ever, that the unprecedented enthusi-
asm for immediate settlement, ex-
pressed informally, for immediate
severance of all A. F. of L. ties in,
the company's behalf, is no longer

Questioned about a strike in film
studios in the event that I.A.T.S.E.
ties up the Broadway legitimate stage,
William Thompon, Screen Actors
Guild executive secretary, declined
to give a categorical response, but
said: "It would seem the logical thing to
do."

Heading a delegation of nine screen
actors who arrived at Newark airport
aboard a TWA "Star Special" at
5:05 P. M. yesterday, Ralph Morgan,
S.A.G. president, declared he had

(Continued on page 10)

"Under-Pup" to Have
Premiere August 24

Universal plans an elaborate, invi-
tion premiere of "The Under-Pup," in
Scranton on Aug. 24, honoring
Gloria Jean, who stars in the film,
and who hails from the Pennsylvania
city. Critics and correspondents, as
well as trade paper editors, from every
major city in the country will attend
as guests of Universal.

The film will be shown at the
Strand and Comford, and after the
premiere, will continue its regular run
at the Strand. The opening will be

(Continued on page 10)

Theatre Men Meet
Today in Toronto

Toronto, Aug. 9.—Independent ex-
hibitors of Ontario will gather here
tomorrow noon for a regional meeting
of the Anti-Protection League of Can-
ada under the chairmanship of J. O.
Scott of Weston.

Preparations will be made for the
Canadian convention of theatre owners
who will be held here two weeks hence
under the League's auspices. At that
time, demands for clearance revisions
and other concessions from exchanges
will be made.

(Continued on page 2)

$1,000,000 Aid Set
For GN Producers

A minimum fund of $1,000,000 is
scheduled to be established to finance
producers who will release through
Grand National, it was disclosed yes-
terday. The production financing is
in addition to the $400,000 Reconstruc-
tion Financing Corp. loan being made

(Continued on page 2)
AFL to Hear Actors Behind Closed Doors

Closed (Continued from page 1)

mean that the controversy will be settled here, according to informed sources.

Complete confidence prevails in the ranks of the L.A.T.S.E. leaders here. In addition to George E. Brown, L.A. president, all the organization’s vice-presidents are in attendance.

L.A.T.S.E. heads, expressing the belief that they will be given jurisdiction over the actors, stress the fact that their organization is 50 years old and that their original charter gives them jurisdiction over the actors. Their contention is that they never chose to exercise that jurisdiction, but that the time has now arrived for them to take the actors’ unions into the fold.

Bitterness against the 4-A’s and against Kenneth Thomas, executive secretary of the Screen Actors Guild, is intense in L.A. ranks. Much is made of the fact that the S.A.G. accepted I.A. help two years ago and that Thomas is claimed to have agreed with Brown to go along in the formation of one union in the film field, and then to have walked out on the plan.

Ralph Whitehead, ousted A.F.A. executive secretary, and now head of the actors’ division of the L.A., is active in the lobbies of the hotel, butt-holding A. F. of L. chiefs and appearing to have their confidence.

Sophie Tucker, president of the

(Continued on page 10)

Purely Personal

JAMES R. GRAINGER, Republican

President, left for Atlanta by plane yesterday where he will confer with Motion Picture Bureau, Inc. vice-president, with whom he is associated, in the interest of securing a better understanding of the motion picture industry in that section.

JOSEPH M. SCHENCK, 20th

Century-Fox chairman of the board, arrived from the Coast by plane yesterday noon. His stay is expected to be short.

W. C. GEHRING, Central division sales manager for 20th Century-Fox, left last night for Detroit to negotiate a new film deal with the Co-operative Circuit of Theatres there.

RAQUEL ALBERT, Cuban film producer and writer, sailed Monday for Havana after fulfilling her mission as delegate of the Cuban Government to the World’s Fair.

JOE E. BROWN has accepted an invitation to be guest of honor at the annual state basketball tournament, sponsored by the California Tribune at Oakland.

LYLE TALBOT will leave the coast on a personal appearance tour following completion of his role in Paramount’s “Federal Office.”

BINGO BRANDT and LIONEL TOLL leave for Saratoga today to meet Mr. and Mrs. Harry Brandt, who are vacationing there.

MRS. RAYMOND MASSEY has been assigned a role in “Abe Lincoln in Illinois,” RKO film in which her husband is starred.

MARTIN LEVINE of the Brandt circuit has moved into a larger office at his Selwyn Theatre building headquarters.

Seven Allied Units Ratify Code Stand

Seven Allied units have formally ratified the report of the organization’s negotiating committee which rejected the motion picture industry’s proposal for a new code, according to an Allied bull sheet.

These are listed as New England, New Jersey, Eastern Pennsylvania, Western Pennsylvania, Indiana, Alabama, the Northwest and Texas. “So far as we are aware, no exhibitor association has formally approved the code in its entirety,” the bulletin says. It continues:

“It is probable that some or even many independent exhibitors will sign the code in order to participate in its benefits. So long as the campaign is conducted fairly and without coercion, it is a matter of indifference to Allied, since as an organization it is in the clear and will not be affected by their individual signatures. But Allied does not feel that a voluntary rejection is being used to induce exhibitors to sign the code against their will. Allied will be both interested and active.”

The bulletin traces the history of Allied’s negotiations on the code.

$1,000,000 Aid Set For GN Producers

(Continued from page 1)

be completed within 10 days. Grand National proposes to do very little business this year, but will make distribution and financing deals with outside producers to obtain 45 or 50 features as rapidly as possible and without the complexities of establishing a production organization of its own on short notice. The first distribution deal, for eight films, was closed recently with Golden West Pictures, of which Charles E. Goetz, wealthy Phoenix, Ariz., businessman, is president.

Gets Alliance Franchise

Alliance Films, of which Budd Rogers is vice-president and general manager, has closed with Ben Rogers’ International Broadcasting Corporation, Inc., Rockefeller Center, New York City. Telephone Circle 2-7310. Cable address “Quigpubco, New York.”

Editor-in-Chief: James H. Willard; Chief and Publisher: Colvin Brown, Vice-President; General Manager: Willard E. Ralston, Vice-President; Sam James A. C. Editorial Director; Advertising Manager: Chicago Bureau, 624 South Michigan Avenue; Southern Office, 111 South Spring Street, Los Angeles, Calif.; Western Bureau, Postal Union Life Building, Manager, William R. Weaver, Editor; London Bureau, 4 Golden Square, London, Wt. Hope Williams, Manager, cable address “QuigleyLondon,” Alexandria, Va.; Toronto, Western Publishing Company, Inc. Other Quigley publications: Motion Picture Herald, Better Theatres, Theatre Al Dia, International Motion Picture Almanac and Fame. Entered as second class matter at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year $6 in the Americas and $12 foreign. Single copies 10c.

MOTION PICTURE DAILY

Published daily except Sunday, Saturday, and holidays, at Southern California Publishing Company, Inc., Rockefeller Center, New York City. Telephone Circle 2-7310. Cable address “Quigpubco, New York.”

Editor-in-Chief: James H. Willard; Chief and Publisher: Colvin Brown, Vice-President; General Manager: Willard E. Ralston, Vice-President; Sam James A. C. Editorial Director; Advertising Manager: Chicago Bureau, 624 South Michigan Avenue; Southern Office, 111 South Spring Street, Los Angeles, Calif.; Western Bureau, Postal Union Life Building, Manager, William R. Weaver, Editor; London Bureau, 4 Golden Square, London, Wt. Hope Williams, Manager, cable address “QuigleyLondon,” Alexandria, Va.; Toronto, Western Publishing Company, Inc. Other Quigley publications: Motion Picture Herald, Better Theatres, Theatre Al Dia, International Motion Picture Almanac and Fame. Entered as second class matter at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year $6 in the Americas and $12 foreign. Single copies 10c.

MOTION PICTURE DAILY

Published daily except Sunday, Saturday, and holidays, at Southern California Publishing Company, Inc., Rockefeller Center, New York City. Telephone Circle 2-7310. Cable address “Quigpubco, New York.”

Editor-in-Chief: James H. Willard; Chief and Publisher: Colvin Brown, Vice-President; General Manager: Willard E. Ralston, Vice-President; Sam James A. C. Editorial Director; Advertising Manager: Chicago Bureau, 624 South Michigan Avenue; Southern Office, 111 South Spring Street, Los Angeles, Calif.; Western Bureau, Postal Union Life Building, Manager, William R. Weaver, Editor; London Bureau, 4 Golden Square, London, Wt. Hope Williams, Manager, cable address “QuigleyLondon,” Alexandria, Va.; Toronto, Western Publishing Company, Inc. Other Quigley publications: Motion Picture Herald, Better Theatres, Theatre Al Dia, International Motion Picture Almanac and Fame. Entered as second class matter at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year $6 in the Americas and $12 foreign. Single copies 10c.

MOTION PICTURE DAILY

Published daily except Sunday, Saturday, and holidays, at Southern California Publishing Company, Inc., Rockefeller Center, New York City. Telephone Circle 2-7310. Cable address “Quigpubco, New York.”

Editor-in-Chief: James H. Willard; Chief and Publisher: Colvin Brown, Vice-President; General Manager: Willard E. Ralston, Vice-President; Sam James A. C. Editorial Director; Advertising Manager: Chicago Bureau, 624 South Michigan Avenue; Southern Office, 111 South Spring Street, Los Angeles, Calif.; Western Bureau, Postal Union Life Building, Manager, William R. Weaver, Editor; London Bureau, 4 Golden Square, London, Wt. Hope Williams, Manager, cable address “QuigleyLondon,” Alexandria, Va.; Toronto, Western Publishing Company, Inc. Other Quigley publications: Motion Picture Herald, Better Theatres, Theatre Al Dia, International Motion Picture Almanac and Fame. Entered as second class matter at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year $6 in the Americas and $12 foreign. Single copies 10c.
For the

New Warner Season

'The Old Maid'

You are cordially invited to the marriage of
As Singular An Achievement
As The Pulitzer Award Play
As Deeply To Be Cherished
As The Renowned Best Seller
As Assured Of Success
As Warner Bros.' Unfailing Production Policy Can Make It

BETTE
DAVIS * HOPKINS
in
"THE OLD MAID"
with
GEO. BRENT

MIRIAM

DONALD CRISP • JANE BRYAN • LOUISE FAZENDA
JAMES STEPHENSON • JEROME COWAN • WM. LUNDIGAN • CECILIA LOFTUS

Directed by EDMUND GOULDING
Screen Play by Casey Robinson • Based on the Pulitzer Prize Play by Zoe Akins and
the Novel by Edith Wharton • Music by Max Steiner • A First National Picture

JACK L. WARNER • HAL B. WALLIS • HENRY BLANKE
In Charge of Production   Executive Producer   Associate Producer
**Indicate Loop Film Sales To Be Slow Until Late Fall**

By WILLIAM A. CROUCH

CHICAGO, Aug. 9.—Despite the closing of deals for product with 20th Century-Fox by B. & K. and Great States, film sales here will be very light until late this fall, according to present indications. Chicago’s current deals will probably last until the last possible moment, it is believed, with the hope that the law suits filed against the major companies and B. & K. by the Government and the individuals will not settle. The Film Laps afford some benefits to exhibitors.

Sam Herman, promoter of the Jitter- burg contests at the B. & K. State Lake, has stopped the contests at the request of city officials. They decided the contests were run on a chance basis and Herman rather than fight the case in court, has dropped the performances.

Representative Sandquist, author of the bill passed by the state legislature and executives and several local called for limiting the running time of film shows to two hours and 15 minutes, is on route to Hollywood with his family. While there he plans to interview motion picture executives, who are interested in landing double features.

Rudy Vallee, before leaving here last week, asked that his plans for a six-month layoff between radio shows could not be carried out. He said that he might get two months off before he started until, which will be reported, will originate in Hollywood and be sponsored by a tobacco firm. Vallee is expected to return to New York before returning to the airplanes after his final show for Standard Brands on Sept. 26.

Deals for turning of the Erlanger into a film theatre on a grind policy will be started until it is feared that what stage plays will be available to Chicago this season. The Erlanger is one of the oldest legitimate theatres in Chicago.

Depositions in the suit of Frank Ford vs. B. & K. and the major companies will not be taken until Federal Judge Wilkinson returns from his vacation late this month. The referee’s rule on a motion to quash the depositions sought by Lewis Jacobson, attorney for Ford, from circuit and exchange officials here.

RKO expects to have a new exchange building in Chicago within the next year, it was learned this week following conferences between exchange executives and officials and several local architects who are submitting plans for the new building.

Best news local exhibitors have had is the reopening of the RKO-Palace after six weeks of darkness. One of the key factors of this decision is the bringing about more releases in the Loop which makes more product available for subsequent runs.

Chicago film critics and reporters have folded up the “Welcome” sign for awhile. The flying, Warner star who came here last week for a radio broadcast over CBS, flew, met at the airport by photographers, took out of the dark colored glasses for pictures and was very curt with reporters who met him there.

Eddie Solomon and Ed Seguin won special prizes of $50 each in the John Ford drive recently completed by B. & K. theatre managers. Both Ed’s are in the publicity department.

**Chips’ Montreal’s Lead With $8,000**

MONTREAL, Aug. 9.—“Goodbye, Mr. Chips” was outstanding at Loew’s with $8,000 for its second week.

Estimated takings for the week ending Aug. 4:

- **unexpected Father** (Uni.)
  - CAPITOL—(2,524) (25c-50c-75c) 7 days Gross: $4,000. (Average, $571)
  - TIVOLI—(2,524) (25c-50c-75c) 7 days Gross: $3,800. (Average, $543)

- **Goodbye, Mr. Chips** (M-G-M)
  - LOEW’S—(2,800) (25c-50c-75c-1.00) 7 days Gross: $8,000. 2nd week. (Average, $1,143)
  - THE GIRL AND THE GAMBLE** (RKO)
  - SURAY—(750) (25c-50c-75c-1.00) 7 days Gross: $1,000. (Average, $143)

- **The Saint Strikes Back** (RKO)
  - PALACE—(2,250) (25c-50c-75c-1.00) 7 days Gross: $3,500. (Average, $500)

- **The Girl from the Pink House** (RKO)
  - GREAT LAKES—(500) (25c-50c-75c-1.00) 7 days Gross: $2,800. (Average, $400)

**Kansas City’s Heat Damages Grosses**

KANSAS CITY, Aug. 9.—Heat hurt business here. “Unexpected Father” grossed $3,000 at the Esquire and Uptown, combined, and “The Man in the Iron Mask” and “Blondie’s Bandits” at the State have been re-released.

Estimated takings for the week ending Aug. 13:

- **The Girl and the Gamble** (RKO)
  - ESQUIRE—(800) (25c-50c-75c-1.00) 7 days Gross: $2,800. (Average, $400)

- **Man in the Iron Mask** (U.A.)
  - MIDLAND—(400) (25c-50c-75c-1.00) 7 days Gross: $1,100. (Average, $157)

- **Daughter of Courage** (W. B.)
  - NEWMAN—(500) (25c-50c-75c-1.00) 7 days Gross: $1,400. (Average, $200)

- **Unexpected Father** (Univ.)
  - UPTOWN—(2,000) (25c-50c-75c-1.00) 7 days Gross: $2,800. (Average, $400)

**‘Hardy’ at $13,500 In Pittsburgh Heat**

PITTSBURGH, Aug. 9.—Downtown box-offices held up under hot weather, with Loew’s in Penn drawing $13,500 for “Andy Hardy Gets Spring Fever,” in its second week.

Estimated takings for the week ending Aug. 3:

- **Blondie Takes a Vacation** (Col.)
  - SAVOY—(1,500) (25c-50c-75c-1.00) 7 days Gross: $3,500. (Average, 7 days, $500)

- **Andy Hardy Gets Spring Fever** (M-G-M)
  - LOEW’S-PENN—(2,000) (25c-50c-75c-1.00) 7 days Gross: $11,000. (Average, $1,571)

- **Beulah** (RKO)
  - STANLEY—(3,000) (25c-50c-75c-1.00) 7 days Gross: $15,000. (Average with stage show, $2,143)

- **Cheese Is Like Hot** (Para.)
  - WARKER—(2,000) (25c-50c-75c-1.00) 7 days Gross: $4,000. (Average, $571)

**To Reopen Albee**

PROVIDENCE, Aug. 9.—Harry MacDonald, district manager for RKO in New England, plans to reopen the RKO Albee here Aug. 17. House has been closed for the summer. MacDonald has not announced who will manage the Albee.

Acquires Two in Middletown, Pa.

HARRISBURG, Aug. 9.—Two theatres were added yesterday to the independent circuit of H. Chertoff, Lancaster. They are the Elks and Majestic in Middletown, acquired from Aaron Palmer, who had owned and operated them for many years. Chertoff also operates two theatres in Steadton and one each in Lewiscow, M. O., Elizabethtown, Lebanon, and Lancaster. He said he will spend $25,000 improving each of his newly acquired Middletown theatres. Purchase price was not disclosed.

**Harrisburg Suburban Changes**

HARRISBURG, Aug. 9.—The Paxtang Theatre in Paxtang, on the outskirts of Harrisburg, was sold today by Gottdinder, Cohn and Gottdinder, of Johnstown, to Roy of the RKO Albee in Harrisburg. The theatre was built in 1936 by the Mill Amuse- ment Co., which operated it until June, 1938, when the Johnstown inter- ests bought it. The house seats 500.

**Tivoli Being Demolished**

DENVER, Aug. 9.—With the demolishing of the Tivoli theatre, one of the oldest in the city, 1,800 seats will be taken off the theatre market in Denver. The Tivoli was formerly called the Paris, but has now been closed for some time. The theatre is being torn down to make way for a parking lot.
READY! SET! GO!—This industry is talking about nothing else but the greatness of M-G-M’s "THE WIZARD OF OZ". The preview confirmed advance reports that it is one of the biggest box-office sensations of all time. 400 happy theatres are about to play it in the largest simultaneous booking of film history. M-G-M has set the stage. The American public is waiting!

$250,000 CAMPAIGN!

NATIONAL MAGAZINES
Full-page, full color ads

<table>
<thead>
<tr>
<th>MAGAZINE</th>
<th>ON SALE</th>
<th>MAGAZINE</th>
<th>ON SALE</th>
</tr>
</thead>
<tbody>
<tr>
<td>WOMAN'S HOME COMPANION</td>
<td>Aug. 5</td>
<td>GOOD HOUSEKEEPING</td>
<td>Aug. 20</td>
</tr>
<tr>
<td>LADIES' HOME JOURNAL</td>
<td>Aug. 9</td>
<td>PARENTS' LIFE</td>
<td>Aug. 18</td>
</tr>
<tr>
<td>McCall's</td>
<td>Aug. 10</td>
<td>LIFE</td>
<td>Aug. 25</td>
</tr>
<tr>
<td>AMERICAN</td>
<td>Aug. 5</td>
<td>SATURDAY EVENING POST</td>
<td>Aug. 23</td>
</tr>
<tr>
<td>REDBOOK</td>
<td>Aug. 5</td>
<td>LIBERTY</td>
<td>Aug. 16</td>
</tr>
<tr>
<td>COSMOPOLITAN</td>
<td>Aug. 1</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

JUVENILE MAGAZINES
Full-page, 2-color ads

<table>
<thead>
<tr>
<th>MAGAZINE</th>
<th>ON SALE</th>
<th>MAGAZINE</th>
<th>ON SALE</th>
</tr>
</thead>
<tbody>
<tr>
<td>AMERICAN BOY</td>
<td>Aug. 20</td>
<td>AMERICAN GIRL</td>
<td>Aug. 28</td>
</tr>
<tr>
<td>BOYS' LIFE</td>
<td>Aug. 20</td>
<td>OPEN ROAD FOR BOYS</td>
<td>Aug. 20</td>
</tr>
</tbody>
</table>

FAN MAGAZINES
2-color, 2-page spreads

<table>
<thead>
<tr>
<th>MAGAZINE</th>
<th>ON SALE</th>
<th>MAGAZINE</th>
<th>ON SALE</th>
</tr>
</thead>
<tbody>
<tr>
<td>SCREEN BOOK</td>
<td>Aug. 1</td>
<td>MODERN SCREEN</td>
<td>Aug. 1</td>
</tr>
<tr>
<td>HOLLYWOOD</td>
<td>Aug. 10</td>
<td>MODERN ROMANCES</td>
<td>Aug. 1</td>
</tr>
<tr>
<td>MOTION PICTURE</td>
<td>July 25</td>
<td>MOVIE MIRROR</td>
<td>July 25</td>
</tr>
<tr>
<td>MOVIE STORY</td>
<td>Aug. 1</td>
<td>PHOTOPLAY</td>
<td>Aug. 10</td>
</tr>
<tr>
<td>PICTURE PLAY</td>
<td>Aug. 1</td>
<td>SCREEN ROMANCES</td>
<td>Aug. 1</td>
</tr>
<tr>
<td>2-page spread, 1-color</td>
<td>SCREEN GUIDE</td>
<td>Aug. 1</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>SCREENLAND</td>
<td>Aug. 3</td>
</tr>
<tr>
<td></td>
<td></td>
<td>SILVER SCREEN</td>
<td>Aug. 12</td>
</tr>
<tr>
<td></td>
<td></td>
<td>MODERN MOVIE</td>
<td>Aug. 1</td>
</tr>
<tr>
<td></td>
<td></td>
<td>MOVIE LIFE</td>
<td>Aug. 5</td>
</tr>
</tbody>
</table>
COMIC SUPPLEMENT ADS

Full-page 4-color ads (just like the funnies) in 29 newspapers in 21 cities!

NATION-WIDE TEASER ADS

100-line insertions have been running for months in 99 newspapers in 43 cities radiating national coverage

RECORD PUBLICITY RESULTS

Never such a barrage of pre-release publicity as that which greets "The Wizard of Oz"! Just a fraction of it listed below!

Most of publications mentioned hereunder will be on sale during July, August or September. List incomplete

COSMOPOLITAN: Story in the August issue, entitled "Hollywood Discovers We Never Grow Up," by Florence Ryerson and Edgar Allan Woolf; illustrated by stills from the production.


VOGUE: Full color page, using one of our kodachromes.

RED BOOK: Has selected THE WIZARD OF OZ as "Picture of the Month"; will use a layout of kodachromes from the production.

AMERICAN: Using our kodachromes.

COUNTRY GENTLEMAN: Stills of Judy Garland and Billie Burke from the production.

LOOK: Layout.

GLAMOUR: Layout and stills.

McCALL'S: Layout.

TOWN AND COUNTRY: Layout.

NEWSPAPERS, out of town, which use ROTOGRAVURE: Full page layouts.

TRIBUNAL, OPEN ROAD FOR BOYS, INSTRUCTOR, GRADE TEACHER, SCHOLASTIC, BOYS' LIFE, AMERICAN BOY, YOUNG AMERICA, CATHOLIC BOY, PARENT'S, Story material and layouts for August and September breaks.


### Paramount Book Shorts

<table>
<thead>
<tr>
<th>Date</th>
<th>Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>August 4</td>
<td>&quot;A Woman Is No Thing&quot;</td>
</tr>
<tr>
<td>August 11</td>
<td>&quot;Caught in the Web&quot;</td>
</tr>
<tr>
<td>August 18</td>
<td>&quot;The Man from Rio&quot;</td>
</tr>
<tr>
<td>August 25</td>
<td>&quot;Death of a Prophet&quot;</td>
</tr>
</tbody>
</table>

**Dates Are Based on National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After Titles Denote the Following: (A) Action, (D) Drama, (G) Musical, (C) Comedy, (O) Outdoor Action.**

---

### Book these PARAMOUNT SHORTS when you book your features!

August 4: Betty Boop Cartoon
August 11: Sweet Moments
August 18: Breaking the News
August 25: The Old Maid

---

### Universal

- Forgotten World
- Naught But Nice
- Gini
- Dick Powell
- SWEET
- Politics
- Betty Grable
- Fourth of July
- M.D.
- SONG
- COLUMBIA
- Unheading
- Beverly Baker
- Marie Wilson
- DICTION
- Indianapolis
- Spectacles
- John Garfield
- Paula Powell
- Betty Grable
- Jeet Fitzgerald
- Staircase
- Tom Thumb
- Playing with Dynamite
- Zebra
- Jane Cagney
- George Joffre
- NANCY
- The Underworld
- Non-Grey
- Monsters
- Mary Philbin
- Richard Arlen
- Bette Davis
- The Hidden Staircase
- Nelson Eddy
- Patricia Pollock
- Recommended
- Frankie Thomas

---

### RKO Radio

- Forgotten World
- Naught But Nice
- Gini
- Dick Powell
- SWEET
- Politics
- Betty Grable
- Fourth of July
- M.D.
- SONG
- COLUMBIA
- Unheading
- Beverly Baker
- Marie Wilson
- DICTION
- Indianapolis
- Spectacles
- John Garfield
- Paula Powell
- Betty Grable
- Jeet Fitzgerald
- Staircase
- Tom Thumb
- Playing with Dynamite
- Zebra
- Jane Cagney
- George Joffre
- NANCY
- The Underworld
- Non-Grey
- Monsters
- Mary Philbin
- Richard Arlen
- Bette Davis
- The Hidden Staircase
- Nelson Eddy
- Patricia Pollock
- Recommended
- Frankie Thomas

---

### Republic

- Forgotten World
- Naught But Nice
- Gini
- Dick Powell
- SWEET
- Politics
- Betty Grable
- Fourth of July
- M.D.
- SONG
- COLUMBIA
- Unheading
- Beverly Baker
- Marie Wilson
- DICTION
- Indianapolis
- Spectacles
- John Garfield
- Paula Powell
- Betty Grable
- Jeet Fitzgerald
- Staircase
- Tom Thumb
- Playing with Dynamite
- Zebra
- Jane Cagney
- George Joffre
- NANCY
- The Underworld
- Non-Grey
- Monsters
- Mary Philbin
- Richard Arlen
- Bette Davis
- The Hidden Staircase
- Nelson Eddy
- Patricia Pollock
- Recommended
- Frankie Thomas

---

### Para

- Forgotten World
- Naught But Nice
- Gini
- Dick Powell
- SWEET
- Politics
- Betty Grable
- Fourth of July
- M.D.
- SONG
- COLUMBIA
- Unheading
- Beverly Baker
- Marie Wilson
- DICTION
- Indianapolis
- Spectacles
- John Garfield
- Paula Powell
- Betty Grable
- Jeet Fitzgerald
- Staircase
- Tom Thumb
- Playing with Dynamite
- Zebra
- Jane Cagney
- George Joffre
- NANCY
- The Underworld
- Non-Grey
- Monsters
- Mary Philbin
- Richard Arlen
- Bette Davis
- The Hidden Staircase
- Nelson Eddy
- Patricia Pollock
- Recommended
- Frankie Thomas

---

### Monogram

- Forgotten World
- Naught But Nice
- Gini
- Dick Powell
- SWEET
- Politics
- Betty Grable
- Fourth of July
- M.D.
- SONG
- COLUMBIA
- Unheading
- Beverly Baker
- Marie Wilson
- DICTION
- Indianapolis
- Spectacles
- John Garfield
- Paula Powell
- Betty Grable
- Jeet Fitzgerald
- Staircase
- Tom Thumb
- Playing with Dynamite
- Zebra
- Jane Cagney
- George Joffre
- NANCY
- The Underworld
- Non-Grey
- Monsters
- Mary Philbin
- Richard Arlen
- Bette Davis
- The Hidden Staircase
- Nelson Eddy
- Patricia Pollock
- Recommended
- Frankie Thomas

---

### Columbia

- Forgotten World
- Naught But Nice
- Gini
- Dick Powell
- SWEET
- Politics
- Betty Grable
- Fourth of July
- M.D.
- SONG
- COLUMBIA
- Unheading
- Beverly Baker
- Marie Wilson
- DICTION
- Indianapolis
- Spectacles
- John Garfield
- Paula Powell
- Betty Grable
- Jeet Fitzgerald
- Staircase
- Tom Thumb
- Playing with Dynamite
- Zebra
- Jane Cagney
- George Joffre
- NANCY
- The Underworld
- Non-Grey
- Monsters
- Mary Philbin
- Richard Arlen
- Bette Davis
- The Hidden Staircase
- Nelson Eddy
- Patricia Pollock
- Recommended
- Frankie Thomas

---

### Warner Warners

- Forgotten World
- Naught But Nice
- Gini
- Dick Powell
- SWEET
- Politics
- Betty Grable
- Fourth of July
- M.D.
- SONG
- COLUMBIA
- Unheading
- Beverly Baker
- Marie Wilson
- DICTION
- Indianapolis
- Spectacles
- John Garfield
- Paula Powell
- Betty Grable
- Jeet Fitzgerald
- Staircase
- Tom Thumb
- Playing with Dynamite
- Zebra
- Jane Cagney
- George Joffre
- NANCY
- The Underworld
- Non-Grey
- Monsters
- Mary Philbin
- Richard Arlen
- Bette Davis
- The Hidden Staircase
- Nelson Eddy
- Patricia Pollock
- Recommended
- Frankie Thomas

---

### 20th Century Fox

- Forgotten World
- Naught But Nice
- Gini
- Dick Powell
- SWEET
- Politics
- Betty Grable
- Fourth of July
- M.D.
- SONG
- COLUMBIA
- Unheading
- Beverly Baker
- Marie Wilson
- DICTION
- Indianapolis
- Spectacles
- John Garfield
- Paula Powell
- Betty Grable
- Jeet Fitzgerald
- Staircase
- Tom Thumb
- Playing with Dynamite
- Zebra
- Jane Cagney
- George Joffre
- NANCY
- The Underworld
- Non-Grey
- Monsters
- Mary Philbin
- Richard Arlen
- Bette Davis
- The Hidden Staircase
- Nelson Eddy
- Patricia Pollock
- Recommended
- Frankie Thomas
**'Iron Mask' Coast Winner With $28,500**

Los Angeles, Aug. 9.—"The Man in the 'Iron Mask'" drew $28,500, taking $14,300 at the latter, and $14,200 at the latter, "Bachelors Mother" and "Parents On Trial" drew $1000 at the Pantages.

Estimated takings for the week ending Aug. 9:
- "Frontier Marshal" (26th-Fox) 4th (30c-50c) 7 days, Gross: $4,500, (Average: $650)
- "Miracle Mile" (M-G-M) CHINESE—(2-50) 1st-5th 7 days, Gross: $13,900 (Average: $150)
- "On Borrowed Time" (M-G-M) 4th (50c-65c) 7 days, Gross: $2,500, (Average: $357)
- "Frontier Marshal" (26th-Fox) 4th (30c-50c) 7 days, Gross: $2,200, (Average: $300)
- "Bachelors Mother" (RKO) CHINESE—(2-50) 7 days, Gross: $2,200, (Average: $300)
- "A Woman is the Judge" (Col.) PANAGES—(3-60c-80c) 7 days, Gross: $3,200, (Average: $450)
- "Frontier Marshall" (26th-Fox) 4th (30c-50c) 7 days, Gross: $2,300, (Average: $300)
- "Man About Town" (Para.) PARAMOUNT—(3-90c) 5 days, Gross: $2,500, (Average: $500)
- "The Man in the Iron Mask" (U. A.) WARNER BROS. HOLLYWOOD—(3-60c) 7 days, Gross: $2,500, (Average: $300)
- "You Can't Get Away With Murder" (W. B.) PANAGES—(3-60c) 7 days, Gross: $2,400, (Average: $300)
- "The Man in the Iron Mask" (U. A.) WARNER BROS. HOLLYWOOD—(3-60c) 7 days, Gross: $2,400, (Average: $300)

**Warners Plan Two Big British Pictures**

Production of two or three big pictures in England in addition to the smaller quota credit films is under consideration by Warners.

If the $1 million a month they require to make them, their production will follow the same method which M-G-M used on "Goodbye, Mr. Chips" (British-Columbia) and "A Yank at Oxford," with Hollywood talent and directors going to the Tondergeed studios and the scripts prepared at Burbank.

The plan will be discussed by Harry M. Warner, president of Warners, with Sam Spatz, vice-president and production head. Warners sailed yesterday on the Queen Mary. He expects to be gone about three weeks, returning to London after a visit there.

**'Heat Got 'Em'**

RKO's home office succumbed to the heat yesterday afternoon, and closed at 3 p.m. The Warners closed at 4:30. They were the only home offices to do so, however, since the 28th Century Columbia, United Artists and M-G-M enjoying partial or complete air conditioning.

**TMAT Strike to Hit Springfield Houses**

Motion Picture Division of the Theatrical Managers, Agents and Treasurers Union voted to strike today at three Edward Goldstein houses in Springfield, effective last night at the expiration of their contract. Harry Minsky, member of the executive board, left last night to aid the Springfield Strike. Disagreement of union members was given as the reason for the strike.

Picketers at the Vogue, Bronx, is in charge of Boss Douglas. Owners decided last night after alterations were completed.

A group of owners and some of the managers in the legitimate stage field met last night in a caucus meeting at the Capitol Hotel to prepare for no night meeting which will decide whether a referendum shall be to the membership on the question of affiliation with the L.A.T.S.E.

**Free Films Hurting Wisconsin Houses**

Milwaukee, Aug. 9.—What with outdoor amusement parks, resorts, and even dairy and ice cream stands showing free films, Wisconsin exhibitors are suffering from the effect of controlling the 16 mm. films which are being shown in various spots.

While producers and distributors claim they have no jurisdiction over these films, state exhibitors in resort territories are taking them as a bad business because of competition from them.

One exhibitor operating theatres in a area of 5,000 population reports at least seven resorts and parks in his area showing free films and attracting as many as 25,000 persons. Competition from jackrabbit operators in Wisconsin has always been bad but this added opposition presents a serious problem for exhibitors.

**Bondy Seeks SEC Views On Atlas Plan**

Continued from page 10.

Bondy was asked by the court whether in his opinion there had been any opportunity for manipulation of RKO stock to keep the price at a low level. He replied that there may have been later but not that he was aware of any manipulation.

N. Peter Rathvon, member of the new RKO board, also testified as at the trial in New York City in the proposal. Urging the need of working cash for the new RKO company, he stated that its production would aggregate more than $15,000,000.

Objections to the Atlas offer were made by Mirsky's attorney, the state assistant district attorney, and the personal attorney of the Mirsky. In the opinion of the judge, the stock would be taken in the stock for working purposes. Ratlaby said he was "in error" in making the statement originally.

**Assets of 90 Million Reported by ABPC**

London, Aug. 9.—Associated British Pictures Corp., headed by John Maxwell, has assets of approximately $90,000,000, Maxwell reported today at the annual meeting of the company.

An additional $20,000,000 was credited to reserves and undistributed profits. The general reserve was set at about $14,275,000. A final dividend of 20 per cent was declared.

**G. B. Meeting Today Aroused Speculation**

London, Aug. 9.—There is concern over the annual meeting of Gaumont British. It is expected that the Ostrer Brothers will be questioned on production, relation to subsidiaries, and general affairs. It is also considered likely that the stockholders may question the board of directors about their attitude toward the current Board of Trade investigation of Gaumont British affairs.

**'U' Chiefs to Coast**

Charles Penratan, vice-president and general manager of 'U' pictures, will leave the studio for a train trip today for a visit of about two weeks. He will be accompanied by his top executive, Cheever Cowdin, board chairman, will leave by plane for the Coast today.

**Mrs. Blanche Sears Dies**

Alhambra, Calif., Aug. 9.—Mrs. Blanche Sears, widow of Henry Sears, died here at the age of 68. They retired last year after 15 years on the air.

**Perfectly Timed**

Cincinnati, Aug. 9.—An audience at Keith's last week witnessed a situation comedy on the program. It furnished an example of perfect timing.

Precisely at the moment that the picture director's platform fell in a sequence of events, the subject, the house curtain and fittings crashed to the stage.

**'Hardy' at $15,400 Wins Buffalo Lead**

Buffalo, Aug. 9.—"Andy Hardy Gets Spring Fever" hit a good $15,400 at the Buffalo in a better than average week. The "Man in the Iron Mask" clipped $8,800 at the Great Lakes.

Estimated takings for the week ending Aug. 5:

- "Andy Hardy Gets Spring Fever" (M-G-M) West Side—(3-60c) 8 days, Gross: $15,400, (Average: $1,925)
- "The Man in the Iron Mask" (U. A.) 5th (3-60c) 7 days, Gross: $9,800, (Average: $1,400)
- "Wanted—Reward" (Para.) PARAMOUNT—(3-60c) 7 days, Gross: $7,500, (Average: $1,071)
- "Building Drummond's Bride" (Para.) PARAMOUNT—(3-60c) 7 days, Gross: $4,500, (Average: $643)
- "Blondie Takes a Vacation" (Para.) PARAMOUNT—(3-60c) 7 days, Gross: $4,900, (Average: $693)

**Mexico City Ruling Won by 'Juarez'**

Mexico City, Aug. 9.—Warners have won a temporary injunction against the order of the Federal prosecutor to the Municipal Government, forbidding the exhibition of "Juarez." The order followed a complaint against the film to the prosecutor.

The injunction assures the exhibition of the film here indefinitely. Warners were urged to make use of the injunction with the argument that they are merely the agents handling the imported product and have had nothing to do with the film's production. The action boomed "Juarez" locally, attracting 8,000 patrons yesterday, as the picture currently is establishing a house record.

**Delay Buzzell Hearing**

Los Angeles, Aug. 9.—On request of respondent's counsel, the hearing of contempt charges against J. W. Buzzell, Central District executive secretary, John Gateley and five other I. A. T. S. E. officials has been postponed. The hearing is before Superior Judge Henry Willis. The charges grew out of alleged violation of a court order restraining the defendants from leaving up Local 37 of the I. A. T. S. E.

**Knox Denies Fox Plea**

Federal Judge Knox yesterday denied the application of the Trust Co. of Georgia for the appointment of a temporary receiver for Fox Theatres Corp., and denied injunctive and restraining suits involving Milton C. Weisman and Kenneth P. Strelcyk from carrying on transactions as trustees of the Fox theatre. Superior Judge Knox said the court had no jurisdiction over the matter.
Coast Actors Arrive; Seek A Showdown

(Continued from page 1)

been "misunderstood" by Coast newspapermen who reported that he had said the S.A.G. would strike in the event of a strike by actors.

Speaking in a personal capacity, Morgan stated that he would favor an immediate severance from the A. F. of L. of the S.A.G. to avoid a "club in a fight. Whether the A. F. of L. itself would take a similar stand is not known, but it is regarded as possible that the unionists will back the I.A.

A large delegation of actors will go to Atlantic City today, some by plane and another contingent by train. They will meet at the headquarters at the Traymore Hotel.

Present plans are to have Frank Gilmore, 4-A president, make the main speech, to be followed by Thomp- son, Lawrence Tibbett, president of American Guild of Musical Artists, Morgan, Tallahatchie Barkers, members of Actors Equity, and Jean Ashley, formerly a member of American Fed- eration of Actors and now with the American Guild of Variety Artists.

Others will attend are Miriam Hopkins, Peggie Wood, Binnie Barnes, Edward Arnold, Wayne Mor- ris, Jean Muir, Lucille Gleason, Henry Hull, Mischa Auer, Malda Reade, A.G.V.A. executive secretary; Emily Holt, American Federation of Radio Artists executive secretary; Leo Fischer, A.G.N.A. executive secre- tary; Henry Jaffe, counsel for sev- eral actor unions; Florence Markey, S.A.G. Eastern representative, and Edward Harrison.

Others who will follow by train will be Charles Loring, 4-A lawyer, and Dullitzz Equity executive secretary, Paul N. Turner, 4-A counsel, and a group of rank and file members of A.G.V.A.

Fox Midwest Men Meet on Convention

(Continued from page 1)

west, is in charge of the meeting. Fred Soufett, St. Louis district manager, will preside. Other speakers will be Sam Lawler, director of public- ity and advertising; Lon Cox, Kan- sas City district manager and film buyer; H. E. Jameyson, district man-ager at Wichita; L. E. Pope, purchas- ing agent, and Lou Honig, in charge of real estate.

Loew's, Inc., Obtains Loan of $15,000,000

(Continued from page 1)

Sept. 15 the outstanding first lien 6 per cent gold bonds of Loew's The- atre & Realty Corp. due in 1946. Interest rates on the entire $15,- 000,000 new financing will not mate- rially exceed the current interest charges on the $7,000,000 of bonds to be retired.

New York Preview

“The Wizard of Oz” (M-G-M)

“The Wizard of Oz” is of the essence of screen entertainment that lives for a long time. It probably will prove to be a popular revival at appropriate seasons. Based on the L. Frank Baum fable that is famous wherever English is spoken, the film version has been given lavish treat- ment by Mervyn Leroy, producer, and impeccable direction by Victor Fleming.

Its great virtue is that old timers will want to see it because of their recollection of the book and stage production, the present generation will be attracted to it because of the novelty and the youngsters will eat it up as they would a peppermint stick.

The cast is a prime contribution, the merchandise being a marketing campaign by M-G-M, the picture undoubtedly will do top business in many situations.

The generous staging and opulent investiture, the brilliance of spectacle, the fame of the film’s predecessors in print and on the stage, the per- formance of the cast, the production trickery and the excellent color are elements that should make “The Wizard of Oz” a box-office attraction of major importance.

Weakness is apparent in the whimsy itself. Dating from the year 1900, it may or may not appeal to sophisticated adults in the year 1939. Valiant attempts have been made to inject a modern note, and while in itself it clicks tremendously, in the surroundings it appears quite out of place.

Bert Lahr as the Cowardly Lion turns in the No. 1 performance. He is a Wizard of Spoon in a Land of Spoonfly and plays the part to perfection. Ray Bolger as the Scarecrow is outstanding, and Jack Haley, the Tin Woodman, is properly appealing. Only Judy Garland, the Dorothy of the fairy tale, plays a straight role. The others emote with tongue in cheek.

The well-remembered tale relates what happens to Dorothy, child of a Kansas farmer, when she is caught up in a cyclone and her osmosis into the Land of Oz that Never Was where her friends and acquaintances, good and bad, become witches and other strange beings of derelium.

The motivation is inspired by Dorothy’s persecution by a rural “witch” who has designs on her dog and Dorothy’s desire to escape by running away from home.

The characters’ misadventures are hilarious at times, and there is a sense of an attempt at song, satire, burlesquing human foibles. But it’s the drollery and spectacle that count.

Miss Garland plays the starry-eyed Dorothy as she should be played and Frank Morgan is heart-warming as the medicine show faker and Wizard of Oz. Then there are Billie Burke as the Good Witch, Margaret Hamilton as the Wicked Witch, Charley Grape, Pat Walshe, Clara Blandick, the Singer Midgets as the Munchkins, and last but not least Toto the dog. Toto is a grand actor. The makeup job calls for a special award.

The music and production numbers are well integrated with the fantasy. Herbert Stothart handled the musical adaptation, E. Y. Harburg wrote the lyrics, and Richard Gomberg the musical numbers. Harold Rosson was skillful with the camera. Noel Langley, Florence Ryerson and Edgar Allan Woolf did the screenplay, with Langley handling the adaptation from the original book.

“Garland and Rooney Due in City Monday”

Judy Garland and Mickey Rooney, who will make a personal appearance at the Capitol, beginning Oct. 17, were greeted by large crowds in Washington yesterday, where they made their first appearance at the Capitol Theatre today.

Joseph R. Vogel, Loew theatre executive, met the pair in Washington, and will accompany them on the bal- ance of their engagements, beginning prior to the New York appearance.

They will appear in New Haven today, in Hartford tomorrow and in Bridgeport on Saturday. They will reach New York on Monday. Two hundred New York school children will be luncheon guests of the pair at the Waldorf-Astoria on Wednesday.
NEW YORK, FRIDAY, AUGUST 11, 1939

TEN CENTS

MOTION PICTURE DAILY

U.S. to File Trust Action at Nashville

Crescent Circuit Cited; More Suits Nearing

WASHINGTON, Aug. 10.—The Department of Justice will initiate another of its theatre circuit dissolution suits tomorrow with the filing of a petition in equity in the Federal District Court for the Middle District of Tennessee for an injunction to prevent the Crescent Circuit, which is headed by Tony Sudekum, it was disclosed tonight by Assistant Attorney General Thurman Arnold of the Justice Department.

The circuit operates 38 theatres in Tennessee, Kentucky and Alabama, and books and participates in the operation of several additional houses in Mississippi and Arkansas. Its headquarters are in Nashville, where the suit is pending.


The Crescent circuit is the third of a series planned by the Government. Cases already have been initiated against Gulf Amusement Co., operating in Oklahoma, Texas and New Mexico, and the Schine Circuit, operating in New York, Ohio, Kentucky, Maryland and Delaware, (Continued on page 8)

J. J. Milstein Going Abroad on Clipper

J. J. Milstein, Eastern representative of Edward Small Productions, will be a passenger on the Yankee Clipper, leaving Port Washington tomorrow morning, en route to London, Milstein is listed as one of the first executives to use the trans-Atlantic plane service for a regular business trip.

In London, Milstein will confer on preparations for the English premiere of "The Man in the Iron Mask," Small-United Artists production, which is scheduled to open at the Odeon, London, Sept. 4.

Jitters Grip Hollywood

Hollywood, Aug. 10.—All Hollywood had an aggravated case of jitters today as workers ranging from highly-paid stars to laborers on back lots awaited word from the Atlantic City meeting of the A. F. of L. executive council.

There was no serenity in the executive sector either. Stars and featured players lingering around the Hollywood Boulevard offices of the Screen Actors Guild, awaiting word from their delegates who flew to Atlantic City to present their protest against I.A.T.S.E. "encroachment" in the actor ranks.

Back lots buzzed with speculation as to whether a strike was called and as to its possible effect upon them. In addition to the actors' fight on the I.A.T.S.E., a charter to the A.F.A., the most important item which would affect approximately 25,000 workers in Hollywood is the resolution adopted by the Los Angeles Central Labor Council asking preparations for a general film walkout to prevent the CIO from boring into studio craft lines.

J. W. Bussell, executive secretary of the Labor Council, who went to Atlantic City to contact heads of teamsters, musicians and other international heads in Hollywood, is expected to return Saturday by plane to lay before council delegates here the progress he has made on the matter.

Meanwhile, officers of A.A.A.A. unions here continued with plans for a mass meeting Sunday, night at the Hollywood Legion Stadium at which time their delegates will report the action of the A. F. of L. executive council.

Adolph Menijou, appointed chairman for the session, today said: "It is vitally important that all members of A.A.A.A. attend this mass meeting. Actors must demonstrate whether they want to be ruled by rackets or want to govern themselves."
Purely Personal

LEO SPITZ and JOHN BALABAN planed to Manitoba yesterday.

Visitors to the World’s Fair from various parts of the country include: MAURICE STREITSFELD, assistant manager of the Capitol, Allston, Mass.; NATHAN LEVIN, manager of the Dudley, Roxbury, Mass.; DAVID O. PAYNE, Lakeland, Fla.; and Mr. and Mrs. HENRY LIFSKOM of Eastland; WILLIAM H. RUPPARD and daughter, Farmville, Va.; DR. J. R. WILSON, his brother, J. E. WILSON, Thomson, Ga.

Tom Collins, nephew of the late M. E. COMERFORD and an official of the Comerford circuit, has been named without opposition for post commander of the Koch-Conley American Legion post, the first ever to achieve such an honor.

Ted Reed, director of Paramount’s “What a Life,” is due in New York Monday for a short vacation. He will be accompanied by Dan HARTMAN, who wrote the film’s screenplay.

Les PETERSON of M-G-M’s studio publicity department is traveling with Mickey Rooney and Judy GARLAND on their eastern personal appearance tour.

Arturo RUIZ PRATT, independent distributor of Porto Rico, and Enrique DELGADO, exhibitor of Cabo Rojo, Porto Rico, are in town on business.

William Morphy of the J. Spering Group agency is spending his vacation on the sands of the Long Island shores.

Dan DOHERTY is handling the news desk at Movietone News while Jack HANEY, assignment editor, vacations with relatives in the west.

David BERNSTEIN, vice-president and treasurer of Loew’s, and Mrs. Bernstein will return over the weekend from a Maine vacation.

HAROLD S. SMITH, operator of the Dreamland at Carson, La., was married recently to Gladys Peg of Carson.

Dick BRUCE, Columbia shipper in Des Moines, has left for a two-week vacation.

Margaret KIPP, booker at the Cincinnati KKO division office, is on a vacation in the East.

Clayton BOND, Warner circuit’s chief film buyer, is on a vacation.

Al Gold, Movietone News cameraman, starts his vacation today.

Mr. and Mrs. John MORONEY and JUDY D. PAYNE are on a holiday.

Louis B. MAYER is in Saratoga.

“Sonny” SCHLECHTER, Joe Lee’s aide at the Fabian Fox and Brooklyn Paramount Theatres, is spending his vacation at home because of the death of his father recently. Ted TROOST of

Insider’s Outlook

By SAM SHAIN

LAST week on Broadway, of the new product, the four leading films each received the same 3½-star rating from the critic of the N.Y. Daily News. These pictures are “Four Feathers,” “In Name Only,” “Gaslight” and “Stanley and Livingstone.” All of which serve to bring up again this question of rating pictures by tricky symbols.

In Cincinnati, for instance, a critic has devised the report card system for rating pictures—such as A, B, C, D.

This star rating system began some years ago in Chicago by the Chicago Tribune. It has been adopted by the N.Y. Daily News followed.

Balaban & Katz fought this system and finally convinced the Chicago Tribune that it was detrimental, even unfair to the box-office.

In New York, the theatres took the matter up with the Daily News but got nowhere. Theatre men decided to refrain from using the star rating system for advertising lobbies. Now and then, however, some independent will follow the rule.

Exhibitors know that this type of rating serves only to keep the fans from reading the reviews and to rely wholly on the symbols.

The exhibitor testimonial to Nate Blumberg again focuses attention on Universal’s progress. Some of the production plans so far announced are unusual. They indicate shrewd showmanship and portent box-office results. Trade interest is high in such planned ventures as the teaming of W. C. Fields and Mae West for a film; the new juvenile discovery, Gloria Jean, and the casting of Marlene Dietrich and James Cagney.

The exhibitor campaign starts off beautifully by having Sypros Skouras for chairman.

The entire setup is being planned astutely. Universal will release its 14 outstanding attractions between now and Nov. 1. That means that the company’s fourth quarter is likely to prove a record breaker.

Two film salesmen were discussing national politics the other day at the Astor. One claimed that he was informed authoritatively that the Democrats already had a 1940 presidential candidate picked but were not revealing his identity.

“This candidate is a big man, honest and capable,” spoke up the salesman, “and he has a reputation—beyond repute.”

Fully recovered after an illness of almost two years duration, Duke Hickey, former trade writer and editor, and for more than a decade one of Universal’s outstanding film exploiters, has been appointed to the personnel department in Chicago by Johnny Mednikow, in Chicago, to handle special publicity, advertising and exploitation on, “When Germany Surrendered,” rights to which Mednikow holds for Illinois, Michigan, Indiana and Missouri.

The closed Brooklyn Strand is substituting for him.

E. F. BURGAN, this week celebrated a quarter century in the theatre business in Kansas City when his son and partner, E. T. Burgan, arranged a surprise dinner at the Millburn Club.

Charles CURBON, currently directing the Mohawk Drama Festival at Schenectady, appeared in Albany with the run of “Bachelor Mother,” in which he has a character part.

Sidney TOLE, who replaced the late Warner OLAND as “Charlie Chan,” in the 20th-Fox detective story series, has been signed to a long term contract to continue in the role indefinitely.

Andrew ROY, manager of Warner’s Strand in Allston, has returned from Cleveland, while William TALLMAN, his assistant, is vacationing in the Adirondacks.

Ben SIMONS, manager of Loew’s, Metropolis, Brooklyn, umping himself at Schron Lake, N. Y.

Lynn FARKEL, United Artists advertising and publicity director, will leave the Coast by plane Sunday, returning to the home office after viewing several of the company’s recently completed pictures.

William A. KUNZEL, publisher of the Fort Wayne, Ind., Journal-Gazette, their daughter Mary ANN and son William III, were guests at the Paramount studio yesterday.

O. C. DORLING, Jr., of counsel to Irving Trust Co., RKO trustee, is recovering from a light attack of pneumonia at his home.

Joe GORET, assistant manager for RK0 in charge of personnel in Cincinnati, is vacationing at Buckeye Lake, O.

Louis KUTLER, New York booker for 20th Century-Fox, leaves tomorrow for a week’s vacation at Monticello.

Allen Johnson of the Butterfield circuit in Grand Rapids, Mich., is vacationing here with his wife and two children.

Ralph GUIGO of Radio City Music Hall publicity staff, is vacationing in the Maine woods.

J. H. Hopffberg left yesterday for a six-week business trip to Hollywood.

Purely Personal

WALTER J. HUTCHINSON, director of foreign distribution for 20th Century-Fox, leaves Sunday for the coast to see completed pictures. He will be gone a week.

Charles E. McCARTHY, Toby QUENT, Sidney PHILLIPS, Russell HOLMAN, Sam GAREY, Gene BELLMAN, Joseph UNGER, George WELLS, John DAY, Joseph FTRITSCHE, are off to the Shooting Room in the Astor yesterday.

David NIVEN is due here by plane from London. He will be here after completion of his role in “Eternally Yours,” Walter WANGER film for United Artists. He plans to fly to his home in the England on the first available clipper flight, for a brief stay.

Arthur NEWMAN, manager of Republic’s Albany branch, returns to his office today following conferences in New York. W. O. BELLMAN, Eastern district sales manager.

Martin J. Smith of Toledo, president of the Ohio Allied unit, left last night after conferring here on a reciprocal insurance plan for exhibitors.

Josephine LANGFELDER, Film Board of Trade receptionist, is vacationing in Long Branch, N. J. Florence ABRAMSON has returned to her desk there.

Louis NIZER, film attorney, and his wife, leave today on the Brazil for a honeymoon cruise to South America. The Nizers were married two weeks ago.

Tom GOFF is replacing James CUMMINGS as Brooklyn booker for Universal while the latter is vacationing. CUMMINGS returns August 21.

Norma BERNSTEIN, Movietone News booker, leaves for a brief vacation tomorrow.

Gene MURPHY of Loew’s ad staff is vacationing at Fire Island.

Motion Picture Daily

(Registered U. S. Patent Office)

Published daily except Saturday, Sunday and holidays at Englewood, N. J., for the Motion Picture Daily, Inc., Rockefeller Center, New York City, New York. Telephone Circle 7-1100. Cable address, "Iquippho, New York." Martin Quigley, General Manager; James B. Chamberlain, Vice-President and General Manager; Watters B. Roach, Vice-President; Sam Shain, Editor; James A. Cross, Advertising Manager; Chicago Bureau, 824 South Michi gan Avenue; Los Angeles, Hollywood Bureau, Union Station, Building; London, W. B. W, Beaver, President; London, E. Golden, Manager; New York, N. B. W. Brown, Manager; management, cable address "Iquippho, London." Copyrights, copyrighted 1939 by Quippe Publishing Company, Inc. Other Quigley Publishing Company. Motion Picture Daily, Broadway Theatres, Teatro Al Dia, International Motion Picture Almanac and Fami. Entered as second class matter at the post office at New York, N. Y., under the act of March 3, 1879. Subscription rates per year in the Americas and 12 foreign, single copies 10c.
Los Angeles calling!

"Stanley And Livingstone" premiere Chinese Theatre drew biggest crowds in three years! First full day out-grossed every picture at State and Chinese Theatres since "Alexander's Ragtime Band" and including "Jesse James" and "In Old Chicago"!

The new season's biggest news

Always from 20th Century Fox

THE KEYSTONE OF YOUR FUTURE
**Lower Quota To Be Sought**

**For Exhibitor**

**Hollywood Preview**

“Quick Millions” (20th Century-Fox)

**Hollywood** Aug. 10—Good old-fashioned hokum comedy with the regular members of the “Jones Family” involved, of course, but with Eddie Collins and Paul Hurst occupying the funniest roles, is the entertainment and exploitation substance of “Quick Millions.”

As the picture comes up on the screen, it appears that producer John Stone gave story authors Joseph Hoffman and Stanley Rauh and screenplay writers Hoffman and Buster Keaton full license to include every comic gag they could in devising the dialogue, situations and characterizations. He undoubtedly told director Malcolm St. Clair and the troupe he wants it loaded from beginning to end with laughs, legitimate or nonsensical, would be the result. The lineup made good on the assignments.

As exciting and amusing as any of its predecessors, this episode is just another “Jones Family” misadventure that turns out happily. Hardly enough time around to turn around, the family, believing it has inherited a gold mine, takes off via trailer for Grand Canyon. There they encounter Collins, added-brained lawyer, guide and bad-man sort, a sort of Paul Bunyan of the desert, who immediately takes charge of the show’s fun and fury. Camped in a haunted cabin to be terrorized by Horace MacAulay Jr’s bandit gang, the menage finds no gold, but peeks of being an outlaw, is jailed. But the family rallying to his rescue, traps MacMahon’s mob and starts home with a $2,000 reward.

An all-family picture, “Quick Millions” should have no difficulty provoking the merriment for which it was designed.

Running time, 55 minutes. G**M*

G. McC.

**Poughkeepsie Radio Station Authorized**

Albany, Aug. 6—The Poughkeepsie Broadcasting Corp., recently issued incorporation papers by Secretary of State Michael F. Walsh to conduct a general radio broadcasting business, includes John H. Mack, who twice placed in nomination Press Association by the floor of Democratic National Conventions, President Henry MacCracken of Vassar College, Richard E. Coon and Judge John J. Grubb, all of Poughkeepsie, among its sponsors.

Recent efforts of the Poughkeepsie Star to receive authorization for a station have failed. Capital stock authorized in the new concern’s charter papers consists of $25,000, with 250 shares of preferred at $100 and 500 shares of common at a dollar ($1).

**NBC’s Television Hours to Expand**

NBC, effective Aug. 29, will increase its television broadcasts over W2XS to a minimum of 11½ hours weekly, according to Alfred H. Zanin, NBC’s vice-president in charge of television. The present schedule is 10 hours per week.

Under the schedule, NBC will televise one feature film every Wednesday evening, beginning Aug. 30. Studio presentations will be telecast on Monday, Thursday, and Friday evenings. Noonday teletakes will continue on the present schedule of four days a week, and outside telecasts by NBC for units in the network will be over W2XS three afternoons a week.

**‘Fu Manchu’ Signed Over Ten Stations**

Ten stations have signed to present “The Shadow of Fu Manchu,” transcribed series marketed by Radio Attractions. The stations which have acquired the Sax Rohmer series are WREX, Youngstown; KWK, St. Louis; WHBC, Canton; KTKR, Phoenix, KVOA, Tucson; WRAK, Williamsport; KJH, Los Angeles; WSAL, Salisbury; WIBX, Utica and KTOK, Oklahoma City.

Programs will be sponsored in Phoenix and Tucson by the S. T. Co.; in Williamsport by Ford Motors; in Salisbury by Nehi Bottling Co., in Charlotte, Wagons Wheelage, in Oklahoma City. Eno Co. is testing the program in Los Angeles.

**WIRE to Open New Studios in Fall**

Indianapolis, Aug. 10—WIRE, basic NBC-Red and Mutual network outlet in this city, will construct new studios and offices. Work will start immediately, and the new Cloway Hotel, and the new headquarters will be opened in the fall.

In addition, hotel auditoriums seating more than 2,000 persons will be available to the station for public broadcasts. The development will cost approximately $200,000, which will be raised by a large organ equipped studio, control room and three smaller studios and offices for executives, business representatives, program, traffic, announcers and news rooms.

**CBC Policy Opposes All Censorship**

**Toronto, Aug. 10—**Canadian Broadcasting Corp., in an official statement of policy issued by the Board of Governors, flatly declares, “The corporation does not believe in, or practice censorship.”

The CBC is opposed to and shall resist any attempt to prevent or throttle freedom of utterance, the statement continues. The principles of freedom of expression and the airing of all opinions can be best maintained in the view of the corporation, by the CBC itself “providing time, free of charge, to competent speakers to present...the varying viewpoints on questions of the day. It is therefore the CBC’s policy to place its own broadcasting facilities and its independent and competent speakers as a contribution to the discussion of current affairs and problems.”

Part of the corporation’s policy is indicated by the contention that since the purchase of radio networks to bring to all Canadians what may be of public concern to them, which could be shared by all, because of the expense, the CBC does not permit the sale of networks to individual stations in Canada to control the broadcasting of opinions. “The policy necessarily applies to network programs originating outside of Canada.”

**Several Programs Renewed on WOR**

Quaker Oats Co., sponsor of “The Man on the Farm,” heard over WOR last season, will sponsor the program again this fall. Series will be conducted by Joe Bier and will be heard Saturdays at 12 noon for 13 weeks.

Renewed for another year over WOR is the transcribed version of “The Goldbergs” serial, Series will maintain the schedule of Monday through Friday in NBC noontime telecasts, over W2XS three afternoons a week.

**They Have Music**

KANSAS CITY, Aug. 10—The longest program in this area is over KCMO from 11 p.m. to 1 a.m. Sponsor is Muehlebach Brewing Co., which presents “The GCBS Show,” which is owned and operated by C. B. S. Timmons. The show is built is transcribed and recorded music, played on request. It has developed about 150 request telegrams a week.

**Penn Gets CBS Show**

Penn Tobacco Co. yesterday signed with CBS for a half hour program over 50 stations at 7:30 Thursday evenings. Penn is now using NBC for its “Vox Pop” program and it is understood that the same program will be continued over CBS.
THE STORY OF

PRE-SELLING

Golden Boy

here's how
THIS WEEK MAGAZINE

Full-color ad in This Week Magazine, with a circulation of six million, will hit every important newspaper in the country. Here is real direct-to-the-consumer merchandising, backed up by all the resources of the magazine.

THE AMERICAN WEEKLY

With a circulation of fifteen million, blanketing the country to the benefit of every exhibitor.

ADS IN ALL FAN MAGAZINES


NATIONAL NEWSPAPER ADS

Spotted in key cities and carefully planned to benefit every type of theatre.

SUNDAY MIRROR MAGAZINE

A full-page ad in this important medium, with a circulation that hits every part of the country.

MAGIC KEY—GOLDEN BOY BROADCAST

One of the most popular programs on the air will dedicate its program on Monday, September fourth, to “GOLDEN BOY” with one of the most unusual presentations ever conceived for a radio show.

GOLDEN BOY

starring

BARBARA STANWYCK • ADOLPHE MENJOU • WILLIAM HOLDEN

A ROUBEN MAMOULIAN PRODUCTION • Produced by WILLIAM PERLBERG
Screen play by Lewis Meltzer, Daniel Taradash, Sarah Y. Mason, Victor Heerman
Based upon the Group Theatre play by CLIFFORD ODETS

A Columbia Picture
**Hollywood In Brief**

**HOLLYWOOD, Aug. 10.—**FRED C. QUIMBY, head of the M-G-M short subjects department, got to pondering over the possible effects of the Illinois anti-trust suit, where the governor vetoed its check and backed off to see how many pictures, long and short, the studios were turning out 10 years ago, when deals were so unimportant as now. Features, he found, were produced in approximately identical average numbers as then, but the total number of shorts being produced this year is equal to only 60 per cent of the total produced then. Quimby drew his own conclusions, your reporter drew his, and now it's you readers turn to draw your own.

Retama Film Productions announces Aug. 15 as the starting date of "Train Blazers," featuring GEORGE SPEERCKELS, first of a series of four real featurettes in Cinemascope on the double blazes market. LEONARD DEAN-SMITH will act as associate producer. "Retama was organized," says its publicity, "by a group of people, most of whom are silent partners."

HARRY STEEN, branch manager and production manager of the Chicago branch of the Artists in these parts for many a year, has joined E. I. Chadwick's Tri-National Films of California, importer and distributor, as general sales manager.

Warner announces plans to produce "Forgotten Egale," described as the story of GOVERNOR JOHN PETER ALTGELD OF ILLINOIS, "a Gregorin noted for his advanced social consciousness," and folks who know their Illinois are going to look forward to that one with what is generally called keen interest.

Carpenters are busy on an addition to CLIFF LEIGH's "Eclipse" department at Paramount which will make it twice as big as it is now and give the studio advertising director elbow room in which to whip up twice as many of those broad-gauge exploitations that are the domain of the Bob Burns' junket to Van Buren.

Titles—Warners have decided to call "Career Man" "Espionage Agent" instead. . . HARRY SHERMAN has settled upon "The Ne'er Do Well" as the title of a Rex Bell story, which seems to be what the late Mr. Beach thought was appropriate for it, and will offer ZANTZ GRESH's "Knights of the Range" and "Light of Western Stars" under those titles.

Universal has given columnist HERBA HOPPER a spot in "Listen, Kids!" and it's getting so people think of her first, as a columnist, instead of as an actress, which, in view of her long stage and screen record, is something in the nature of a victory for journalism—is it?

Press guests of ORSON WELLES at his Brentwood retreat where he's hiding out while getting into the swing of that producer-director-actor in the new swing state of California, will be told what's going to be said and not to tell anybody. Naturally, a lot of the press guests are telling their readers, anyway, but not this one, the spectacle of a personality in Hollywood asking not to be written about having far too wonderful thing to violate.

HERMIE RYBAK, recently of the New York Herald-Tribune and now Boswell to Welles, says he thinks he'll like the new job as soon as he finds out what it is—like California already.

HENRY KOSTER, now deep in a DEANNA DURBIN production, has signed a new Universal contract.

**'Borrowed' $10,000**

**Indianapolis Lead**

**INDIANAPOLIS, Aug. 10.—**"On Borrowed Time" and "Good Girls Go to Paris," scheduled for release in connection with Loew's, with $10,000 "Bachelors Mother" and "Career" took $8,500 at the City with Republic, has joined the organization.

**Actors' Fund Drive**

Scheduled to open next Monday is the second annual Summer theatre campaign for the Actors' Fund. It will have its headquarters at the Beverly, and Guy Palmeton is committee chairman.

**Variety Film Moves**

Variety Film Distributors have moved its offices to new and larger quarters at 33 W. 42d St. John J. Mazer, who with Republic, has joined the organization.

**KANSAS CITY, Aug. 10.—**Nine new theatres, totaling more than 4,500 seats, have been opened in Kansas during August or are in process of construction at the present time in Kansas, and four more houses with about 2,000 seats have been built in Missouri in the same period.

This is well above the yearly average for new openings in Kansas and is about normal for the western half of Missouri. The yearly average for the five-year period ended December 31, 1938, runs slightly over six theatres or about 3,600 seats in both Kansas and western Missouri. Costs have not changed materially in that period.

Wichita, Kan., has acquired two theatres, the 400-seat Liedtke, built by Harold Gibson's 700-seater, and T. H. Stolter's 850-seat Sandra. Gus Diamond has the Vogue, 400 seats, in Salina, Kan., Will have the Roxie, 550 seats, in Eldorado, Kan., in another month.

Chairman of the new Klock in Fredonia, Kan., about 400 seats, which he has sold to Griffith-Dickinson Theatres, Inc. O. L. Christian is remodeled and a building in Blue Mound Kan., for a 350-seater. Ray Rezac has broken ground for a new 500-seater in Salina, Kan. which one of the members in the Tepeka, Kan. J. E. Johnson's 300-seat Community at Gardner, Kan., was opened this year, as was D. A. Shadid's Dexter at Dexter, Kan., 400 seats.

In Missouri Commonwealth Amusement Corp. built the Boone, Columbia, 400 seats; C. E. Cook is building the Tivoli, Maryville, about 600 seats, for September opening. George Hartmann finished his 400-seat State at Mound City late last fall, and Frank Weary this spring opened his Vogue, 400 seats, at Richmond.

The average number of seats per house in the five-year period ended 1938 was slightly more than $50.

**Seek to Ban Street Carnivals in Seattle**

**SEATTLE, Aug. 10.—**An attempt to have the Seattle City Council ban all street carnivals is being made by local members of the M.P.T.O. of Washington, through Secretary T. M. Hone. Hone told the council's License Committee that the carnivals are harmful to public welfare, dangerous to health, unsanitary, and permit open gambling.

At present, the city charter permits the commission of licenses to issue a license to any carnival upon payment of a small tariff. Robert H. Harlin, vice-chairman of the license committee, advised Hone to have the M.P.T.O. submit a petition to the council asking for the charter to be amended in future licensing of such traveling shows.

**Change Call Letters**

CBS has changed the call letters of its international short-wave station, W3XAU, to WCAI, in conformance with the new ruling of the F.C.C. taking such operation out of the experimental classification.
Too Realistic

Plymouth, O., Aug. 10.—Maurice Bachrach, who lives near the business area, and who keeps a few pet sheep in the lot adjoining his home, was awakened suddenly one night by a frightened bleat and the sound of human voices. Dressing hurriedly, he rushed to the pasture and found everything serene.

Investigation disclosed that there had been evidence of a sequence of an open air picture being shown in the downtown sector.

Heat Kills Gorges

For Oklahoma City

OKLAHOMA CITY, Aug. 10.—Hot weather took its toll of gorges, the best business credited to “The Sun” and $1,000 was won at the Tower. Other gorges were good.

Estimated takings for the week ending Aug. 4:

<table>
<thead>
<tr>
<th>Gross</th>
<th>(25c-35c-40c) 4 days</th>
<th>Gross</th>
<th>(25c-35c-40c) 7 days</th>
<th>Gross</th>
<th>(25c-35c-40c) 7 days</th>
<th>Gross</th>
<th>(25c-35c-40c) 7 days</th>
</tr>
</thead>
<tbody>
<tr>
<td>DUBLIN</td>
<td>$2,100</td>
<td>DENVER</td>
<td>$2,000</td>
<td>WICHITA</td>
<td>$1,500</td>
<td>MIAMI</td>
<td>$1,500</td>
</tr>
<tr>
<td>CLEVELAND</td>
<td>$2,000</td>
<td>PHILADELPHIA</td>
<td>$1,500</td>
<td>SAN FRANCISCO</td>
<td>$1,500</td>
<td>DALLAS</td>
<td>$1,500</td>
</tr>
<tr>
<td>CHICAGO</td>
<td>$1,500</td>
<td>BOSTON</td>
<td>$1,500</td>
<td>NEW YORK</td>
<td>$1,500</td>
<td>ST LOUIS</td>
<td>$1,500</td>
</tr>
</tbody>
</table>

$250,000 Campaign

For ‘Wizard of Oz’

For M-G-M’s pre-selling campaign of “The Wizard of Oz,” Howard Dietz, advertising and publicity director, has issued a Broadway giving details of the $250,000 campaign.
The four-cornered, broadside reproduces in color full page, full color ads appearing in 28 Sunday comic sections of big city newspapers with a total circulation of 12,731,764. The ads are in comic strip style.

Also reproduced are full page, full color ads in leading national magazines, timed to reach readers just prior to release of the film on Aug. 25. There are also two-page color spreads in all fan magazines and full page color insertions in the leading juvenile magazines. Included is a series campaign series appearing in 115 newspapers in 53 cities with coverage radiating through the entire country and the “Lion’s Roar” column in Saturday Evening Post.

The entire campaign adds up to a grand circulation of 91,912,833, which of 64,376,771 is magazine circulation and 27,176,062 is Sunday comics and daily newspapers.

New CBC Series

Toronto, Aug. 10.—Motor caravan of Canadian Broadcasting Corp., known as “Mobile Listening Post,” radio studio and transmitter on wheels for on the spot recording and broadcast- ing, has completed its tour of Nova Scotia, New Brunswick and Prince Edward Island for material for a network series titled “Summer Over the Maritimes.” R. T. Bowman of Toronto, director of special events, was in charge.

Motion Picture Daily
GB Meeting
Stormy; O.K.
On Finances

London, Aug. 10.—Despite efforts of a shareholders' committee to bring about the adjournment of the Gaumont British annual meeting today, the motion passed the financial statement and balance sheet with only six dissenting votes.

The discussion on adjournment prevented the receipt of the consolidated accounts and the report of the Board of Trade committee investigating the affairs of the company, which gave a resolution opposing the re-election of the present board of directors.

The lively session was featured by outspoken criticism by members of the Norton stockholders' committee, and demands for a statement of cash receipts, coupled with attacks on executive salaries on the like, while Isidore Ostter retaliated by accusing the protesting stockholder group of insincerity. He said he hoped for a dividend next year on the ordinary shares, and claimed the support of the majority of the stockholders.

In effect, the meeting developed into an effort to support of the Ostter brothers' policies.

Visibility Decision
Affects Theatres

New Haven, Aug. 10.—The Supreme Court of Errors, highest court in Connecticut, has handed down a unanimous decision, the first in the state which defines the duty of a theatre operator toward the patron's safety, so far as visibility in the theatre is concerned.

In the case of that of Frances Miller vs. Poli's New England Theatres, Inc., brought originally in the County Court to recover damages from the Capitol, was submitted to the court on the appeal of the management of the theatre, and the court found in favor of the management, and the appeal is sustained on leaving the theatre seat. Judgment of $50 was awarded the plaintiff.

The petition fell from a 2½ inch platform on which the row of seats stood, and the plaintiff claimed that the theatre operator ignored the white painted line. The claim was that the red and blue diffused lights above and to the rear did not reflect the white line, in which the lower court concurred, but the appeal court disagreed.

The court found it is the duty of the theatre operator to provide a safe place for the audience in the construction, equipment and management of it, having regard to the character of the performance, the comfort of the patrons and the customary conduct of the persons attending. To provide too much light would spoil the entertainment for patrons."

Columbia to Make
8 Films in England

London, Aug. 10.—Harry Cohn, president of Columbia, on a 24-hour visit here, said that Columbia is planning to produce a picture output of eight films annually.

He paid tribute to the excellence of the films made for Columbia by Irving Asher, and promised American showing of the films made here approval by the executive council of his clearly unlawful act—an act which apparently was not brought to the attention of the council both before the convention and in court, if necessary.

The result is that you now have the legal basis for our jurisdictional rights, but entirely apart from any question of the management of the company, when you that labor will lose all public confidence if it permits its members to be sold as chattels by a private bargain pending the hearing of the case against Browne. I say to you that for these reasons:

The actors of America do not want either Mr. Whitehead or Mr. Browne. They want the 4A's and no action by either Whitehead or Browne will affect the loyalty to this International and its branches.

4A's, neither, only Mr. Browne or Mr. Whitehead convinced their membership in making the deal that they failed in which Mr. Browne chartered Mr. Whitehead to organize the actors. No one was consulted in the rank and file. Their move, therefore, does not increase the support and cannot be held to organize. Labor will be injuring itself irreparably by countenancing any of this kind. A.P.A. and, of this kind, I say to you that:..." 

CBS Revives
Six Suspended Shows in Fall

CBS announced yesterday the resumption in the Fall of six programs which were dropped for the Summer.

On Aug. 21, Ethyl Gas will replace the Walter O'Keefe variety show with "Tune Up Time" on Mondays from 8:30-9 P.M. B. D. & O. is the agency.

On Aug. 28, General Foods will resume "Lum and Abner" for the succeeding six weeks.

On Sept. 5, General Foods will switch "We, the People" to Sanka Coffee from Jello Ice Cream. The program will continue on its Tuesday night spot from 9-9:30 P.M. Young & Rubicam is the agency for the latter three programs.

On Sept. 11, Lever Bros. will resuscitate "The Lux Radio Hour" from 9-10 P.M. Mondays for the succeeding six weeks. On Sept. 19, Lever Bros. will also revive "Big Town" Tuesdays from 8-8:30 P.M. for the succeeding six weeks. The Variety show will go on from 8:30-9 P.M. for Lifebuoy. Ruthrauff & Ryan is the agency.

Coast Flashes

Hollywood, Aug. 10.—Charles Carr, special assistant U.S. attorney, will arrive this weekend from Washington to take charge of the investigation of alleged labor racketeering in the film industry and income tax matters involving important film people. The investigation may prove so hectic, will wind up with the presentation of the evidence to the Federal Grand Jury.

James Dunn, actor, today filed in Superior Court a suit against Victory Pictures Corp., asking $30,000 damages against them for breach of contract under which he said he was to receive $24,000 per picture for a 90-minute piece of eight. Dunn alleged the first picture was postponed from time to time and that none of the films have been made.

M-G-M Sets Details
In Theatre Contest

M-G-M yesterday disclosed the first group of pictures in its $10,000 exploitation contest for independent exhibitors in the United States and Canada, for which, it is said, 1,000 entries have been made. The contest includes all M-G-M films released between Sept. 1 and Dec. 31. The closing date of the contest is March 1, 1940.

The company probably will release advertising pictures during the period. "The Wizard of Oz," although its current release, will be included in the contest. There will be identical prizes for the films in each category. First place in each category will win $2,500, second $750 and third $300. A total of $24,000 will be paid in first prizes.
Theatre and Personnel Changes

Laughlin is Transferred
KANSAS CITY, Aug. 10.—H. E. Jameson, district manager of Fox Midwest, has been transferred to Los Angeles, Calif., and succeeded by William Laughlin, manager of the Regent, Wellington, Kan., to the theatre. Mr. Muir, house manager of the Palace, Wichita, to Wellington. The Palace position remains temporarily unfilled.

Devey to Quit Tri-States
DES MOINES, Aug. 10.—David H. Devey, manager of the Tri-State Theatre Corp., maintenance department, is in a hospital recovering from an appendicitis operation. Devey plans to leave the Tri-States organization on Sept. 1 when he goes to Union City, Ind., to join the Union City Body Co.

Adopts Vaudeville Policy
following a favorable reaction to five vaudeville acts in addition to films at Reade's Community, Tom's River, New Jersey, the house will adopt the policy at frequent intervals. The group is Arthur Bugay, also in Reade, who will test five acts Sunday.

Reopen in Monroe
MONROE, Ind., Aug. 10.—The Strand here has reopened after extensive remodeling. New seats will be installed by Marvin Warren, formerly of the Wilby in Chattanooga, is the new manager.

Back Stage to Become Store
Back stage of the Times Square, former legitimate theatre, now a Brandt unit, is being converted into a supermarket. The Strand Plaza, also by Reade, will open next week.

Brandt's Town Opens Aug. 25
brandt's Town, 1500-seat house which was formerly William Yoost's Chaloner, opens Aug. 25 following complete renovation. Martin Levine will supervise operation.

Plan Brentwood House
PITTSBURGH, Aug. 10. — A theatre with a seating capacity of 1,000 will open in suburban Brentwood by John P. Moss, owner of the Melrose, Carrick, Pa.

Vinson Transferred
OPELIKA, Ala., Aug. 10. — A. T. Vinson, Jr., for some time assistant manager of the Martin here, has been promoted to manager of the Martin in Florence, Ala.

Sells Colorado House
DENVER, Aug. 10.—J. J. Sarah has sold the Rialto at Fruitla, Colo., to John Mattern, who plans to remodel and reopen the house.

Broadmoor to Reopen
BROADMOOR, Colo.—The Broadmoor house in Bloomfield, N. J., will reopen about September 1 after being closed for the Summer.

Herman Acquires Hawthorne
William Herman has acquired the Hawthorne, New Jersey, from Rapl & Ruden.

Move Commonwealth Men
KANSAS CITY, Aug. 10.—Commonwealth Amusement Corp. has shifted its office from the Kanzan, Osawatomie, to the Cozy, Norton, Kan., and Ray Holmes from Norton to the Kimball, Kansas City, Kan., where Stanley Schwalz, formerly of the Granada manager, now is city manager.

Takes Delmar, N. Y., House
ALBANY, Aug. 10.—Roger Marmon is taking over the Delmar at Delmar, N. Y., previously operated by Mitchell Conery, regional vice-president of Allied. Conery operates seven independent houses in Albany and Scherocara Counties.

Vaudeville in Scranton
SCRANTON, Pa., Aug. 10.—The Family Theatre, operated by Harry Spiegel and the Comerford Circuit, has joined in the return of vaudeville. The Family, through Mutual Booking, presents five acts with films the last three days of each week.

New Thompson Theatre
TSHOMINGA, Okla., Aug. 10.—Glenn Thompson, recently operator of the New Thompson, has added 464 persons, replacing the Princess, which burned last winter. Thompson is building a new house at Colbert, Okla.

Joins Grand National
CINCINNATI, Aug. 10.—Charles Weinberger, president of filming force of Republic here to become booker and office manager for the local Grand National exchange under C. E. Stewart, branch manager.

Change Cincinnati Policy
CINCINNATI, Aug. 10.—With the opening of “The Wizard of Oz” at the RKO Capitol, Aug. 25, that house will inaugurate the policy of playing first runs instead of moveovers weeks, as in the past.

Robertson Transfers
H彬FORD, Tex., Aug. 10.—John Robertson, former manager of the Star, has been sent to Fort Morgan, Col., to manage a theatre. In his place, G. R. Lumsford, Ciovis, N. M., is new head here.

Griffith Theatre Ready
SAFULPA, Okla., Aug. 10.—The Griffith Theatre has been approved Aug. 15 by the Griffith Amusement Co. James Zartalides, city manager, will be in charge. The house seats 550.

Takes Panora, Ia., House
PANORA, Ia., Aug. 10.—E. L. Hand of Midland, Ia., has bought the Ritz here from George Woods, who will return to his former home at Kingsley, Iowa.

Remodel Oklahoma House
ABA, Okla., Aug. 10.—Nona Kyser, operator of the City here, has closed the house for remodeling.

Remodel Texas Theatre
TERRELL, Tex., Aug. 10.—The Iris here is being remodelled. A new marquee will be installed.

Open Mobile Theatre
MOBILE, Ala., Aug. 10.—The Azalea theatre, seating 750, has opened here.

Venice Festival Gets Three British Films
LONDON, Aug. 10.—British entries in the annual Film Festival at Venice, Italy, have been disclosed as “Four Feathers,” “The Mikado” and “Young Man's Fancy.” Shorts include four Gaumont British Instructional films and a G. B. newsreel.

It is believed that showing of the British features will be contingent upon the conclusion of trading guarantees by the Italians. The British walked out of last year's festival after expressing displeasure with the manner in which the awards were made. Producers here were non-committal on the possibility of screening their films at the Festival, but admitted the films have been entered.

Win Warner Contest
Richard Richter, Warner manager in Yugoslavia, and Jack Kamras, manager for Finland, were first and second in the European Retailer's contest for 1938-39, sponsored by Robert Schless, Warner managing director. The contest went to Dr. B. Jankowski, Polish manager, and Victor Michaelides, manager in Greece.

“Conquering the Colorado” (20th Century-Fox)
Here is a story of “Buzz” Holmstrom, who successfully shot the 1,100 miles of rapids of the Colorado River. For sheer photographic beauty, the scenes of the river are awe-inspiring. Add to the technical and imaginative efforts of the producer, the appealing story of a man struggling against the river's power, the result is a production of which the industry can be proud. The picture is of the highest quality, and will appeal to all types of audiences. Starting from Green River Lakes in a homemade boat, the cameraman followed Holmstrom until he reached Boulder Dam. Photographed by Amos Burg and produced by Truman Talcott. Running time, 71 mins.

“Two-Headed Giant” (Terry-20th Century-Fox)
Jack the Giant Killer pits his strength against the Two-Headed Giant and comes off victorious. Done in color, this Terrytoon provides a number of sumptuous settings, although none of the effects have been before. The Giant raids the castle and overwheels its guards but Jack saves the day. Running time, 7 mins.

“Motion out of Icebergs” (20th Century-Fox)
In first of a series of “Father Hubbard's Adventurers” series. It is a record of “The Glacier Priests” exploration of the glacier country where icebergs are born. Breath-taking shots of huge bergs splitting from the glacier and floating off to sea. Commentary is provided both by Father Hubbard and Howell Thomas. If the first reel is a fair sample, this series should rate very high. Truman Talcott produced. Running time, 11 mins.

“Ricketson Shifts Men
DENVER, Aug. 10.—R. Ricketson, manager of Fox Intermountain, re-placed the late Harold Benda, manager of the Isis, Boulder, Col., is now at Sterling, Col., relieving Chet Miller, who is on an extended vacation. Benda's place is Ed King, city manager at Walsenburg, Col. Harold Woods has been promoted from assistant manager at Cortez, Mont., to King's position at Walsenburg, where he will manage the Valencia and Rialto.

$40,000 Renovation for Troy
TROY, N.Y., Aug. 10.—Troy Theatre, Warner Brothers house, has closed for a month for complete renovation. Expenditure of $40,000 is anticipated. The Troy is in the Warner-Fox circuit and will be one of the American, Proctor's and Griswold, all except Proctor's being Warner theatres.

Harris Moves Office
PITTSBURGH, Aug. 10.—The Harris Amusement Co. has moved their former Clark Building offices to new, larger quarters in the William Penn Hotel. The offices more than 7,000 square feet of floor space, more than double the size of the former site.

Joins Olson Circuit
INDIANAPOLIS, Aug. 10.—James Kennedy, former manager of the Apollo and B. F. Keith's here, has returned to become manager of the St. Clair of the Olson circuit. In recent years she has been with Associated Theatres of Cleveland and Fox Midwest.

Manager in Kenosha, Wis.
KENOSHA, Wis., Aug. 10.—E. R. Perkins has been named manager of the Kenosha, succeeding Foster Norton, who goes to the Strand in Oshkosh. Brennan comes from Green Bay, where he was manager of the Orpheum.

Close Indianapolis House
INDIANAPOLIS, Aug. 10.—Nathan Tamler has closed the Oliver, neighborhood house. He said reopening will be “this fall, if the house will show an upward trend.” The house will be renovated.

Closed in Fort Wayne
FORT WAYNE, Ind., Aug. 10.—The Paramount here has been closed and probably will not reopen before fall. Mannie Marcus, operator, is having it remodeled.

Increases House Schedule
BROOKLYN, CCM., Aug. 10.—Oscar Hauser, who leased the Broadmoor here in June, has increased the schedule of the house from four-a-week to full time.

Building N. C. House
VASS, N. C., Aug. 10.—Work is going forward on construction of a new 250-seat house at Willowsville operated by Herman B. Meiselman.

Remodeling in Indiana
BRAZIL, Ind., Aug. 10.—Samuel Grimes is remodeling the Cine here. Seating capacity will be increased to 430.

“‘The Birthplace of Icebergs’ (20th Century-Fox)
Columbia Not A 'Major' Firm, Answer Says
Enters Full Denials in Anti-Trust Suit

Denials of all pertinent allegations in the Government anti-trust suit in the New York Federal court were made by Columbia in its answer filed here on Friday. The answer was in two parts, one of 105 pages on behalf of the company, and the other in brief form on behalf of the company's directors.

The answer, which was filed by Schwartz & Frohlich, contends that Columbia is an independent producing and distributing company and is not a "major" company as the Government's definition of a "major" company is in error, and that such a company is one that is engaged in exhibition as well as production and distribution.

Wisconsin Senate Passes Games Ban

MILWAUKEE, Aug. 13.—The Wisconsin Senate has advanced to passage the Paulison bills, which prohibit granting of prizes by lot, chance or drawing to attract people to theatres, stores, auctions, or taverns. The Senate, 35-1, gives its approval to abate such nuisance and perpetually enjoin every person guilty thereof from continuing, maintaining or permitting the same. Following completion of the Senate action, the measure goes to the Assembly.

Wisconsin Senate Passes Games Ban

Prizes Are Offered In Universal Drive

Exhibitors' support of Universal's booking and dating drive gained new momentum over the weekend when several exhibitors offered prizes to salesmen and exchanges. M. A. Light, head of the Malco circuit in Memphis, has offered a piece of luggage for the salesman with the best record during the drive. John Nolan of the Comerford circuit, has offered a cash prize, while Bob O'Donnell, of the Interstate circuit, will also contribute a prize. Charles Hayman, Buffalo exhibitor, has offered $200.

Strygos Skouras Off For Circuit Meets

Strygos Skouras, operating chief of National Theatres, left last night for a series of divisional conventions of the circuit which will take him to the Coast.

L.A.T.S.E. and Bondy to Meet

Bondy Refers Atlas Underwriting Plan

Prospects for settlement of the dispute between Associated Actors and Artists of America and the L.A.T.S.E. appeared considerably brighter over the weekend as the New York S.A.G. sought a peaceful disposition of the jurisdictional argument.

Four A's, S.A.G. agree to defer action until today, when new elements in the inter-union dispute with the L.A.T.S.E. brought a conditional report from the A. F. of L. warranting a postponement of final decisions until today. As a result, the S.A.G. Hollywood massmeeting last night resolved itself into a discussion session on development of the over-ride conference meeting will be held following the receipt of the A. F. of L.'s decision.

Columbia Not A 'Major' Firm, Answer Says

Enters Full Denials in Anti-Trust Suit

Denials of all pertinent allegations in the Government anti-trust suit in the New York Federal court were made by Columbia in its answer filed here on Friday. The answer was in two parts, one of 105 pages on behalf of the company, and the other in brief form on behalf of the company's directors.

The answer, which was filed by Schwartz & Frohlich, contends that Columbia is an independent producing and distributing company and is not a "major" company as the Government's definition of a "major" company is in error, and that such a company is one that is engaged in exhibition as well as production and distribution.

Wi...
Columbia Not A 'Major' Firm, Answer Says

(Continued from page 1)

was originally a producing company only and that it branched out into distribution in 1929 only when it was unable to obtain good distribution terms for its pictures. In that year, it raised $750,000 by issuance of preferred stock, to establish its own distribution system and to accommodate additional cash for foreign exchanges. If it was forced by the Government suit now to dissolve this organization, the answer points out, the company would be back in the same position it was in 1929 when no satisfactory distribution arrangements were available to it.

Defends Talent Loans

The answer defends the practice of loaning stars and technicians, asserting that independents share in the benefits of it and, in fact, it permits Columbia and United Artists to offer "service." It also sets forth that independant producers turned out 2,000 pictures more than the "major" companies during the years 1937 to 1938.

Chicago Reduces Fees for Theatres

CHICAGO, Aug. 13.—Jack Kirsch, head of Allied of Illinois, disclosed that city license fees for theatres had been reduced in several instances at the request of his organization. Effective retroactively from July 1 to Dec. 31, license fees for theatres seating a maximum of 350 have been reduced from $290 to $200. Theatres seating a maximum of 750, reduced from $325 to $275. More than 75 Chicago theatres are affected by the reductions.

Will Rogers Funds Aid Airline Paralysis

The National Foundation for Infantile Paralysis, Inc., the permanent national organization, which supplanted the Warm Springs, Ga., Foundation as the principal beneficiary of the annual drives, has received a gift of $50,000 from the Will Rogers Memorial Commission. A distribution list is made known to 25 chapters of the foundation in 25 cities for local use.

Minneapolis Bill Would Ban Duals

MINNEAPOLIS, Aug. 13.—An allied-sponsored ordinance was introduced in the City Council banning films showing of more than two hours and 15 minutes. The measure is substantially directed toward the reduction of the Astor, dual house, and is designed to prevent duals in the twin cities. The penalty would be a minimum of $100 or maximum of $500, or imprisonment, or both.

S. W. MORRIS of Motion Picture Daily editorial staff and former Chicago newspaper man, and Ruth Weisfeldt, former Manager of Columbia were married Saturday noon at the Little Church Around the Corner.

CHARLES LIGHT, foreign manager for Alexander Film Co., has been appointed director of the Ecuadorian American Chamber of Commerce in New York.

MICHAEL SIMON, French screen star, leading player in "End of the Day," opening at the Fillmarte Sept. 11, is due on the Normandie from France today.

JOHN BALABAN and NATE PLATT, Balaban & Katz executives left Chicago Thursday night by chartered plane for a 10-day fishing trip in northern fishing waters.

ED REED, manager of the Strand in Providence, took a two-week fishing trip off Block Island, and came back with a 340-pound swordfish.

EMANUEL RIESLER, manager of the City and Savoy, Manhattan, left Friday for a two-week vacation at the Finger Lakes, N. Y.

S. CHARLES EINFELD, Warners director of advertising and publicity, is due next Monday from the coast.

J. T. MILLS, controller of Loew's, returned Thursday from 20 hours in London with his family at New Augen, Me.

WILLIAM JACKSON, sales manager of KDKA, Pittsburgh, is in New York on a short business trip.

GEORGE CRONLEY, manager of the Empire in Providence, left over the weekend on his vacation.

RAE COHEN of the Walter Read booking department is vacationing upstate.

GILBERT GOLDEN, Warners advertising production manager, is vacationing.

Dismiss Steinboch Plea

N. Y. State Labor Relations Board has dismissed what was alleged to be a collective bargaining agreement between Steinboch, formerly a clerical employe at the Paramount New York exchange. Steinboch alleged that he had been dismissed for union activity, but the board ruled that the charges had not been sustained.

'I. Q.' Case Starts

CHICAGO, Aug. 13.—Hearings before Master-in-Chancery Daniel Co- velli started Friday afternoon to determine if "I. Q." is a lottery scheme. Attorney for Mars, Inc., and Grant Advertising Agency will present their case Monday.

Resume Hearings Today

Hearings on the petition of The atrical Managers, Agents and Treasurers Union for recognition as collective bargaining agency in the Ro- gg & Becker circuit will be resumed by the N. Y. State Labor Relations Board today after a two-week recess. Hearings on a similar petition filed against the Raybern circuit will start Thursday.

Bondy Refers RKO Plan to Special Master

(Continued from page 1)

conclusive statement on the matter, it was his belief that Atlaf would not withdraw its offer on Aug. 29. No material change in the situation, he said, occurred by then.

Objections to permitting the S.E.C. to influence the decision were made by spokesmen for other creditors. It was pointed out that the S.E.C. was not familiar with RKO, and that it required study of several months to learn all necessary details on which an opinion should be based.

Judge Bondy consented to a request by Rickaby that Alger be permitted to state whether he believed the Atlas proposal to be a "liberal" one in order that that might be taken into consideration when the court the established fees for the underwriting services.

There was no opposition voiced by RKO counsel. Attorney for a heart's desire before Federal Judge William Bondy this Friday for the proposed settlement, reduction or expunging of claims against the company, which demand more than $2,240,000. The court reserved decision but indications are that it will approve the proposed claims treatment.

Code Promised By End of This Week

(Continued from page 1)

to the extent of the independent exhibitors. It is expected that the vote representation of the four members will be concurred upon by the four-sen- sative, one-half for the affiliated or respondent theatre spokesman, one for the independent exhibitor and one for the neutral fourth member.

The previous draft of the code pre- scribed that a vote cast against the code by each board member, with membership consisting of one representative of the post office at New York, N. Y., and an independent, one of the independent or complaining exhibitor and two neutrals.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

Published daily except Saturday, Sunday and holidays by Quigley Publishing Company, Inc., Rockefeller Center, New York City. Telephone Circle 7-7000. Cable address "Quigquity, New York." Martin Quigley, Editor-in-Chief and Publisher; Calvin Brown, Vice-President and General Manager; Wats- ter A. Quigley, Treasurer; Shanon Quigley, Management; James A. Crow, Advertising Manager; William C. Schmitt, Circulation Manager; South Michi- gan Avenue, C. B. O'Neill, Manager; Hollis- day, 4 Gothenburg Square, London Wt., Wollenham, Manager; "Quigquity, London. All contents copyrighted 1939 by Quigley Publishing Company, Inc. Other Quigley publications: Motion Picture Herald, Better Theatres, Telea Al Dia, International Mo- tion Picture Album, Screen Fama. Entered as second class matter Sept. 21, 1939, at the post office at New York, N. Y., under the act of March 3, 1899. Subscription rates per year in the Americas and 812 foreign Single copies 10c.
PROVED
DEPENDABLE

THE proving period for Eastman’s new negative films has been left far behind. With their special emulsion qualities reinforced by typical Kodak dependability, Plus-X, Super-XX, and Background-X are firmly established as successors to other notable Eastman films for the motion picture industry. Eastman Kodak Company, Rochester, N. Y. (J. E. Brulatour, Inc., Distributors, Fort Lee, Chicago, Hollywood.)

EASTMAN

PLUS-X
for general studio use

SUPER-XX
for all difficult shots

BACKGROUND-X
for backgrounds and general exterior work
Schenck Sees Studio Pact
As Bar to Actors' Strike

By ALFRED FINESTONE

The screen actors cannot and will not make up their minds about or delegate power to Joseph M. Schenck, chairman of the board of 20th-Century-Fox and president of the Motion Picture Producers and Distributors of America, to settle the matter of a walkout. Unions are in the hands of their respective members, and the studios are in the hands of the producers, each party having the final say.

Schenck explained that the 10-year pact signed with the Screen Actors Guild is a basic agreement which leaves the studios free to negotiate with the unions. He added that in the past the guild had been sympathetic with any other union. It was his opinion that if the Guild, an incorporated organization, calls, a strike the producers can seek an injunction, and also bring suit for damages.

"The actors intend to strike are pure bunk," Schenck said.

"There is no reason for them to strike. We are very strong in our sympathies with the actors."

Schenck left for Hollywood by plane Friday night after a two-day visit in the east which included a luncheon in Hyde Park on Thursday at which he and Mr. W. W. From of the Board of Governors of the Screen Guild, talked to the Committee for the Celebration of the President's Birthday, of which Schenck is vice-chairman.

The five-year basic agreement which was signed by Schenck and the producers' committee with the IATSE on his return to Hollywood Saturday night and which covers a walkout of one day for a closed shop. It does not outlaw strikes and carries the usual notice period of 30 days. The working hours and working conditions are subject to revision annually.

"We could not give the I.A. an agreement to cover closed shops unless we have contracts with the latter groups," said Schenck. "These contracts are now in process."

Schenck said the producers sought to delay the I.A. agreement "until the labor war was over," but the union members "felt they had to make a deal or face a strike."

The producers, he said, wanted to wait until the N.L.R.B. had decided the question of the jurisdiction over the industry. Schenck said: "We had to avoid a projectionists' strike, which the I.A. threatened unless we negotiated immediately."

The crafts which are parties to the I.A. pact include Studio Technicians Local 37, Projectionists Local 150, United Electrical Workers Local 659, Carpenters Local 605, Sound Technicians Local 695, Makeup Artists Local 706, Film Technicians Local 683 and one or two other craft unions at the studios.

M-G-M Uses Radio To Publicize "Oz"

M-G-M is using spot announcements over WNBC to publicize "The Wizard of Oz," opening at the Capitol on Thursday. The announcements, three a day for a week, were set by Donahue and Co.

WHN will broadcast the luncheon at the Waldorf-Astoria on Saturday, at which Mickey Rooney and Judy Garland, in the course of a personal appearance tour for the 200 boys and school of the city selected from among their fellows by voting conducted through Loew theatres.

Ask Owner Change

DAYTON BEACH, Fla., Aug. 13.—The Florida State Radio Service, Council, composed of presidents and executives of 25 business and cultural groups in the city, has asked the State Chamber of Commerce to underwrite management of the State-owned radio station, WRUF, in Gainesville. A resolution also was adopted asking Governor C. E. and the Board of Control to continue non-political operation of the station until funds are available.

Open KTBC, Austin

AUSTIN, Tex., Aug. 13.—KTBC operated in Vista, ready for 1,000 watts and a frequency of 1120 kilocycles. Installation included the latest type of RCA antenna, with a tall mast and a parabolic antenna that reached 40 counties. Dick Watts is manager of the station.

WCX 1s CBS Affiliate

CBS has closed a deal with L. B. Wilson, Inc., Cincinnati, to be a CBS affiliate, effective Oct. 1.

Plan Screenings For 'Cavalcade'

(Hollywood Cavalcade, 20th Century-Fox, film, will be given special 10 week run for 10,000 exhibitors and newspapers in the weeks of advance release, for set for Oct. 13.

The picture is expected to get much publicity because of its theme, which deals with the lives of a producer and his actress, played by Alice Fay and Don Ameche, and the development of a film.

Charles E. McCarthy, 20th Century-Fox advertising and publicity director, returned to the home office after a trip to Canada. He said the company will have the largest number of strong attractions between now and the end of the year than ever in its history.

FRANCE RELAXES
IMPORT BARRIERS

Crowds Rush Mickey, Judy

Mickey Rooney and Judy Garland were given a tumultuous reception by several thousand persons at Grand Central Station just before noon yesterday on their arrival from Bridgeport.

The rotunda was roped off and more than 100 police officers restrained the throng from mobbing the young players.

Loew’s Cadet band played, Loew ushers in uniform stood at attention with welcoming banners and News of the Day took films. A reception committee of 150 boys and girls of high school age set up a cheer from the ramps.

After Mickey and Judy were rushed to safety, the reception committee was bundled into taxis and paraded the midtown section with exploitation bands.

M-G-M staged the reception as a salute to the appearance of Mickey and Judy at the Capitol beginning Thursday with “The Wizard of Oz,” the first stage show at the Broadway house in several years.

Tomorrow the young stars will hold the spotlight at a lunch in their honor at the Waldorf-Astoria. George Jessel and Jack Haley will be masters.

U.S. Films Selected For Cannes Festival

PARIS, Aug. 14.—American companies here are actively preparing for their participation in the International Film Festival at Cannes Sept. 1.

Twelve American features will be shown, eight already have been selected, one from each of the major companies: “Only Angels Have Wings,” Columbia; “The Wizard of Oz,” M-G-M; “Union Pacific,” Paramount; “Stanley and Livingstone,” 20th Century-Fox; “Bachelor Mother,” RKO; “Each Dawn I Die,” Warners; “They Shall Have Music,” Goldwyn-United Artists; “Three Smart Girls Go to College,” Universal.

The selection of the remaining four will be made on the advice of the American Embassy. They may include: “The Women,” “Rules of the Sea,” “Modern Cinderella,” or “Hotel for Women.”

English and French participation, according to Festival regulations, will include only four films from each country. The English films, “Four

(Continued on page 8)

50 Years of Films Draw Hays’ Praise

Hollywood, Aug. 14.—The 50 years of scientific and technical advances made by the motion picture count for nothing if films fall in their primary mission of providing entertainment, Will H. Hays, M. P. D., A. president, said today in a press statement issued to mark the beginning of the industry’s observance of the 50th anniversary of the motion picture.

Theaters throughout the country which plan to participate in the anniversary observances will begin preparations for special activities and programs at once. These activities will have their climax during the week of Oct. 1 to Oct. 7, commemorating the perfection of Thomas A. Edison’s kinetoscope on Oct. 1, 1894. Special commemorative and exploitation activities will continue in the theaters throughout October and November.

After reviewing the mechanical and technical progress of the screen from its founding to date, Hays observed in his anniversary message, “It is nothing if the screen does not entertain, if bad taste mars the telling of the story, if through lack of artis-
Union Peace Hopes Fade In Deadlock

(Continued from page 1)

many officers refuse confirmation or denial. Many informed observers believe that George E. Browne, I.A.T.S.E., president, will refuse any deal which eliminates the 4-A, and that 4-A will not accept any compromise which includes him.

Fifty-two out of the 150 locals of the I.A.T.S.E. yesterday unanimously approved the affiliation of A.F.A. with I.A.T.S.E. in their annual convention at the Hotel Commodore.

N. Y. Crowds Storm Rooneyny and Garland

(Continued from page 1)
of ceremonies. Among the guests will be the reception committee, Congressman McGorry, chosen by Lasky, and theatre managers Joseph R. Vogel, Loew executive, escort Mickey and Judy on the trip from New England. Sunday they were the guests of Mr. and Mrs. Nicholas M. Schneck at their Long Island home. In the touring party are the youngsters’ mother, Mrs. Schneck, and the studio publicist staff; Roger Edens, music director, and George Stoll, assistant producer.

Eddie Dowden of Loew’s publicity staff was field marshal of the reception.

FCC Draws Rebuke In Boston Licensing

WASHINGTON, Aug. 14.—Action of the Federal Communications Commission in licensing the Northern Corporation to operate a station in Boston over the protest of the Yankee network was upheld today by the District Court of Appeals, but the decision was severely criticized for permitting “uncontrolled competition.”

Dismissing the Yankee network’s appeal, which the FCC said was not contemplated by the Communication Act, Associate Justice Miller stuck at the commission. Pointing out that while it argues that one of the major concerns of Congress was to guard against monopolies and preserve competition, it neglected to mention how this result could be achieved by deliberately or carelessly licensing so many new competitors as to destroy the only station which was unconnected, Boston.

Henry R. Luce, publisher of Time, and his wife, Claire Booth, author of “The Women,” arrived yesterday on the Normandie.

Mrs. Harry Charnas, sister of the Warner brothers, is sailing on the Normandie tomorrow.

L. E. Lopert, president of June Films, Inc., returned from the coast yesterday.

L. W. Conroy, Altec president, has returned to New York from Washington.

Mr. and Mrs. Harry Fishman of New Haven are vacationing in the Berkshires this week.

N. L. NATHANSON, president of the famous Players and Canadian, bought two young racing thoroughbreds for his racing stable during his recent visit to Saratoga.

Robert Stevenson, English director, who arrived on the Normandie from England yesterday, left immediately for Hollywood to start his first assignment for David O. Selznick. He was accompanied by his wife, the noted actress, and their four-year-old daughter.

Pey health Kunckle, RKO producer, left Hollywood yesterday. Harry Grant is remaining in New York a few additional days to assist Rut- herne. Nelson, with publicity on the Hall engagement of “In Name Only.”

STEPHEN VINCENT BENET, novelist, has been signed by Richard A. Rowland (United Artists) to adapt Ben Hecht’s novel, “Miss Bishop.”

CHARLES C. PETTITTOHN, M.P.P., general counsel, and his son, Charles, Jr., were received in private audience at the Vatican in Rome yesterday.

FRANK DONOVAN, production manager of RKO Pathé, is vacationing in his New York home. Louise Rousseau, flew to the Coast last week.

NAT GOLDSMITH of Hollywood sails today on the Normandie. His wife, Miss Muriel Theodore, to meet them at Saratoga.

WALTER HAYNER, district manager for M-G-M in Toronto, is resting comfortably in a hospital following a recent heart attack.

LEONARD GORHAM, Paramount house manager here, returned to New York from Detroit.

LOUIS D. FROHLICH of the law firm of Schwartz & Frohlich has returned from a brief vacation at Saratoga.

PETE ALLIS, of the Film Board of Trade celebrated the first anniversary of his marriage yesterday.

FRANK ROEHMENHEIM, WHN station manager, has left for a two-week fishing trip at Alexandria Bay.

Altec Inspector C. W. Kent will be married to Mary O’Dell Sept. 2.

NLRB Will Hear Padway on Coast

LOS ANGELES, Aug. 14.—L. W. Conroy, the Southern California, announced the closed shop feature of the bargaining contract obtained Saturday from the producers would not become operative for 30 days. The National Relations Board today postponed its hearing into the jurisdictional dispute between I.A.T.S.E. and the United Studio Technicians Guild from Aug. 15 to Aug. 21. The delay was ordered to permit Joseph Padway, general American Federation of Labor counsel, to participate in the hearing.

LABOR-RACKET PROBE OPENS IN HOLLYWOOD

(Continued from page 1)
The second read in part:

“...The Department is informed that L.A.T.S.E. has refused to recognizethe following companies, employees and employees: Local Unit No. 27, L.A.T.S.E. and its members, agents, and employees; George E. Browne, William Doig, The Loew Corporation, Producers, Inc., Association of Motion Picture Producers, Inc., Loew’s, Inc., Irving Trust Co. of New York as registrar of the RKO, the Loew Bow- ner Bros. Pictures, Inc., Century Fox Co., United Artists Corp., the officers, agents, and employees of affiliated corporations and other corporations, companies, associations and persons unknown to the Department have violated Section One of the Clayton Act (Section 1 of Title 15, U.S.C.) by combining, conspiring, and conspiring to do so in restraint of trade; have obtained and attempted to obtain by the payment of moneys or other valuable considerations in violation of so-called anti-Racketeering Act of June 18, 1934 (Section 421-425, Exclusive, Title 18, U.S.C.), and have conspired to do do in violation of the conspiracy charge.

Carr said the complaint would be divided into three cases: The deal under which 20th Century Productions, Inc., would purchase the $5,000,000 production rights; the report of $1,000,000 offer of 1937 by producers to Bulloch, Thomas Representative of Browne, L.A.T.S.E. and the board, and the independent income tax of Joseph M. Schneck.

Carr said his investigation would require from three to four months.

TMAT HEARING DELAYED

Hearing before N. Y. State Labor Relations Board on the petition of M. P. of Theatrical Managers, Ltd., for designation as collective bargaining agency in the Rugoff & Becker circuit was postponed yesterday until Aug. 21.

Re-Plus signs Del Lord

HOLLYWOOD, Aug. 14—Columbia has signed Del Lord to a new one year contract to direct and produce 12 two-reelers. The first assignment will be an Andy Clyde comedy.

MOTION PICTURE DAILY

Tuesday, August 15, 1935

MOTION PICTURE DAILY

(Registered U. S. Patent Office)
Published daily except Saturday, Sunday and holidays by Quigley Publishing Company, 232 Bowery, New York, N. Y., Telephone Number 7-6100, Cable Address: Quigliphe, New York, Telegraph Office: Cable Address: Quigliphe, New York, Telegraph Office: Quigley, U.S. A., Quigley, U.S. A., Quigley Publishing Company, Inc. Other Quigley offices: Chicago, 919 South Michigan Ave., Chicago, Illinois; New York, N. Y., 232 Bowery; San Francisco, 100 Montgomery Street; New York, N. Y., 555 Fifth Avenue; New York, N. Y., 555 Fifth Avenue; Los Angeles, 233 South Grand Avenue; Los Angeles, 233 South Grand Avenue; Boston, 400 Boylston Street, Boston, 400 Boylston Street; N. Y., 400 Fifth Avenue; N. Y., 400 Fifth Avenue; N. Y., 400 Fifth Avenue; N. Y., 400 Fifth Avenue; and Washington, D.C., 620 15th Street, N. W. and Washington, D.C., 620 15th Street, N. W.

DIARY:

15, 1935, Subscription rates per year $6 in the Americas and $12 foreign. Single copies 10c.
Paramount's announcement to the trade, in May of this year, that it would produce and distribute its own screen trailers, has aroused gratifying interest in the field. Showmen everywhere have been writing in to tell how glad they are that we have taken this forward-looking, constructive step. Many of them ask for more detailed information. Most of them make suggestions based on their own experience with trailers. Because the queries in the letters we are receiving hit a common pattern, Paramount takes this opportunity to answer some of them for EVERY exhibitor.

**Q. WHEN** will Paramount begin to service its trailers?

A. The first Paramount trailer on the new set-up will be issued for the Paramount picture to be released January 5, 1940.

**Q. WHY** is Paramount undertaking to supply its own studio-made trailers?

A. Paramount believes that a trailer planned, made and distributed by the men who make the picture can be packed with more showmanship, more originality, and more right-on-the-picture selling power than a trailer made any other way.

**Q. WHO** will plan and make the new Paramount trailers?

A. YOU will! Paramount, for months, has been contacting showmen everywhere; learning through interviews, letters, questionnaires, what EXHIBITORS think a successful selling trailer should be—getting ideas for unusual presentations, new selling approaches. PARAMOUNT'S TRAILERS WILL BE THE TRAILERS YOU ASK FOR—in every sense of the phrase!

**Q. WHAT** sort of trailers will Paramount supply—will they suit MY audience?

A. Most emphatically they will. At present, Paramount plans to issue two styles of trailer for each picture—a De Luxe trailer for first-run houses, a regular trailer for subsequent runs. These will be styled to SELL the audiences they're made for, in the manner that's best for each picture.

**Q. HOW** will Paramount trailers differ from other trailers?

A. They'll be different in that they will be YOUR trailers—made by showmen for showmen, planned with your suggestions in mind! Paramount will continually check the field for criticism, new ideas, new selling slants. And Paramount will use YOUR ideas.

**PARAMOUNT TRAILERS**

**ARE YOUR TRAILERS!**
THE ROLL CALL OF SUCCESS!
CLEAN SWEET OF SMASHING
FOR THE GREATEST WOMAN'S

177% OF TOP BUSINESS
LOS ANGELES
"Absolutely the biggest Friday business in years... tops everything we ever had!"

150% OF TOP BUSINESS
ASHEVILLE, N. C.
"Biggest Friday opening in years. Audience reaction and reviews marvelous."

131% OF TOP BUSINESS
ROCHESTER
"A box-office smash. Beat everything in sight!"

175% OF TOP BUSINESS
SAN FRANCISCO
"Seems like all the women in town were waiting for this... and they all came at once to see it!"

120% OF TOP BUSINESS
STAMFORD
"Women wild about picture... sock business in Waterbury and Danbury too."

IRENE DUNNE and CHARLES BOYER
UNIVERSAL'S PRESENTATION OF
TEN WEEK-END OPENINGS AND A RECORD BREAKING GROSSES PICTURE IN TWENTY YEARS!

<table>
<thead>
<tr>
<th>City</th>
<th>Percentage</th>
<th>Comment</th>
</tr>
</thead>
<tbody>
<tr>
<td>SYRACUSE</td>
<td>165%</td>
<td>“Excellent smash opening with Boyer and Dunne dynamite with audience.”</td>
</tr>
<tr>
<td>CINCINNATI</td>
<td>135%</td>
<td>“It slayed the gals for a better opening than any Universal picture in two years!”</td>
</tr>
<tr>
<td>NEW ORLEANS</td>
<td>125%</td>
<td>“Biggest day’s business in months!”</td>
</tr>
<tr>
<td>LOUISVILLE, KY.</td>
<td>135%</td>
<td>“Exceptional! Almost double the previous big ones we’ve had!”</td>
</tr>
<tr>
<td>SEATTLE</td>
<td>156%</td>
<td>“Best opening in months. Comments excellent. The femmes are in hysterics about it!”</td>
</tr>
</tbody>
</table>

“WHEN TOMORROW COMES!”

JOHN M. STAHL'S TOP TRIUMPH!
Hollywood, Aug. 14.—Ten-and-five pictures were before the cameras this week, as 10 started and eight finished. Twenty are being prepped, and 83 are being edited.

Hollywood, Aug. 14—Man's injustice to man in its many phases has been generally good box-office material. Warners' "Dust Be My Destiny" presents a new embellishment of the theme in a story of a "road kid," who, embittered because of his conviction for a crime of which he was innocent, takes on a hardened attitude toward life. The basic elements of the story are not new, but the generality implied, the under stood idylle on behalf of all "road kids," and the work of John Garfield and several character actors provide stirring entertainment.

Teamed for the third time with Priscilla Lane, Garfield again gives a performance which merits attention. Outstanding in the couple's support are Alan Hale, whose characterization as an editor of a newspaper helps not onle for abortive newspaper-type portrayals by others; Moroni Olsen, whose appeal to the jury trying the "road kid" for murder is a work of thespian art; and Ferde Groz, who burnsishs the fame won by her in a bit in RKO's "Love Affair" by a short but powerful scene here.

Of interest to exhibitors is the fact that the story was adapted by Robert Rossen from a Jerome Odlum novel which was widely read. Lewis Selzer directed under associate producer Louis F. Edelman. Hal B. Wallis was executive producer.

In addition to those mentioned, the cast consists of Frank McHugh, Billy Halop, Bobby Jordan, Charley Grapewin, Henry Armetta, Stanley Ridges, John Litel, Victor Kilian, Frank Jaquet, Marc Lawrence, Arthur Aylesworth, William Davidson and George Irving, a competent group.

Garfield, a disillusioned young man, is turned out of prison to which he was sent for a crime he did not commit only to run ash of the vagrancy law. He escapes from a road gang under suspicion of murder with the daughter of the dead prison official. Followed by them, Garfield rehabilitates himself only to be detected. The return of his faith in human nature forms the climax.

Running time, 85 minutes. "G.**

VANCE KING

"Chicken Wagon Family" (20th-Century-Fox)

Hollywood, Aug. 14.—Give a ranking box-office star like Jane Withers a story as widely known as Harry Berendef's "Chicken Wagon Family," surround her with such able players as Leo Carrillo, Spring Byington, Hobart Cavanagh, Marjorie Weaver and Kane Richmond, and what do you miss? Well, you probably could at that, but 20th Century-Fox didn't.

On the contrary, Viola Brosehe Bnore broke the Benidoff novel down into a straightaway screenplay, Herbert L. Leeds directed it for precisely what it was worth and Miss Withers poured into her part of the thing the personality that has made her the favorite she is. Carrillo gave it his immense personal vitality and Cavanagh balanced this with his versatile humor. Miss Byington held the family of the title together, while Marjorie Weaver and Richmond went through the romantic requirements without making them seem important at any time.

The film is no more and no less than that, no milestone in the progress of the art and no detour either, a satisfactory Jane Withers vehicle, which is to say quite satisfactory entertainment, indeed.

Running time, 65 minutes. "G.**

ROSE WIIAMSON

Day' Charity Opening

The American premiere of "The End of a Day," French film, at Filmore Sept. 11, will be sponsored by Daniel Freedman, chairman of Louis H. Aron, chief of the radio division of Universal, and Marjorie F. Myer, chairman of the Hollywood Chamber of Commerce. The proceeds of the red carpet will go to the Los Angeles Art Foundation.

Lopert Returns

I. E. Lopert, president of P. F. X., returned yesterday from a five-week business and pleasure trip to Hollywood. He is starting a national campaign on "The End of a Day," a French picture scheduled to be presented in America at the Filmrow on September 26.

French Film to Open

The American premiere of "Song of the Streets," the new French film released by the International Film Exchange company, is scheduled to be held at the 55th St. Playhouse early next month.

Chicago Outing Held

Chicago, Aug. 14.—Manheim Woods was the scene of the annual Chicago film carriers and their friends yesterday. More than 200 attended.
**Motion Picture Daily**

**Tuesday, August 15, 1939**

**Dawn’ Draws $7,100, Tops Seattle Heat**


**Estimated takings for the week ending Aug. 15:**

- “Andy Hardy Gets Spring Fever” (M-G-M)
- “Torchy Runs for Mayor” (20th-FOX)

**BLUE FEVER (RKO)
17 days
Gross: $8,000
Average: $465**

**Several Open in Canada**

**Toronto, Aug. 15.—** De-Paul, Univ., St. Marie, Ont., has opened the rebuilt Princess in that city. Seating capacity has been increased from 450 to 600. The City Theatre has opened at Leamington, Ont., by L. Gregory, owner of two theatres of Hamilton. Gregory is also the manager of Orillia, Ont., which is open Sept. 1. T. Atlee, proprietor of the Allevato, Rouyn, Que., a coastwise steamer, has opened a new theatre in Wallburg, Ont., while H. J. Sutherland of St. Mary’s, Ont., owner of a smaller establishment in Wallburg, Ont., has started a theatre at Mitchell, Ont., Mrs. Joshua Smith, publisher of the Moving Picture Digest, has combined with T. M. Sterling, Toronto broker, in the purchase of the Avenue, a new theatre.

**Settos Transfers Men**

**INDIANAPOLIS, Aug. 15.—** Because of expansion in the Settos Theatres Circuit, Grand Rapids, Mich., and transferring several managers, Phillip Davidson, formerly manager at the Grove, Beech Grove, will manage the new theatre. Also transferring is Irving. Richard Niman, assistant manager of the Ohio, will replace Davidson. Harold Flaxman, local businessman, has opened a new theatre at the Ohio.

**Remodel Back After Saenger Circuit Deal**

**James R. Granger, Republican president, returned yesterday morning from New Orleans where he closed the Saenger circuit deal for the new season. He left last night for Detroit on another circuit deal and is due back tomorrow. The Saenger contract covers 125 theatres in the South, Atlanta, Charleston, Atlanta franchise holder, Clair E. Hilgers, Southern district manager, and Leo Sechshaydre, New Orleans franchise holder, are supposed to have closed with Granger on the negotiations. Gaston Dureau and L. C. Montgomery represented the circuit.**

**‘Mask’ Pittsburgh Hit, Drives $15,000**

**PITTSBURGH, Aug. 15.—** “The Man in the Iron Mask” at Loew’s Penn built to a profitable $15,000. “Each Dawn I Die” took a strong $17,000 at the Stanley.

**Estimated takings for the week ending Aug. 10:**

- “Frontier Incident” (20th-FOX)
- “ALVIN—(3,000) (25c-30c-50c) 7 days
  Gross: $3,600
Average: $515**

**‘Man in the Iron Mask’ (U.A.)
15 days
Gross: $9,000
Average: $600**

**‘Each Dawn I Die’ (W.B.)
10 days
Gross: $3,200
Average: $320**

**‘Bachelor Mother’ (RKO)
WARY’S FEARY (RKO)
7 days
2nd week
Gross: $7,500
Average: $1,071**

**Open UA Africa Office**

United Artists has opened new offices in Johannesburg, South Africa, following the arrival there of A. A. Love, managing director for South Africa, the home office reports.

**Theatre, Personnel Notes**

**Several Open in Canada**

**TORONTO, Aug. 15.—** De-Paul, Univ., St. Marie, Ont., has opened the rebuilt Princess in that city. Seating capacity has been increased from 450 to 600. The City Theatre has opened at Leamington, Ont., by L. Gregory, owner of two theatres of Hamilton. Gregory is also the manager of Orillia, Ont., which is open Sept. 1. T. Atlee, proprietor of the Allevato, Rouyn, Que., a coastwise steamer, has opened a new theatre in Wallburg, Ont., while H. J. Sutherland of St. Mary’s, Ont., owner of a smaller establishment in Wallburg, Ont., has started a theatre at Mitchell, Ont., Mrs. Joshua Smith, publisher of the Moving Picture Digest, has combined with T. M. Sterling, Toronto broker, in the purchase of the Avenue, a new theatre.

**Selkow Transfers Men**

**INDIANAPOLIS, Aug. 15.—** Because of expansion in the Selkow Theatres Circuit, Grand Rapids, Mich., and transferring several managers, Phillip Davidson, formerly manager at the Grove, Beech Grove, will manage the new theatre. Also transferring is Irving. Richard Niman, assistant manager of the Ohio, will replace Davidson. Harold Flaxman, local businessman, has opened a new theatre at the Ohio.

**Remodel Back After Saenger Circuit Deal**

**James R. Granger, Republican president, returned yesterday morning from New Orleans where he closed the Saenger circuit deal for the new season. He left last night for Detroit on another circuit deal and is due back tomorrow. The Saenger contract covers 125 theatres in the South, Atlanta, Charleston, Atlanta franchise holder, Clair E. Hilgers, Southern district manager, and Leo Sechshaydre, New Orleans franchise holder, are supposed to have closed with Granger on the negotiations. Gaston Dureau and L. C. Montgomery represented the circuit.**

**‘Mask’ Pittsburgh Hit, Drives $15,000**

**PITTSBURGH, Aug. 15.—** “The Man in the Iron Mask” at Loew’s Penn built to a profitable $15,000. “Each Dawn I Die” took a strong $17,000 at the Stanley.

**Estimated takings for the week ending Aug. 10:**

- “Frontier Incident” (20th-FOX)
- “ALVIN—(3,000) (25c-30c-50c) 7 days
  Gross: $3,600
Average: $515**

**‘Man in the Iron Mask’ (U.A.)
15 days
Gross: $9,000
Average: $600**

**‘Each Dawn I Die’ (W.B.)
10 days
Gross: $3,200
Average: $320**

**‘Bachelor Mother’ (RKO)
WARY’S FEARY (RKO)
7 days
2nd week
Gross: $7,500
Average: $1,071**

**Open UA Africa Office**

United Artists has opened new offices in Johannesburg, South Africa, following the arrival there of A. A. Love, managing director for South Africa, the home office reports.
**Studios Pay Good Wages, Say Statistics**

Hollywood, Aug. 14.—Just in case the news didn’t trickle over the mountains, the California State Department of Employment’s statistical report released the other day declared motion picture employees get more than twice as much pay per hour as the employees of other industries. The conclusion was arrived at a little indirectly. Payroll of the industry at peak, said the report, totalled $144,663,000, which approximated 7.2 percent of the state total for all industries, whereas the peak employment figure, 44,273 persons, approximated 3.3 percent of the total number of persons employed in California industries.

Since 3.3 percent is less than half of 7.2 percent, said the report, the average employe must be getting more than twice as much as the average employe in other industries. These are the kind of statistics, says Hollywood, which can take it all, alone, most of Hollywood’s working people electing to let them alone and proceed with their dickering for higher wages, shorter hours and etcetera.

**SCOTT R. DUNLAP, vice-president of Monogram, will leave for New York and the board of directors’ meeting Aug. 24. He’ll stay a few weeks.**

**RUSSELL BIRDWELL is inviting all 550 of Hollywood resident correspondents to the press preview of RKO’s “Nurse Edith Cavell” and that, at two for one, equals 1,100 seats, leaving approximately none for the paying public, which usually sits through an afternoon and dinner hour to be there when the picture starts. People will come around, and at best a few for the stellar guests such people come to gape at. But the miles of pure news publicity Birdwell will obtain for the picture in the world press will be more than compensating.

**WILLIAM LE BARON, Paramount production chief, is so well satisfied with the as yet uncompleted “Dr. Cyclops” description loosely as a fantasy, that he has purchased the rights to H. G. Wells’ “Food for the Gods,” described as another.”**

---

**“When Tomorrow Comes” [Universal]**

Miss Dunne and Boyer turn in just about the best he and she romantic performances of recent date will also be sustained by that same. The story of “When Tomorrow Comes” is quite simple. A famous musician meets a waitress who knows music as well as men. They spend an afternoon together on Long Island, seek refuge in a church when a hurricane sweeps the area, go to sleep expecting death and awake (no Commandments are broken) to find themselves marooned but about to be rescued. He tells her he is married and a subsequent meeting with his wife tells her that the latter is demented. In a lucid interval, the wife tells the waitress she intends to run away with her husband. The husband takes the wife to Paris and tells the waitress he will be back in a little while. She says she’ll be waiting.

The telling of this story is what makes the picture great—the telling, which is John Stahl’s, and the acting, which is the stars’ and Barbara O’Neil’s (incapable as the demented wife) and Nydia Westman’s (effective in a light comedy stint). The story itself is by James Cain, the screenplay by Dwight Taylor, a fine example of straight-line narrative.

There is no trickery about this picture, no dependence upon novelty of idea or construction, and no striving for tremendous results. A restaurant workers’ strike is a prominent incident in the picture and, although C. I. O. and A. F. L. are talked about by name, no sides are taken and no issues are decided. This matter, like the hurricane, is dealt with as an incident in the main story, which is about two adults who would like to marry but can’t just now decide to wait a bit. If that sounds too commonplace and reasonable no conclusions are done desired. It’s just that coherent and reasonable sort of material, but this new idea is still the big picture in this big industry are measured and remem bered by.

Running time, 90 minutes. “G.”

—**ROSCOE WILLIAMS**

**Film Import Rules Relaxed by France**

(Continued from page 1)

**American and British producers. It may also allow other pictures, from Argentina, Sweden and Mexico to obtain dubbing visas for showing in France without limitation. These countries are excellent customers for French product.**

**The importation of German and Italian films for French dubbing will continue to be limited, in accordance with clearing house monetary exchange remittances and special commercial agreements.”**

**Major American companies are particularly gratified by the lifting of the restriction, expounding the hope, however, that it will not reappear next July.**

**U. S. Films Selected For Cannes Festival**

(Continued from page 1)

**Feathers” and “Goodbye, Mr. Chips,” already have been selected.**

French participation was officially announced on Saturday by Jean Zay, Minister of National Education. The four French films will be: “Introduction,” on their top tens for 1939-40 with William Dieterle directing as soon as he winds up RKO’s “Hunchback of Notre Dame,” which should get the picture started in September.

**For Better Box Office, Install Better Sound**

**The New RCA PHOTOPHONE MAGIC VOICE of the SCREEN with Rotary Stabilizer—plus SHOCK-PROOF DRIVE**

Better sound means better box office—and RCA tubes mean better sound

RCA Manufacturing Co., Inc.

Camen, New Jersey • A Service of the Radio Corporation of America

**Half Century OffFilms Wins Hays’ Praise**

(Continued from page 1)

try the intelligence of the audience is insulted.”

Hays continued: “The efforts of the cameraman, the work of the sound engineer, the genius of the musicians, the patience of the editor, the sensitivity of the writer, the window if the picture fails in its mission of entertainment.”

In saying that excellent films of more than usual promise, all of which will be released during the period of the anniversary observance.

“Entertainment and recreation demanded of the screen, pictures (are) produced that are outstanding socially as well as entertainment franchise... within the frame of entertainment and recreation demanded of the screen, pictures (are) produced that are outstanding socially as well as entertainment franchise... within the frame of entertainment and recreation demanded of the screen, pictures (are) produced that are outstanding socially as well as entertainment franchise... within the frame of entertainment and recreation demanded of the screen, pictures (are) produced that are outstanding socially as well as entertainment franchise... within the frame of entertainment and recreation demanded of the screen, pictures (are) produced that are outstanding socially as well as entertainment franchise... within the frame of entertainment and recreation demanded of the screen, pictures (are) produced that are outstanding socially as well as entertainment franchise... within the frame of entertainment and recreation demanded of the screen, pictures (are) produced that are outstanding socially as well as entertainment franchise... within the frame of entertainment and recreation demanded of the screen, pictures (are) produced that are outstanding socially as well as entertainment franchise... within the frame of entertainment and recreation demanded of the screen, pictures (are) produced that are outstanding socially as well as entertainment franchise... within the frame of entertainment and recreation demanded of the screen, pictures (are) produced that are outstanding socially as well as entertainment franchise... within the frame of entertainment and recreation demanded of the screen, pictures (are) produced that are outstanding socially as well as entertainment franchise... within the frame of entertainment and recreation demanded of the screen, pictures (are) produced that are outstanding socially as well as entertainment franchise... within the frame of entertainment and recreation demanded of the screen, pictures (are) produced that are outstanding socially as well as entertainment franchise... within the frame of entertainment and recreation demanded of the screen, pictures (are) produced that are outstanding socially as well as entertainment franchise... within the frame of entertainment and recreation demanded of the screen, pictures (are) produced that are outstanding socially as well as entertainment franchise... within the frame of entertainment and recreation demanded of the screen, pictures (are) produced that are outstanding socially as well as entertainment franchise... within the frame of entertainment and recreation demanded of the screen, pictures (are) produced that are outstanding socially as well as entertainment franchise... within the frame of entertainment and recreation demanded of the screen, pictures (are) produced that are outstanding socially as well as entertainment franchise... within the frame of entertainment and recreation demanded of the screen, pictures (are) produced that are outstanding socially as well as entertainment franchise... within the frame of entertainment and recreation demanded of the screen, pictures (are) produced that are outstanding socially as well as entertainment franchise... within the frame of entertainment and recreation demanded of the screen, pictures (are) produced that are outstanding socially as well as entertainment franchise... within the frame of entertainment and recreation demanded of the screen, pictures (are) produced that are outstanding socially as well.**

**Bondy Signs SEC Plea in RKO Case**

Federal Judge William Bondy late yesterday signed an order of reference requesting the Securities and Exchange Commission to the RKO reorganization proceedings in an advisory capacity. Action was taken under provisions of the Chandler Act for the first time.

Marland Gale, attorney, for the S. E. C. filed a notice of appearance Monday. The first work the S. E. C. will do will be to assist Special Master George W. Alger to determine whether the indicated price of $24 per share the RKO common stock, as suggested in the Atlas Corp’s underwriting proposal, is a fair one and whether the proposal itself should be accepted. The Atlas offer was referred to Alger by Judge Bondy last week.

**Judge Bondy Approves Incorporation of RKO**

Federal Judge William Bondy yesterday signed an order approving the form of the certificate of incorporation of the new RKO Co., including proposed provisions for providing for the issuance of 8,000,000 shares of common stock and 127,000 of preferred stock.

The order also approved by-laws of the company and the form of preferred and common stock certificates and option warrants.
Ousted AFA Chiefs Cite Indication; 4A Insists Whitehead Must Go

Atlantic City, Aug. 15.—Both sides, 4-A and A.F.A., declared themselves elated with the A.F. of L. decision. I.A.T.S.E. officers also expressed satisfaction. Said the 4-A:

"This is a complete victory for the actors. This is the decision which recognizes the jurisdiction of the 4-A, orders the I.A.T.S.E. to withdraw its charter to the A.F.A. and recognizes the right of 4-A to revoke the charter of the A.F.A., sustains us completely.

"As far as the recommendations of the N.L.R.B. are concerned, they are not binding. We reject or accept them as we see fit," said Whitehead yesterday. "Our international board will decide that tomorrow.

"Ralph Whitehead cannot be an officer. Pending a decision by our board, the American Guild of Variety Artists continues to function." Said Sothie Tucker, A.F.A., president, and Ralph Whitehead, executive secretary: "We are delighted with the settlement arranged by the committee. It is as fair as could be worked out under the pressure of the circumstances. We are going back to the job with redoubled energy to win that election. We feel that Whitehead and the A.F.A. have been cleared of all charges by the decision."

Ben Washer to Join Churchill's Agency

Ben Washer, who has been doing Samuel Goldwyn's publicity and advertising, will join Donahue & Co., Inc. (Ed Churchill) in an executive capacity next week. Washer will head the legitimate theatre advertising end of the agency.

A former newspaperman and columnist, Washer has been in the public relations field for several years and is among the best known publicists in the theatre world. He was formerly head of the publicity division of United Artists and prior to undertaking his recent assignment for Goldwyn was publicity-advertising director for George Abbott, Broadway producer.

Silverstone to Coast

Murray Silverstone, United Artists chief executive, and Charles Schwartz, member of the company's board, leave for the Coast by train Friday.

Summary of Decision

Atlantic City, Aug. 15.—Highlights of the A.F. of L. decision are:

While the 4-A has autonomy, rights of affiliates must be fairly dealt with.

Jurisdiction of 4-A over all actors reaffirmed.

Without passing judgment on charges and counter charges, A.F.A. suspension was considered too severe. 4-A should recognize its method of dealing with actors who work in different fields.

"Vindication"—4-A to reinstate A.F.A. and all of its officers and withdraw the charter granted to A.G.V.A.

K-A-O Profit Shows Boost of $137,000

Keith-Albee-Orpheum Corp. and subsidiary companies report net profit for the 26 weeks ended July 1, 1939, of $255,909.13 after all charges. The figures compare with net profit after all charges of $288,194.41 for the corresponding period in 1938.

B. F. Keith Corp. and subsidiaries report net profit after all charges of $32,987.09 for the 26 weeks of 1939, which compares with net profit after all charges of $254,358.01 for the 1938 period.

B. F. Keith Corp. estimates net profit of $38,360.13 for the 52 weeks ended July 1, and Keith-Albee-Orpheum Corp. estimates net profit for the 52 weeks at $1,134,710.62, equal, after all charges, to $17.65 per share on the 64,304 shares of seven per cent preferred.

National Theatres, Warners Set Deal

National Theatres will play Warner films next season in situations other than those which have been sold to opposition independents. The announcement was set by Spyros Skouras with Gradwell L. Sears, Warner general sales manager, before a meeting at the circuits' divisional meetings being held this week.

Skouras, contacted at Excelsior Springs where the Fox Midwest convention is being held, said: "Negotiations have not been completed yet. Several officials of the 4-A promptly announced that they regarded the decision as "a complete victory." They declared that recognition has been cleared of all charges by the decision."

30-Day Delay Faces Setting of Trust Trial

Decision on the Government's application for a preferred trial date for its anti-trust suit against the industry will not be handed down for another month, it was learned yesterday. Federal Judge Knox, who will pass on the application, will leave on a three-week vacation.

Judge Knox is present is making efforts to fill several vacancies in the District court bench in order to expedite the crowded court calendar.

Whitehead's Status Still Fogged; Actors Draw Council's Criticism

Atlantic City, Aug. 15.—The A.F. of L. Executive Council yesterday ordered the I.A.T.S.E. to withdraw the charter granted to the American Federation of Actors, recognizing the jurisdiction of Associated Actors and Artists of America over actors and actresses. A.G.V.A. was also called upon the 4-A to revoke the charter of the A.F.A.

The decision was sharply critical of the 4-A organizational structure and the exclusion of the A.P. and "called upon" the 4-A to revoke the charter granted to the American Guild of Variety Artists. It also "called upon" the 4-A to reinstate all officers of the A.F.A., including Sophie Tucker, president, and Ralph Whitehead, executive secretary.

In addition, the Council ordered that a board of 10, chosen from both sides, govern the A.F.A. for 90 days after which time an election should be held.

Both sides expressed satisfaction with the result, officials of the 4-A promptly announced that they regarded the decision as "a complete victory." They declared that recognition has been cleared of all charges by the decision."

(Continued on page 8)

(Continued on page 8)
LYNN FARNOL, United Artists advertising and publicity director, arrived from New York from the Coast late yesterday. He may go to the Coast again early next week to see "Intermezzo." 

ELISSA HOWARD and WALTER FUTTER, producer, sail today on the Aquitania for England to make two films for RKO. "The Man Who Lost Himself" will be the first, George O'NEILL, scenarist, accompanies them. Production will be at the Pinewood Studios.

TEX RITTER, Monogram western star, was slightly injured when his automobile overturned near Lookout, W. Va., on Monday. His companion, CURLEY HOGG, suffered a broken rib. Ritter was able to continue his personal appearance tour at Bluefield, W. Va.

JOSEPH BERNARD, general manager of Warner theatres, returns to his desk today after holding the annual meeting of副总经理s in the Paramount delphi zone yesterday. He was accompanied by HARRY GOLDBERG, advertising-publicity director.

MARTIN G. SMITH of the Smith and Beldier circuit, Toledo, O., and GEORGE J. CORCORAN, manager of the Anton, Monongahela, Pa., among showmen in town to visit the World's Fair.

MRS. ROBERT PEARCE, secretary to B. B. GARNEAU of the Sparks circuit, and her son, LLOYD, are in town from Lakeland, Fla., to visit the World's Fair.

BARBARA NICHOLS of Dayton, O., and ARMAN Y. WILLIAMS of Saginaw, Mich., both Fleischer Studio artists at Miami, were married in the southern city.

CHARLES EINFELD, director of advertising and publicity for Warners, will arrive Monday from the Coast for a two-week stay.

L. SALAND of Mercury Film Laboratories returned yesterday after seven weeks on the Coast.
**‘Bachelor Is Strong in Hub With $14,000**

Boston, Aug. 15.—“Bachelor Mother” and “Ex-champ” grossed a neat $14,000 in the second week at Keith Memorial. “Each Dawn I Die” and “Nightmare” took $13,500 at the Metropolitan.

Estimated takings for the week were:

- **Streets of New York** (Mono.) (2nd run) $4,000.
- **Pirate** (Mono.) (1st run) (5 days) $5,000.
- **Missouri** (Col.) (2nd run) (2 days) $6,000.
- **Boy Friend** (20th) (3rd run) (2 days) $5,000.
- **RKO Keith Boston** (1-200) (25c-30c-35c) 7 days. Gross: $6,000. (Average, $600).

**Bachelor Mother** (RKO)

**Ex-Champ** (Univ.)

KETH MEMORIAL—(9,000) (15c-15c-20c) 7 days, 2nd week. Gross: $5,000.

**Indianapolis Speedway** (W. B.)

**Waterfront** (W. B.)

**Indianapolis Speedway** (W. B.)

**Nightwork** (Para.)

**METROPOLITAN**—(4,500) (25c-25c-30c) 7 days, 2nd week. Gross: $5,000.

**Andy Hardy Gets Spring Fever** (M-G-M)

**They All Come Out** (M-G-M)

**Andy Hardy Gets Spring Fever** (M-G-M)

**They All Come Out** (M-G-M)

**Lowes’s State**—(5,000) (25c-30c-35c) 5 days, 2nd week. Gross: $5,000.

**Second Fiddle** (20th-Fox)

**Zero Hour** (Rep.)

**Scolaray** (25c-25c-30c-40c) 7 days. 2nd run. Gross: $4,000. (Average, $600).

**‘Each Dawn I Die’ Scores As Smash Hit at Philadelphia**

PHILADELPHIA, Aug. 15.—“Each Dawn I Die,” with Woody Herman and band, drew a smash $24,500 at the Fox. “Bachelor Mother” at the Stanley drew $14,000 for 8 days takings for the week ending Aug. 10:

**Goodbye, Mr. Chips** (M-G-M)

**Boy, Did You Ever** (W. B.)

**Each Dawn I Die** (W. B.)

**Stage Door Canteen** (W. B.)

**The Mikado** (Univ.)

**Karups** (W. B.)

**Story of the Man in the Iron Mask** (U. A.)

**Stage Door** (W. B.)

**Mother at $22,500**

BUFFALO, Aug. 15.—Sammy Kaye and band, with “Each Dawn I Die,” took $22,500 at the Buffalo. “Each Dawn I Die” brought $9,500 to the Great Lakes.

**Bachelor Mother** (RKO)

BUFFALO—(6,000) (30c-35c-40c) 7 days. Gross: $12,000. (Average, $2,000).

**Great Lakes**—(5,000) (30c-35c-40c) 7 days. Gross: $10,000.

**Frenchie Marschall** (20th-Fox)

**Quick Millions** (20th-Fox)

**Boys’ Refractory** (M-G-M)

**They Asked For It** (Univ.)

**Lafayette** (Univ.)

**France Assists U. S. In Smuggling Probe**

WASHINGTON, Aug. 15.—The French Government has advised the State Department that there had been under way since last March into the alleged use of diplomatic pouches to bring films into the United States without the payment of duty and has established that there was no intention of defrauding the customs.

In a series of letters sent yesterday to Acting Secretary Sumner Welles and made public today, the French government advised that the report of the New York Grand Jury will be forwarded to his Government, requesting that an independent investigation was undertaken when the matter was first brought to its attention last Winter.

**Republic, SDG Pact**

LOS ANGELES, Aug. 15.—Republic today agreed on terms of a new basic agreement with CADA—(25c-30c-40c) 7 days. Stage: Montgomery Theatre. Gross: $18,000. (Average, $2,500).

**Bachelor Mother** (RKO)

BUFFALO—(5,500) (35c-40c) 7 days. Gross: $9,000. (Average, $1,260).

**‘Each Dawn I Die’ Good to $21,500 in Capital**

WASHINGTON, Aug. 15.—Town’s best week in months saw “Unexpected Father” lead with $21,500 at Warners’ Earle, “Captain Fury” with $18,500 at Loew’s Virginia, and Judy Garland appeared for one day.

**Captain Fury** took a splendid $18,500 at Loew’s Virginia, with Judy Garland and Mickey Rooney grossing $9,000.

**Billboard** (20th-Fox)

**Wells** (20th-Fox)

**Calling Mr. Smith** (M-G-M)

**Our Town** (M-G-M)

**That’s A Plenty** (M-G-M)

**Legion Approves 10 New Films for Week**

Ten new pictures were approved by the National Legion of Decency for the current week, six for general patronage and four for adults. The new films and their classification follow:


**‘Dawn’ Scores Hit in Chicago, Pulls $38,800**


**Goodbye, Mr. Chips** (M-G-M)

AWOLDE—(1,800) (30c-35c-40c) 7 days, 2nd week. Gross: $9,000. (Average, $1,260).

**Tell ‘Em I’m A Sailor** (M-G-M)

GARRICK—(900) (35c-40c-45c) 7 days. Gross: $4,500. (Average, $640).

**Girl and the Gambler** (RKO)

ORIENT—(800) (35c-40c) 7 days. Stage: Vaudeville Reven. Gross: $3,100. (Average, $490).

**The Man in the Iron Mask** (U. A.)

BELLE ISLE—(1,300) (25c-30c-35c) 4 days. Gross: $1,200. (Average, $300).

**Tbirds** (M-G-M)

STATE-LAKES—(2,700) (25c-35c-40c) 7 days. Stage: Vaudeville Reven. Gross: $3,100. (Average, $440).

**On Borrowed Time** (M-G-M)

COLEMAN—(1,400) (35c-37c-40c) 7 days. Gross: $1,200. (Average, $150).

**Call Cuba’s Tax Bill Violation of Treaty**

The proposed measure introduced into the Senate by the Cuban Congress, calling for a tax on producers and distributors of 33 per cent of the gross Cuban box-office receipts, seems to violate the trade treaty existing between the government of the United States and Cuba, it was pointed out yesterday.

The tax is designed primarily as a stimulus to Cuban native production, providing for prizes and subsidies. The bill and its effects would be clearly applicable to foreign producers and distributors to not more than 40 per cent of the gross receipts of individual films.

**Seattie Union Names Stanley President**

SEATTLE, Aug. 15.—New officers for the 1930-40 term have been elected by the Seattle chapter of the Screen Editors Guild under Ludwig representing editors, Edna Pierce representing ushers, Fred Redfern representing stage hands, and Harry Sampson representing outdoor amusements, on the board of trustees.

**Sack Opens Exchange**

On the 20th anniversary of Alfred N. Sack’s entry into show business, Sack Amusement Enterprises has opened an exchange at 723 Seventh Ave. For C. J. Sack, vice-president, is in charge.
In "Lady of the Tropics," Hedy Lamarr proves beyond any possible doubt that she is the most startling beauty ever to reach the screen. Perhaps there have been men to match the compelling loveliness of Hedy, but you mark her down as one of the donkeys. *Certainly, there is no girl in Hollywood who can top or even tie The Lamarr. *

They tell me, the historians, that Helen of Troy was quite a girl. Others aver that Cleopatra was some flickery as a looker. Mora Lisa's inscrutability has been accepted as many as mysterious beauty. Venus de Milo, with or without arms, has a charisma that beggars comparison. * You can give them all, my little chickadees, and I'll give you twelve points and take Hedy.

In my time, I have seen some lookers... Marlene Dietrich isn't hay... Lili Damita had a quality of attractiveness that made you sit up and take notice when she breezed into a room... Dolores Del Rio has a polished sleekness and coloring that arrests attention... The late Mary Miller, gorgeous... Gabo, Madeleine Carroll, Madeleine Carroll, Madeleine Carroll and Patric, wonderful heads to look at... In the sweet days, Barbara La Marr made eyes pop... Lillian Lorraine, Evelyn O'connor's eyes were a wonder... They tell me Nesbit and Dolores, of the "Follies," were stummers... They may tell me that Lillian Russev had a perfection of face and feature that stopped hansom cab traffic... Take 'em all, brother... I'll take Hedy.

* * *

Loretta Young, Anita Louise, Imogene Wilson, Vilma Banky, Carmel Myers and Nita Naldi, just about represented the alpha and omega of feminine appeal. Mary Kirk Brown, the young star who has just hit Page 1 headlines, when she first arrived on Broadway didn't have to take a back seat for any of them... Billie Dove was a knockout... to Corinne Griffith, Gladys Hulett, Jean Harlow, Arleen Arden, Rene de marc, Yolanda, Janice Jarrett, Betty Lemay, Ethel ened, Jane Darwell, the late Olive Thomas, Mrs. William Rhinelander Stewart and June Lowe... There are many Ruth Eимер was unusually pretty... There are many professionals models who can match, Anna Sheridan among them, forcompanionship.

... But Hedy Lamarr would be the winner in any color finish.

"Lady of the Tropics," coming on top of "Algeria," proves positively that canned never have been trained on any one so photogenic as Hedy. To be sure, this picture was the most uneventful assignment in Hollywood. You will remember that after she completed "Algeria," Miss Lamarr went on "This Woman," which was shelved after direct into "The Tropic," which was shelved after every director wanted in town picayune at the thought of getting the next assignment. Crockett's cameraman, did a magnificent job of photography. The picture is a fine job of comic and a fine return for the studio.

* * *

Mollie Lamarr, after "Algeria," was condemned with faint praise. Nobody denied that she was gorgeous, but it was believed that her lack of technique as an actress would wash up her career as a comedienne on her third picture, Hedy wins the last laugh, because she handles the thin lines and scenes with the assurance of a trouper. Her acting has improved tremendously... I doubt if she'll ever win an Academy Award from Bette Davis, but when you look like that, you don't have to... And Miss Lamarr, on beauty alone, is an important personage.

* * *

The subject of beauty, always has been first-rate news... The history of the world has been tied to it... It has inspired men to build skyscrapers, to lunch boats, write poems... It has spurred men to build heroes... It has inspired great literature, great painting, great music... So, Hedy Lamarr, on beauty alone, is an important personage.

* * *

In the old days, the minstrels would have gone about the country side singing about the dark-haired knockout drop... "The knights of the Round Table would have engaged in tourneys to win her hand... Sir Walter Scott would have used her as a plier model for his heroes... Captain Ahab would have abused her as the bawling brook... Sir Tempest would have given Cleopatra the go-by... "Youth of Troy would have been supplanted as a launch of ships... "Helen of Troy would have been a new Juliet for his balcony scene... But this is 1935... Hedy gets only the distinction of a sympathetic column, filed from Sunset and Vine...
THIS M-G-Ni SUMMER!

Two at shoppings, then the acting begins! The name's Taylor, Robert Taylor.

ROBERT TAYLOR
HEDY LAMARR
"LADY OF THE TROPICS"

Directed by John Brahm, distributed by Metro-Goldwyn-Mayer
Held over!

THIRD RADIO CITY

That's The Kind We Mean When We Say BIG ONES from RKO RADIO!
ONEY SENSATION OF THE SUMMER!

Opening day biggest in three years for any RKO RADIO picture at the Music Hall! . . . First week smashing through to that grand $100,000-a-week-class attraction! . . . Second week, day after day, demonstrating its terrific sustained draw and amazing BUILDING POWER! . . . What a pace it's setting—and in mid-August! . . . Box-office wildfire spreading Coast to Coast to the pre-release runs set to open soon!
NEWSREEL PARADE

Nevada train wreck, soap box derby and the submarine Squalus being moved are the principal current events included in the new issues. The reels and their contents follow:


AFL Verdict Favors 4-A: Both Sides Claim Victory

(Continued from page 1)

4-A autonomy was the only binding part of the ruling and that all portions of the report which called upon the 4-A to restate Whitehead, withdraw the A.G.V.A., charter, etc., are recommendations which the 4-A international board could disregard.

Pending a meeting of the 4-A board which will be held in New York tomorrow, they were unwilling to state which recommendations would be accepted.

J-A Board Acts Today

It was stated definitely, however, that Whitehead would not be permitted to remain in the 4-A in any official capacity. A.G.V.A. will continue to function pending tomorrow's ruling by the 4-A board.

The F. of L. ruling also "called upon" the A.F.A. to withdraw from the I.A. voluntarily and to discontinue pending legislation. Whitehead stated tonight that this would be done.

Both Whitehead and Miss Tucker said they "were delighted with the settlement," and that they would bend every effort to win the election. It was felt that Whitehead and the A.F.A. have been cleared of all charges by the decision," they said.

Election in 90 Days

Members of the board to govern the A.F.A. affairs for the 90 days preceding the election, if the executive council wishes are followed, will be composed of two members of A.F.A., three designated by A.F. of L, and one each from Actors Equity, Chorus Equity, American Federation of Radio Artists, Screen Actors Guild and the 4-A board.

The ruling characterized the suspension of the A.F.A. as "too severe," and indicated that the differences could have been adjusted without "inflating harm on any officer or member questioning his or her character."

The decision continued with the observation that "a more moderate form was impossible because of the character and relations of the organizing...

Mohawk Festival Proves Big Draw

Schenectady, N. Y., Aug. 15—The Mohawk Drama Festival, Summer's chief competitor of first run theatres in this section and directed by Charles Coburn, film character actor, has drawn more than 22,000 paid attendances in its first week.


New Firms Incorporated


Alger Salary Okayed

Federal Judge Bondy yesterday granted the application of George W. Alger for an ad interim allowance of $7,000 for services as special master or hearings held in July, 1938, on modifications to the RKO plan of reorganization. Alger previously received by Alger total $27,500.

Films Council to Meet

London, Aug. 15—The Films Council will reassemble for its first meeting following the recent publication of its report, on Sept. 27.

Newsreel Parade

National Theatres, Warners Set Deal

(Continued from page 1)

years, a contract signed with Columbia for two or three years and with Republic for one year. The 20th Century-Fox deal was signed earlier. Franchises with other companies are not subject to renewal until next year.

Skouras to Denver Meeting

Denver, Aug. 15—Spyros Skouras, National Theatres operating chief, will be here Thursday to attend the intermediate theatres' convention at the Brown Palace Hotel. The three-day meeting starts tomorrow with Rick Kickeeton, division manager, in charge. About 55 managers and office executives will attend.

Outing and Golf Tourney

The theme of the meeting will be "How to sell Tickets." Operations and advertising-publicity campaigns will be discussed. District meetings will be held by the Beem of the third day. Bernie Hynes, manager of the Denver theatre, is in charge of arrangements.

The conventions are scheduled to stay over for the annual outing and golf tournament of the Rocky Mountain Screen Club Friday at the Evergreen golf course and Edie Ott's Country Club at Evergreen.

Skouras will come here from Kansas City. He is attending the Mid-Western meeting at Excelsior Springs, Mo.

K-A-O Profit Shows

Boost of $137,000

(Continued from page 1)

cent cumulative convertible preferred stock.

Keith-Albee-Orpheum, for the 26 weeks of 1939, show profit before depreciation and income tax provision of $1,133,660, compared to $717,350 for the 1938 period. B. F. Keith, for the 1939 period, showed profit before depreciation and income tax provision of $1,678,020, compared to $794,700 for the corresponding period in 1938.

O. K. on Beacon Rental

Federal Judge John C. Knox yesterday approved a four-year lease on the Beacon Theatre here by the Bescon Theatre Corp, for an annual rental of $40,000. The Beacon was formerly operated by the Bescon & Midway Corp, which filed a petition in the U.S. District Court for a reorganization. Under the lease terms of the payment rental is guaranteed by subsidiaries of ROE, Inc., and Skouras Theatres Corp.

Judgment Against Glazer

A judgment of $11,250 was awarded Alice B. Glazer, former wife of Benjamin Glazer, Warner producer, in a suit filed in N.Y. Supreme Court yesterday. Suit was based on default of a separation agreement which Glazer had agreed to provide a minimum of $1,250 monthly for his former wife. Schwartz & Frohlich represented the plaintiff.
4-A DEFIES AFL, REJECTS TERMS

Holdovers Boom
Broadway Takes

Broadway houses enjoyed splendid business with holdover pictures the past week. The Music Hall finished the second week of "In Name Only" with $84,000 and is holding the film a third week.

The Paramount likewise is holding over "Beau Geste" for a third stanza; after clearing $37,500 for the second. The Capitol drew $25,000 with "Four Feathers," which is replaced today by "The Wizard of Oz."

"The Shall We Dance Music" drew $11,000 in the third and final week at the Rivoli, where "When Tomorrow Comes" opened yesterday. At the Astor, "Goodbye, Mr. Chips" continued strong, grossing $11,000 in the 13th week.

TMAT Takes Strike
Vote Against ITOA

Independent Theatre Owners Association was declared "unfair" by the Motion Picture division of the Theatrical Managers, Agents and Treasurers Union at a meeting of the executive board yesterday.

The T.M.A.T. declared that assistance was being given by the I.T.O.A. to the Vogue, Bronx, where a strike is in progress. Two pickets were served yesterday with summons for disorderly conduct.

Strike action against I.T.O.A. houses was voted with the attack to be concentrated in neighborhoods which are sympathetic to labor, particularly in Brooklyn and in Bronx.

The board will meet again Monday night to decide what first group of houses will be picketed, it was reported.

Officials of the I.T.O.A. could not be reached for comment.

GRAINGER SIGNS UP BUTTERFIELD CIRCUIT

J. R. Grainger, president of Republic Pictures, announced upon his return from Detroit yesterday that he had closed a deal for the 1939-40 product for 108 houses in the Butterfield circuit. A.T.E. C. Beatty, circuit president, and J. O. Brooks, its film buyers, represented Butterfield, while Granger and Sam Spelwin, Republic's Detroit branch manager, represented Republic.

WB Deal Denied

Spyros Skouras' statement given in Excelsior Springs, Mo., that no product deal with Warners was consummated by National Theatres and that negotiations are still in progress was officially denied by Warners' home office yesterday.
Secrecy Veils
Code as U.S. Asks Changes

(Continued from page 1)

MARTIN QUIGLEY, accompanied by Mrs. Quiqley, two daughters and a son, will return tomorrow to the Mauretania from a motor tour of Europe. They visited Italy, France, England and Ireland, having left New York on June 17.

BERTA GERSTEN, Jewish actress, will be starred in the title role of "Mirele Efros," a new Yiddish film based on Jacob Gordin's play of the same name which Roman Rubush is producing for Credo Pictures, Inc.

JANE WITHERS will make a personal appearance tour of Australia, leaving the 20th Century-Fox studio during the first week in January, stopping off in Honolulu and Pago Pago en route. The Australian tour will occupy three weeks.

Rudy Weiss of Warners real estate department is passing out cigars on the birth of a son Sunday to Mrs. Weiss at 152-00 Broadway. The youngster has been named Ronald Whitman.

LUCILE WATSON, who recently completed a role in M-G-M's "The Women," is at Newport, R. I., to star in Robert Wallston's comedy, "Marriage Royal," prior to its Broadway opening.

HEN KALMENSON, Warter's western sales manager, and Fred Jack, southern district manager, are in Oklahoma City working on a film deal for next season with the Griffith Amusement Co.

ROBERT M. MEITZMAN, managing director of the Paramount, has joined his family for another short vacation at Grossinger's. Ben Greifer, house manager, has just ended his vacation.

JOHN GREISER, British documentary producer, will leave his Ottawa headquarters shortly for a brief visit on the coast before sailing for Australia about the middle of next month.

Zasu Pitts will have her first serious role in a Screen of Commonstraw production this week. Sam Jaffe is expected to star next week.

ROBERT BRODENIK, operator of the Stanley, Manhattan, leaves Monday for a brief vacation at Livingston Manor in the Catskills.

ARTHUR FREUDENTHAL, division manager of RKO Midwest in Cincinnati, is in New York on a business trip.

NAT STERN, Paramount's Manhattan branch, has vacationing upstate. He is due back Aug. 28.

JOHN MANHEIMER, I.T.O.A., executive secretary, is vacationing at Ridgefield Springs, N. Y.

T. NEWMAN, lawyer of the O'Brien, Driscoll & Raftery law firm, is vacationing.

For Lunch, Dinner or Supper
LaHIDE'S TAVERN
The Industry's
MEETING AND EATING PLACE
155 W. 48th St, Tel. Chloric 4-4200

UNITED... THE DISTINGUISHED WAY TO LOS ANGELES Overnights to the coast.
Luxurious Mainliner sleepers—the "Continental" leaving New York 5:45 p.m. and the "Overland Flyer" leaving New York 9:45 p.m.

Finest meals aloft. Call travel agents, hotels, or phone
UNITED AIR LINES
59 East 42nd Street

IAN JAVA, commercial director of The Associated Press, soared for England yesterday on the Normandie, in connection with new developments. He is expected to return to New York in late Fall.

MADISON TASSO, assistant manager of the Paramount at Middletown, O., has installed a 26-foot Stewart-Warner combination television-radio-phonograph in the theatre lounge. A Stewart-Warner engineer is on hand to demonstrate.

NAT STERNBERG, Republic's St. Louis franchise holder, and ROBERT WITTERS, Kansas City franchise holder, are in town to discuss circuit deals with J. R. GRAINGER, Republic president.

NORMAN H. MORAY, Warner Vitaphone sales manager, will be host to the trade press today at a screening of The Bill of Rights and other shorts, followed by luncheon.

KENNETH KNIGHT, assistant manager at the Tower in Oklahoma City, has returned to his post after two weeks on the coast.

ERROL FLYNN and his sister, ROSALIND, sailed Thursday for Canada, to be joined by their friends, the WALTER HOWINGS, at their home at Southampton, Long Island.

T. B. NOBLE, Jr., president of the State Theatres, Inc., Oklahoma City, has returned to his headquarters from Colorado.

ARTHUR M. LOWE, vice-president of Lowel's and head of the export department, plans to fly to England in the Fall via Clipper.

DOROTHY PARKER and her husband, ALAN CAMPBELL, sail today on the Champseli for a European vacation.

EBBE O'CONNOR, M-G-M manager in Cuba, is visiting relatives in New England.

MOTION PICTURE DAILY (Registered U. S. Patent Office)
TO ALL BRANCHES:

Note following letter to all of our customers.

"We had expected to release during August 1939 a DEANNA DURBIN picture in the course of production, under the title of FIRST LOVE.

We now find that due to unforeseen circumstances it will be impossible for us to have this picture available for release during the current releasing season.

In view of the support and cooperation extended to us during the past year by our customers, we will deliver this DURBIN picture under our 1938-39 contract, even though under our contract we are not obligated to do so."

Please be governed accordingly.

Sincerely,

W. A. Scully
GENERAL SALES MANAGER

WAS L
4-A in Defiant Stand Against AFL Verdict

(Continued from page 1)

xecutive secretary of the Screen Actors Guild, declared after the meeting last night.

Some of the other suggestions, howe

er, while not an essential temporary governing board is altered by giving the 4-A a clear majority on it.

Under the A.F. of L. ruling, two members of the board are to be selected by the A.F.A., three by the A.F. of L., and five from the 4-A unions.

Thomson stated that this arrangement was unsatisfactory because the board thus will not be able to arrive at decisions with an equal division on each side.

It is not regarded as likely that the A.F. of L. will permit the 4-A to rule during the interim period, and the whole issue will be thrown open once more.

Woll telephoned Frank Gillmore, 4-A president, to request that further conferences be held early this afternoon, at which time he explained what the nature of the discussions were to be. The call was made before the 4-A board voted to reject the A.F. of L. recommendations.

Nevertheless, a committee composed of Gillmore, Thomson, Paul N. Turner, A.A. attorney; Henry Jaffe, associate counsel; Paul Dzelz, executive secretary of Actors Equity; Florence Marston, S.A.G. executive representative, and Emily Holt, executive secretary of the American Federation of Radio Artists, will enthrall for Atlantic City this morning.

The telegram from Green to Gillmore stated:

“The reports state that you and your associates representing the 4-A organization will accept in part and reject in part the decision, recommend and suggest that the executive council which the council was advised had been agreed to by representatives of the 4-A organization.

“The executive council cannot acquire in such procedure. The decision, recommendations and suggestions of the executive council must be accepted in full. If you reject any part of the decision, recommendations and suggestions, this nullifies the action as a whole, the executive council will be compelled to further consider the controversy existing in the 4-A organization, and proceed to take such action as the situation and circumstances warrant.

“The council expresses the hope that it may receive from you and your associates full and complete acceptance of the decision, recommendation and suggestions of the executive council.

The 4-A board authorized the following reply:

“Your diagram is erroneous when it states that representatives of the 4-A have agreed to your decisions, recommendations and suggestions. The important recommendations were expressly disapproved by the 4-A representatives, and this disapproval was stated directly to Mr. Woll, representing the executive council. Moreover, contrary to the agreement between us, we were never informed of the contents of the recommendation until the time when the decision was released to the press.

“We reject your proposal that the decision, recommendations and suggestions of the executive council must be accepted in full. This we will not do. At the request of your Mr. Woll, our committee is meeting him in Atlantic City tomorrow.”

From Atlantic City, Whitehead stated that the A.F.A. was willing to abide by the entire ruling of the A.F. of L. He expressed confidence that his membership is solidly behind him and declared that the “vindictiveness” of Thomson.

The council members denied that there was any “personal vindictiveness” or that Thomson controlled the board.

In Hollywood, Ralph Morgan, president of the S.A.G., called the decision a victory for the 4-A, while John F. Gately, I.A. Coast representative, termed it a “clear cutting back of the L.A.T.S.E. position.”

Gately stated that the I.A. had saved a large group of actors from “disenrollment.”

This restoration of the A.F.A. status in the industry, accomplished by sensible but forceful persuasion, is another example of the constructive policy of our organization,” he said.

More Judell Exchanges

Hollywood, Aug. 16.—Franchises for eight additional territories have been given B. N. Judell, Inc., by Pro- modeled Distributing Corp. for distribution of 1939-40 product of Movietone Pictures Corp. The Judell firm will open exchange offices Oct. 1 in Atlanta, Charlotte, Memphis, New Orleans, Dallas, Oklahoma City, Kansas City and Los Angeles. Ben Judell heads all three concerns.

Hollywood Previews

“Golden Boy” (Columbia)

HOLLYWOOD, Aug. 16.—Here, Ladies and Gentlemen of the boxoffice, is the all-time tip-top prize fight picture. This is a major bout on any boxing card that’s been played in both fists. Don’t miss it. Even the bleacher seats to the scalpers.

“Golden Boy” has had more buildup in the public prints than most pictures can take. There was the story about the big price paid for Cliff

ordt’s stage play, to start with, and there was the sustained sequence of newspaper stories about the search for the younger to play the title role. These things breed titanic expectations. This picture justifies them.

William Holden, the young man who plays the crossed-up violinist turned pugilist, comes through with a bang-up performance. So does Lee J. Cobb, furnishing an epochal etching of the boy’s distraught father. The performance of Barbara Stanwyck as the girl in the boy’s life, and of Adolphe Menjou as the man in her’s, are among their all time best. Sam Levene, Edward S. Brophy and Joseph Calleia are equivalently effective in less prominent assignments.

It took four writers—Lewis Meltzer, Daniel Taradash, Sarah Y. Meltzer, and Victor Heerman—to adapt the play to picture form and they made a fine job of it. Rouben Mamoulian’s direction is potent in every particular and William Perlberg’s production is powerful in realism.

The story’s about a young Italian whose musician career is interrupted while he seeks fame in the prize ring and about the woman whose hopes his and are affected by it. To synopsize it in detail is to rob readers of a rare 100 minutes in the theatre and your reporter declines to doing this.

Running time, 100 minutes. “A”

Roscop Williams

Theatricals

skouras optimistic at fox west parley

EXCELSIOR SPRINGS, MO., Aug. 16.—Regardless of the outcome of the Federal suits against the major companies, the Neely bill and the moves for dissemination from exhibition, the public will get better entertainment and the theatre manager will not be seriously hampered, Spyros Skouras, head of National Theatres, told the editorial annual convention of Fox Midwest at the opening of the convention.

Elmer C. Rhoden, head of Fox Midwest, declared today that the old type of showman who depended entirely on imagination is gone, and that the business man has replaced him in successful theatre operation. He declared he knew many great showmen who had failed, but no great business men.

Skouras made the National Theatres news today. The two-day session was attended by 150 managers and executives from Missouri, Kansas, Iowa and Illinois.

Network Broadcast By Movietone News

Movietone News will be on the air Sunday, Dan Doherty, Movietone assignment editor, will attempt to solve the Ellery Queen mystery over CBS from 8 to 9 o’clock. Margaret Bourke-White and two other famous photographers will participate.

An hour earlier, Ed Thorson, commentators, will discuss sports with Tallulah Bankhead, Ford Frick and Bill Corum on “The People’s Forum” over the same network.

Skouras Optimistic At Fox West Parley

British Quota Productions Showing Gain

LONDON, Aug. 16.—Thirty-six British quota and double quota films, and an equal number of quota only films of which six were treble and five double quota. In addition, 10 British features have been registered for the exhibitors quota only. A total of 132 British shorts were registered in the four-month period and 236 foreign shorts.

The figures indicate a considerable increase in quota production for the 12 months from January to December 1939.

With the objective of formulating a policy on the circulation and exchange of films throughout the British Empire, there have been going on between the British Film Institute and the Colonial Office. As a result of this conference, it has been decided that quotas will be distributed to the Colonies dealing with the circulation of educational and cultural subjects therein.

Alliance Deal Closed

Distribution in Cincinnati, Cleveland and Indianapolis of Alliance Film’s 1939-40 product will be handled by the Big Feature Rights Exchange, Inc., through a deal closed by Budd Goldsmith, president and general manager of Alliance, with Lee Goldberg, owner of Feature Rights.

Set Okla. Allied Plans

OKLAHOMA CITY, Aug. 16.—The organization composed of Allied Theatre Owners of Oklahoma will meet at the Biltmore Hotel here Aug. 22 to discuss plans for the first annual convention, tentative date which has been set as Sept. 26-27 at the Biltmore.

C. F. I. Sets Dividend

The board of directors of Consolidated Film Industries, Inc. has declared a dividend of 25 cents per share on the preferred stock, payable Oct. 2 to stockholders of record Sept. 11.

ITO Suspends Meetings

Bi-weekly meetings of the L.T.O.A. have been suspended in the absence of Harry Brandt, president, who is vacationing at Saratoga. The next meeting is scheduled for Aug. 30.
**ONLY ONE PICTURE**
**COULD BE DOING**
**THIS**
**PHENOMENAL BUSINESS!**

Tops "Alexander’s" and "Jesse James"!
—State, Los Angeles

Beating "Jesse James"!
Closing in on "Alexander’s"!
—Chicago, Chicago

Held over after beating every 20th hit here!
—Paramount, San Francisco

Out-grosses "Jesse James" narrowing "Alexander’s" lead!
—Chinese, Hollywood

Tops "Kentucky"! Led only by "Alexander’s" and "Jesse James"!
—Palace, Washington

Bigger than everything but "Alexander’s" all-time high!
—Circle, Indianapolis

Held for 3rd week after beating all but "Alexander’s" and "Jesse"!
—Roxy, New York

New high by more than 50%! Gaining momentum every day!
—Fox, Detroit

*Stanley and Livingstone of course*
<table>
<thead>
<tr>
<th>COLUMBIA</th>
<th>M-G-M</th>
<th>MONOGRAM</th>
<th>PARA.</th>
<th>REPUBLIC</th>
<th>RKO RADIO</th>
<th>20TH-FOX</th>
<th>U. A.</th>
<th>UNIVERSAL</th>
<th>WARNERS</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>July 14</strong></td>
<td>A Woman Is the Judge</td>
<td>Rochelle Hudson</td>
<td>Girl from Rio</td>
<td>Million Dollar Legs</td>
<td>She Married a Cop</td>
<td>Of Human Bondage</td>
<td>Unexpected Father</td>
<td>Baby Sandy</td>
<td>Michela Auer</td>
</tr>
<tr>
<td><strong>July 21</strong></td>
<td>Blondie Takes a Vacation</td>
<td>(G)</td>
<td>Andy Hardy Gets Spring</td>
<td>Magnificent Fraud</td>
<td>Way Down South</td>
<td>News Is Made at Night</td>
<td>(G)</td>
<td>(G)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>The Man from Sundown</td>
<td>(C)</td>
<td>Behind Prison Gates</td>
<td>Island of Lost Men</td>
<td>Should Husband's Work?</td>
<td>Frontier Marshal</td>
<td>1 Stole a Million</td>
<td>George Raft</td>
<td>Claire Trevor</td>
</tr>
<tr>
<td><strong>July 28</strong></td>
<td></td>
<td></td>
<td>Goodbye, Mr. Chips</td>
<td>Mr. Wong in Chinatown</td>
<td>Night Work</td>
<td>Bachelor Mother</td>
<td>Winter Carnival</td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Behind Prison Gates</td>
<td>Brian Donlevy</td>
<td>Robert Donat</td>
<td>Robert Young</td>
<td>Colorado Sunset (G)</td>
<td>Irish Luck Frankie Darro</td>
<td>Four Feathers</td>
<td>Ralph</td>
<td>Aubrey Smith</td>
</tr>
<tr>
<td></td>
<td>Jacqueline Wells</td>
<td></td>
<td>Florence Rice</td>
<td>Charlie Buggles</td>
<td>In Old Monterey (G)</td>
<td>Our Leading Citizen</td>
<td>(G)</td>
<td>(G)</td>
<td></td>
</tr>
<tr>
<td><strong>Aug. 4</strong></td>
<td>Coast Guard</td>
<td>Randolph Scott</td>
<td>Lady of the Tropics</td>
<td>Riders of the Frontier</td>
<td>This Man Is News</td>
<td>New Frontier (O)</td>
<td>Man in the Iron Mask</td>
<td>Joan Bennett</td>
<td>Louis Hayward</td>
</tr>
<tr>
<td></td>
<td>Ralph Bellamy</td>
<td>Frances Dee</td>
<td>Hedy Lamarr</td>
<td>Tex Ritter (O)</td>
<td>Barry K. Barnes</td>
<td>Roy Wayne</td>
<td>When Tomorrow</td>
<td>Charles Boyer</td>
<td>Irene Dunne</td>
</tr>
<tr>
<td><strong>Aug. 11</strong></td>
<td>The Man They Could Not Hang</td>
<td>Boris Karloff</td>
<td>These Glamour Girls</td>
<td>Oklahoma</td>
<td>In Name Only</td>
<td>Chicken Wagon Family</td>
<td>(G)</td>
<td>(G)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Roger Pryor</td>
<td></td>
<td>Lew Ayres</td>
<td>Star Maker</td>
<td>Carole Lombard</td>
<td>Stanley and Livingston</td>
<td>Each Dawn</td>
<td>James</td>
<td>George Raft</td>
</tr>
<tr>
<td><strong>Aug. 18</strong></td>
<td>Five Little Peppers and How They Grew</td>
<td>Riders of Black River</td>
<td>Wizard of Oz</td>
<td>Smuggled Cargo</td>
<td>In Name Only</td>
<td>Jones Family</td>
<td>The Underpup</td>
<td>Non Grey</td>
<td>Mutiny on the</td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Judy Garland</td>
<td>Rochester Hudson</td>
<td>Carole Lombard</td>
<td>Adventures of Sherlock</td>
<td>(G)</td>
<td>Deva</td>
<td>Blackhawk</td>
</tr>
<tr>
<td><strong>Aug. 25</strong></td>
<td>Konga the Wild Stallion</td>
<td>Fred Stanton</td>
<td>The Women</td>
<td>Flight at Midnight</td>
<td>Nurse Edell</td>
<td>Anna Nangle</td>
<td>The Old Maid</td>
<td>Betty Davis</td>
<td>Miriam Hopkins</td>
</tr>
<tr>
<td></td>
<td>Fred Stone</td>
<td>Rochelle Hudson</td>
<td>Norma Shearer</td>
<td>Phil Regan</td>
<td>cavell</td>
<td>Edna May Oliver</td>
<td>The Old Maid</td>
<td>John Garfield</td>
<td>Fricilia Lane</td>
</tr>
<tr>
<td><strong>Sept. 1</strong></td>
<td>Golden Boy</td>
<td>Barbara Stanwyck</td>
<td>Henry Goes</td>
<td>Death of a Champion</td>
<td>Lynne Overman</td>
<td>Anna Nangle</td>
<td>Nancy Drew</td>
<td>Jackie Cooper</td>
<td>Fred Berton</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Adolphe Menjou</td>
<td>Arizona</td>
<td>William Henry</td>
<td>Robert Paige</td>
<td>Edna May Oliver</td>
<td>and the Hidden</td>
<td>John Garfield</td>
<td>Frankie Thomas</td>
</tr>
<tr>
<td></td>
<td>William Holden</td>
<td></td>
<td>Judith Barrett</td>
<td>Television</td>
<td>Flight at Midnight</td>
<td>Anna Nangle</td>
<td>Staircase</td>
<td>Bonnie</td>
<td>Bosita</td>
</tr>
<tr>
<td><strong>Sept. 8</strong></td>
<td>Dancing Co-ed</td>
<td>Lana Turner</td>
<td>Sky Patrol</td>
<td>Beau Geste</td>
<td>Conspiracy</td>
<td>Charlie Chan at Treasure</td>
<td>Dust Be My</td>
<td>Johnny</td>
<td>Destiny</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Richard Carlson</td>
<td>John Trent</td>
<td>Gary Cooper</td>
<td>Allen Lane</td>
<td>Island</td>
<td>(G)</td>
<td>(G)</td>
<td></td>
</tr>
<tr>
<td><strong>Sept. 15</strong></td>
<td></td>
<td></td>
<td>Beau Geste</td>
<td>Ray Milland</td>
<td>Fighting Gringo</td>
<td>Sidney Toler</td>
<td></td>
<td>(G)</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Sky Patrol</td>
<td>Betty Grable</td>
<td>The Day the Robbers Left</td>
<td>Hollywood Cavalcade</td>
<td></td>
<td>(G)</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>John Trent</td>
<td>Joe Penner</td>
<td>Joe Penner</td>
<td>Alice Frey</td>
<td></td>
<td>(G)</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Lucy</td>
<td>Betty Grable</td>
<td>Only the Brave</td>
<td>Don Ameche</td>
<td></td>
<td>(G)</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Richard</td>
<td>Stuart Erwin</td>
<td>Hollywood Cavalcade</td>
<td>Cesar Romero</td>
<td></td>
<td>(G)</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Richard</td>
<td>Betty Grable</td>
<td>Hollywood Cavalcade</td>
<td>Cesar Romero</td>
<td></td>
<td>(G)</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td>Richard</td>
<td>Betty Grable</td>
<td>Hollywood Cavalcade</td>
<td>Cesar Romero</td>
<td></td>
<td>(G)</td>
<td></td>
</tr>
</tbody>
</table>
FCC Permits Are Asked on New Stations

Washington, D.C., Aug. 16.—Applications for new broadcasting stations have been filed with the Federal Communications Commission by Columbia Broadcasting System, seeking a 1,500-kilowatt station at Worcester, Mass., with 100 watts power night, 500 watts day, and 1,000 watts day, and for the American Broadcasting Co., seeking a 1,420-kilowatt, 250-watt station at Arlington, Va., and for the Continental Broadcasting Co., asking a 1,430-kilowatt station at San Diego, Cal., with 1,000 watts day, 5,000 watts day a day and 5,000 watts night.

Other applications filed at the commission included the requests of WEXL, Royal Oak, Mich., for increase of power, station at Springfield, KFRO, Longview, Tex., for extension of time from day to unlimited night with 100 watts power; KFG, Falls City, Neb., for an increase in power from 125 watts day to 1,000 watts; KDFK, Los Angeles, for increase of power from 500 watts to 990 kilocycles and extension of time from limited to unlimited night with 500 watts; KWBV, San Diego, offered an 800-watt station; and WXYC, New York, for an increase in power from 100 to 250 watts.

The commission has tentatively fixed Sept. 25 as the date for hearings on the applications of Samuel M. Emison for a 1,000-watt station at Asheville, N.C. Springfield Radio Service, Inc., for a new 780-kilowatt, 250-watt day station at Orlando, WORL, Knoxville, Tenn., for change of frequency from 1,310 to 1,620 kilocycles and increase in power from 100 watts to 250 watts day, 250 watts day to 500 watts night, 1,000 watts day; KABC, San Antonio, for change of frequency from 1,420 to 1,470 kilocycles and increase in power of 100 watts night, 1,000 watts day, 500 watts day to 1,000 watts night, 1,000 watts day; WXHI, Westville, Ind., for change of frequency from 640 to 1,390 kilocycles, extension of time from limited to unlimited, and increase in power from 100 watts to 1,000 watts, 5,000 watts day.

Application for a construction permit for a new broadcasting station, to operate on 1,160 kilocycles with 500 watts power day and 500 watts night, has been filed with the commission by the Oll Colow Broadcasting Co., Inc., Boston. A number of applications for-increased power and changes of frequency have been heard by the commission as follows:

WBFR, Baltimore, asking increase of night power from 100 to 1,000 watts; WFDF, Flint, Mich., asking a change of frequency from 1,310 to 880 kilocycles and increase of power from 100 to 500 watts; WERG, O商品, Ohio, asking a change of frequency from 1,420 to 1,620 kilocycles and increase of power of 100 watts night, 1,000 watts day, 500 watts day to 1,000 watts night, 1,000 watts day; WABF, Washington, D.C., for change of frequency from 640 to 1,390 kilocycles, extension of time from limited to unlimited, and increase in power from 100 watts to 1,000 watts, 5,000 watts day.

Pittsburgh Gross Prospects Better

PITTSBURGH, Aug. 16.—With increased industrial production and retail trade as bellwethers, motion picture business here is reported to be on the increase, with the legitimate season prospects are the brightest in recent years.

Nine shows are already definitely scheduled, of which all are of varying importance. The others are in the stage of conjecture, and others are in the stage of conjecture, and others are in the stage of conjecture. Most of them are obvious, with the exception of last season’s outlook which was the most impressive: $4,200. This year’s problem, from present indications, looks like a couple of the popular shows, and numerous touring attractions, and booking them in for well-balanced fare. In 1938-39, the number of available plays was small.

Pittsburgh Houses Discard Vaudeville

PITTSBURGH, Aug. 16.—Vaudeville has left the downtown theatre scene and will stay away for at least a couple of seasons, statements of operators indicate.

The Stanley, Warner de luxe 3,000-seater, will bring stage shows back when “conditions warrant,” Tri-state district manager Harry Kalmine announced, which was interpreted to mean not until at least 1939. Until May, the Stanley had for two years presented acrobatic acts and numbers on bars at 60 cent top. It was adopting a straightforward picture policy, the house has cut prices to 50 cents, and grossed from $2,000 to $10,000 weekly in better money, unofficial statements contended.

Only acts to appear on the Stanley stage now were regularly appearing for pay. After the booking situation unexpectedly changes, will be the network broadcast.” The shows every Mon., Aug. 21, and depending on arrangements made with the Grant agency in Chicago, handling the network program for the Mary and Company. After a month of Wednesday night shows, the Harris will present Lanny Feathers and the Merry Macs.

Three First Runs, Open in Pittsburgh

PITTSBURGH, Aug. 16.—After two months of limited downtown first run showings, when only four theatres were exhibiting new product, the Golden Triangle will return this month to the regular setup of seven first run houses.

First will be the Fulton, opening with "Green Pastures" and "Beauty and the Beast" during the seven weeks of idleness. The theatre, a Sheaf operation, will again be under management of J.H. Warnes. Following the three-months layoff, the Barry will reopen Aug. 24. Third theatre is the Art Cinema, under the management of Philip Brody.

Other first run houses in the Triangle are the Harris Alvin, Loe’s, Warnes’ and Warnes’.

Form Theatre Firm

ALBANY, Aug. 16.—Progressive Amusement Corp. has been formed here to conduct a motion picture business. Directors are Frank Katz, Bart Hedlund and Ruth Shone, New York.

Max Gordon, consultant on plays for the NBC television department, has lined up a number of dramas and musicals for television programs beginning in the Fall. He is continuing negotiations in Hollywood.

This heralds NBC’s plans to present more live talent shows from its west coast stations, and probably indicates more thoughtfulness on the part of NBC in the future. In the three months that the network has been providing public television, it has enjoyed the additional popularity of its outdoor on-the-spot pickups are the most popular, with stage dramas second in the viewers’ appeal.

At present the programs are costing NBC about $2,000 a week, in addition to a production and technical cost of about $5,000 weekly. Probably indicative of American skill and efficiency is that an NBC staff of 75 persons produces 10 hours of television programming. While its broad-casting Co., requires 450 persons to produce 21 hours weekly. The British staff includes a 20-piece orchestra.

Clarence W. Farrier, television coordinator for NBC, says that the network has a sufficient supply of for and independent features, with which the network considers reasonable to assure the broadcast of one feature a week indefinitely.

The improvements in product supply from the major companies continues, however, and there have been no recent negotiations between NBC and the Hays Office.

NBC has paid a maximum of $150 for foreign and independent features, with which the network considers reasonable considering that the showing is made only once. The major companies figure that the price offered will be doubled.

Outside pickups will continue for three hours a week until the second “network” month has passed, when the outdoor programs will be increased. Beginning Aug. 29, the network will also increase its live talent shows. The network will give two feature every Wednesday night, in addition to the nodday demonstration programs, on a full television schedule of 11½ hours weekly.

Meanwhile RCA-NBC engineers are working on improvements in transmission and reception, while CBS is marking time. CBS officials describe their present television plans offering every week. NBC has been set for the start of telecasting but it is expected to be late in the Fall.

Television plans of CBS have been retarded because of numerous revisions needed on account of obscene equipment. CBS is waiting for RCA to carry on its experimental work to a point where it has resulted in a larger audience than the 750,000 persons in the New York metropolitan area before.

**Frisco Fair Cuts Staff**

SAN FRANCISCO, Aug. 16.—Following a policy of cutting its staff after the suppression of the Golden Gate International Exposition, the San Francisco Fair and Frisco Fair Co. have announced 35 radio department employees will be dismissed Aug. 21. Leaving 35 still on the payroll.

Radio supervisor Art E. Rowe will resign Sept. 1, but will continue in the same job without salary.
Set Donahue & Co. As Rowland Agency
Richard A. Rowland, president of Rowland Productions, Inc., whose product will be released next season by United Artists, has appointed Donahue & Co. to handle all advertising in connection with the 1939-'40 product. "Three Cheers for Miss Bishop" will be the first film.

Televise Dodgers Games
Professional baseball will be televised for the first time on Saturday, Aug. 26, when the double header between the Brooklyn Dodgers and the Cincinnati Reds will be televised over NBC's station, W2XBS. The program will begin at 1:30 P. M.

Even Show Films
Hamilton, O., Aug. 16.—The Paramount, flagship of the local Soutio circuit, played a stage show Sunday, gay and amusing for automobile tourists on a rainy and cold Monday, conducted Sweepstakes Wednesday, and will have an Encore Night Friday. The house also is playing pictures.

Feathers' Is Kansas City's Hit at $15,600
KANSAS CITY, Aug. 16.—"Four Feathers" and "Good Girls Go To Paris" did $16,500 at the Midland for the big money and best showing of the week. "The Great Gatsby" made $7,600, which will be a record for this year. Business over the weekend was near the $25,000 mark, which is slightly better than local contract business.

Estimated takings for the week ending Aug. 16: 8-10
"Frontier Marshal" (20th-Fox) E2000 (26c-4c) 7 days. Gross: $3,100. (Average, $450)
"Four Feathers" (U. A.) E2000 (26c-4c) 7 days. Gross: $3,100. (Average, $450)
"Good Girls Go To Paris" (Col.) MIDLAND—$4,000 (26c-4c) 7 days. Gross: $5,500. (Average, $750)
"Naughty But Nice" (W. B.) NEW-STAR (900) (26c-4c) 7 days. Gross: $1,000. (Average, $150)

'Andy Hardy' $11,000 Indianapolis Smash
INDIANAPOLIS, Aug. 16.—"Andy Hardy Gets Guts" and "They All Come Out" took a smash $11,000 at Loew's in a week of good business. Estimated takings for the week ending Aug. 16: 8-10
"Bachelor Mother" (RKO) CAMERON—$1,100 (26c-4c) 7 days. 2nd week. Gross: $2,800. (Average, $250)
"Hotel for Women" (20th-Fox) ELOWS—$2,800 (26c-4c) 7 days. Gross: $6,500. (Average, $550)
"Andy Hardy Gets Spring Fever" (M-G-M) THEATER—$2,800 (26c-4c) 7 days. Gross: $11,000. (Average, $1,500)

Build New Metro Offices in London
A new headquarters building will be constructed for M-G-M in London, which the company will occupy on a long term lease. The building will consist of six stories with a superstructure and a basement which will be 3,000 square feet, and will be air conditioned throughout. There will be a preview room seating 100 and another seating 400 for all trade shows.

Air Shipsments Gain
Air express shipments nationally for June totaled 71,327, an increase of 25 per cent over June, 1938, the Railway Express Agency reports. Gross revenue for June, this year, was up 34 per cent. Shipments for the first six months of the year totaled 392,079, an increase of 25 per cent over the 1938 period.

Feathers' at $10,000
"Four Feathers," on a dual bill with "Indianapolis Speedway" at the Michigan State Fair, was killed for $10,000 against a house average of $4,500, for a total of 2,250 in 25 per cent over the 1938 period.

'Tomorrow' L. A. Winner With $29,500
LOS ANGELES, Aug. 16.—"Tomorrow Comes" (Paramount-U. A.) at the Million Dollar Theatre, and "Quick Millions" took $19,800 at the Chinese and Million Dollar's Loew's. Estimated takings for the week ending Aug. 16:
"Stanley and Livingstone" (M-G-M) HILLSTREET—$3,000 (40c-6c) 7 days. Gross: $4,900. (Average, $700)
"When Tomorrow Comes" (Univ.) HILLSTREET—$3,500 (40c-6c) 7 days. Gross: $4,900. (Average, $700)

'Conflict' to Carnegie
Transatlantic Distributing Co., which has the American rights to the French production "Conflict," starring Corinne Lachet, has set the picture up for an indefinite run at the Little Carnegie Playhouse next month.

'Cap' Co. To Play End of \nBack to Back at 
The Paramount, flagship of the local Soutio circuit, played a stage show Sunday, gay and amusing for automobile tourists on a rainy and cold Monday, conducted Sweepstakes Wednesday, and will have an Encore Night Friday. The house also is playing pictures.

Even Show Films
Hamilton, O., Aug. 16.—The Paramount, flagship of the local Soutio circuit, played a stage show Sunday, gay and amusing for automobile tourists on a rainy and cold Monday, conducted Sweepstakes Wednesday, and will have an Encore Night Friday. The house also is playing pictures.
Federal Action Kills Code

AFL to Make Revised Ruling In Union Fight

Whitehead Case Remains Crux of Settlement

ATLANTIC CITY, Aug. 17.—The American Federation of Labor executive committee was deadlocked after one of its rare night sessions which ended at 11:30 o'clock tonight in its efforts to solve the jurisdictional dispute between the Associated Artists and Artists of America, the American Federation of Artists, its former affiliate, and the I.A.T.S.E.

William Green, president of the A.F. of L., announced that the council was unable to accept the recommendations submitted by the mediation sub-committee, but would submit its own revised report after its meeting tomorrow which starts at 12 noon.

The mediation sub-committee, headed by Matthew Woll, met with the 4-A delegation this afternoon after the latter had rejected proposals that

(Continued on page 4)

Schaefer Reveals Studio Promotions

Hollywood, Aug. 17.—President George Schaefer of RKO today announced the following promotions in the studio prior to leaving tomorrow for New York:

Joseph J. Nolan, who has been an assistant secretary of the company for 18 years, has been named assistant to the president.

Howard Benedict, head of studio

(Continued on page 4)

‘Livingstone’ Keeps Smash Pace at Roxy

Stanley and Livingstone continued its smashing pace at the Roxy in its second week with an estimated $48,000. It will be held for a third week and could go for a fourth, but will have to be withdrawn next Friday to make way for “Hotel for Women.”

At the Strand, “The Old Maid” rolled up an estimated $53,000 for its first week and will be held over for at least two more weeks.

Film Officials Are Stunned; No Comment

Home office executives yesterday either were stunned or abashed by receipt of Thurman Arnold’s letter characterizing the proposed trade practice code as “illegal” and likely to bring about “further prosecutions” if adopted.

No ranking home office executive contacted would comment on the development and many remained out to the press all day.

W. F. Rodgers, M-G-M sales manager and chairman of the distributors’ negotiating committee, who gave more time than any other individual to the preparation of the code during the past 13 and one-half months, was among those “not in” to the press. Through his secretary, Rodgers stated that he was not talking to any newsmen and had no statement to make.

All five of the attorneys who brought the completed draft to the Department of Justice in Washington last weekend and to whom Arnold’s letter was addressed were closed in meetings throughout the day and could not be reached for comment.

Sidney R. Kent, honorary chairman of the distributors’ negotiating committee, was preparing to leave the city yesterday for a vacation and, like Arnold, was not available for comment.

Other industry executives either refused statements or declined to be quoted.

Arnold was in New York yesterday in connection with Department of Justice litigation other than that involved in the code.

(Continued on page 12)

‘Oz:’ Rooney, Garland Keep Capitol Packed

Opening of “Wizard of Oz” at the Capitol, with Mickey Rooney and Judy Garland making a personal appearance, had Broadway gasping yesterday.

Lines of waiting patrons, four abreast, extended to 51st St., west to Eighth Ave., down 50th St. and back to the box-office for a complete encirclement of the block on which the Capitol stands.

The house played to absolute capacity all day, and it was estimated that $35,000 paid their way through the box-office. Sixty police were assigned to the theatre area.

Industry Abandons Pact As Arnold Rules It Illegal

Adoption Would Mean More Prosecutions, Companies Warned; Code Ignored Government’s Wishes, Claim

By SHERWIN A. KANE

Distribution companies yesterday decided to abandon all efforts at adoption of the proposed industry trade practice code following receipt of a letter from Thurman W. Arnold, Assistant to the U. S. Attorney General, characterizing the code as illegal and warning that its adoption “can only lead to continued and perhaps additional prosecutions.”

Counsel for the seven companies which participated in the code negotiations met at M.P.P.D.A. headquarters yesterday morning and after a brief discussion of Arnold’s letter adjourned with no formal action being taken.

Inquiries within the seven companies, however, elicited the information that all regarded the code as a dead issue, not to be revived.

More Prosecutions Threatened

It was disclosed also that attorneys were of the belief that Arnold’s use of the words “additional prosecutions,” rather than “additional litigation,” implied that the Government would take steps to obtain criminal indictments in the event the code was put into effect. Ranking company officers throughout the industry are being so advised by their lawyers, it was learned.

First disclosure that the final code draft had been put up to the Department of Justice and that release of the pact was waiting upon the Department’s views was published exclusively in Motion Picture Daily Wednesday. Yesterday’s issue exclusively reported that the Government’s views would be made known promptly.

Arnold’s letter was addressed to Austin C. Keough of Paramount; Robert W. Perkins, Warners; Richard E. Dwight, 20th Century-Fox counsel; John Howley, of counsel to the RKO trustee, and J. Robert Rubin of Loew’s. The five submitted a final draft of the proposed code to the Department of Justice last weekend and asked for an expression of the Department’s views. Arnold’s letter is by way of answer to that request.

U. S. Charges Restraint of Trade

Arnold’s message charges that the code “assumes” that the present organization of the film industry is legal and that divorce of exhibition and distribution is unnecessary.

Arnold adds that the code completely ignores the position taken by the Government in pending litigation against the major companies and the repeated statements of prosecution policy made by the Department with respect to the industry.

“The proposed code is, in effect, an elaborate set of trade practice provisions superimposed upon a combination of producers, distributors and exhibitors which the Department contends is an illegal and unreasonable restraint of trade,” Arnold asserted.

“While the code appears to be voluntary, the practical effect of its

(Continued on page 12)
Insiders' Outlook

By SAM SHAIN

THE legitimate theatre seems to have few fledglings poised for westward flight. Once the Broadway stage was literally a gold mine of potential film talent. But times have changed, and a quick review reveals that during the past season, at least, the theatre has sent considerably fewer names into Hollywood. It seems to have gone out of fashion with any entire producer to whom stepped upon the boards immediately had the proverbial optional contract hurled at her feet. Just a few of those who were called are Jane Wyatt, Kitty Carlisle, Fredric March, Florence Eldridge, Margaret Sullivan, Margaret Churchill, Gladys Farrell, Claire Trevor, Katharine Hepburn and Claudia Morgan. These were hardly spotted on the main stage when Hollywood was posing a camera in their direction.

Scratch our heads as we can, there are only four young thespians appears on the reel who were taken this year from their fresh professional lives into the studios. They are Margo Stevenson, Mary Martin, Betty Field and Jean Tierney. It has been a real drought.

There are several reasons. It may be that the Hollywood scouts have not been microscopic in their search, and also the return of some motion pictures to the stage has had the effect, perhaps, of destroying the chance of undiscovered talent getting to the top.

There are a lot of interesting youngsters on Broadway. Janet Fox, Joe Cotten, Robert Flemying, Adele Longmeyer, Eddie Bracken, Uta Hagen, are a few of them.

Miss Fox is a niece of Edna Ferber. She's a young character actress who plays the part of the young German maid in "The American Way." Cotten is the lad whom Hepburn finally marries in "Philadelphia Story." Flemying has a juvenile role in "No Time for Comedy," and Bracken in a stage version of "The Late Christopher Bean," with Katharine Cornell. Miss Longmeyer is the Ann Rutledge of "Abe Lincoln in Illinois." She has been the recipient of some fine critical bouquets. Bracken appeared in "What a Life" on the road and has proved himself to be quite versatile. Miss Hagen has made a definite impression on the Broadway stage.

To give a thought to the names who have "come back" and recouped their "legitimate" status, there are: Doris Dalton, Esther Ralston, Mary Brown, Glenda Farrell, Linda Watkins, Helen Chandler, Bramwell Fletcher, Fay Wray, Douglas Montgomery, Julie Haydon, Nancy Carroll, Francis Lederer, Kitty Carlisle and Philip Houston.

These "names" have even taken their stands in the summer show shops where in bygone days these workshop theaters were responsible for much of the talent flying to Broadway. The Broadway producer has contributed, too, to the stage of things. With the legitimate stage going down, season after season, he has adopted the expedient course and followed his business wherever it was to be found, in the country and the shore, taking over the straw hat theaters and giving them the same country theater impression so near to the "name" and the ambitious newcomer today can't get an important chance against the crowd of returned film names.

H. M. Richey, director of exhibitor relations for RKO, will spend the weekend with his family near Detroit.

Col. William J. Donovan of counsel for RKO is bear hunting in Alaska.

Sol Sachs, RKO southwestern division manager, is in New York from Dallas on business.

Walter Reade ran up to Saratoga again yesterday.

Post Handles Shorts

Post Pictures Corp. will continue to handle foreign rights to the single reel color short subjects, "Popular Science" and "Unusual Occupations," produced by Jerry Fairbanks and Robert Carlisle. The agreement covers the 1939-40 output on the two series.
20th CENTURY-FOX congratulates SPENCER TRACY on another Academy Award performance in “Stanley and Livingstone.”

A great actor again wins acclaim for a performance that will stand as one of the screen’s most memorable. Twentieth Century-Fox joins the nation in paying tribute to his distinguished portrayal of Henry M. Stanley in “Stanley and Livingstone.”
Showdown On Delaware Sunday Laws

WILMINGTON, Del., Aug. 17.—Delaware's 144-year-old Sunday blue laws, which, among other things, prohibit the showing of films on Sunday, were headed toward a showdown today, as Attorney General James R. Morford of Wilmington served notice that if the state legislature does not immediately go into special session, the scope of modern life, enforcement agencies will proceed to enforce it as it stands.

Morford explained his position in a letter to Caleb M. Layton, attorney for Charles F. Blue, owner of the Blue Nite Sky of Rehoboth Beach, who had filed for operation last Sunday.

Morford also forwarded his decision to Governor Ridge and members of the General Assembly at Dover, offering the services of his office if amending legislation is desired.

A bill to permit Sunday films was passed by the last legislature but vetoed by the governor.

Seat Code Revision Discussed with FTC

WASHINGTON, Aug. 17.—Representatives of theatre seat manufacturers met today with officials of the Federal Trade Commission to discuss a revision of the voluntary trade practice code for the public seating industry.

Already operating under a code adopted in 1931, the industry representatives offered no opposition to changes which, it was understood, would be made.

The question of discrimination is one which has been before the industry for several years.

UA Trust Suit Reply Ordered by Aug. 27

United Artists' answer to the Government's bill of complaint in the New York anti-trust suit must be filed in Federal court here on or before Aug. 27 under the provisions of an order signed yesterday by Federal Judge Edward A. Cooper.

The order denied United Artists' application for a further bill of particulars from the Government.

The company is the last of the defendants in the New York suit to file an answer to the Government's bill of complaint.

Dame Whitty Signed

Samuel Goldwyn has engaged Dame May Whitty, famous English actress, for an important role in "Raffles," which will star David Niven and Olivia de Havilland.

Enna Jettick Returns

Dennis & McCarthy, Inc., will return to the popular Jettick Melodies. It will be heard over 67 NBC Red outlets, an addition of 15 stations over last year's total.

New York Review

“Fifth Avenue Girl” (RKO)

Ginger Rogers once more proves herself a consummate comedienne in a frothy story of a tired business man who is beset with problems of labor and taxes at his office, and a family which has drifted away from him at home. Walter Connolly, president of a pump company which he founded, is, of course, the tired entrepreneur.

He is a drawing card which should be easy to sell at the box-office. The names of Miss Rogers and Connolly are strong moneymaking attractions. As in "Bachelors Mother," Miss Rogers is cast in the role of a simple, hard-working girl who is thrust into contact with the upper classes quite accidentally. The dialogue is witty and the situations are drawn with a deft, capable hand.

Connolly, returning from a board of directors meeting, is reminded by his secretary that the day is his birthday. On his arrival home, he sees a clipping which indicates that his wife (Verree Teasdale) has been receiving the attentions of a rival, his son (Tim Holt) is paying attention to polo instead of business, and his daughter (Kathryn Adams) is in love with the family chauffeur (James Ellison).

During a walk in the park, Connolly meets Miss Rogers, a simple but sophisticated working girl out of a job. He invites her to help celebrate his birthday and after the party hires her to act as companion to his invalid wife.

The ruse is successful and divorce plans are abandoned. Running through the story are the observations of the champion of the proletariat, Ellison, who never quite succeeds in making the household class conscious. The cast never quite understands the situations which could easily be spoiled by less clever handling.

Gregory La Cava, who produced and directed, deserves credit for giving this pleasant tale pace and smoothness. Pandro S. Berman was in charge of production and the screen play was written by Allan Scott.

Running time, 77 minutes. "A."* Edward Greif

*S" denotes adult classification.

Schaefer Reveals Studio Promotions

(Continued from page 1)

publicity for several years, enters production as a producer in the Lee Marcus unit.

Perry Lieber, who has been Ben Hecht's assistant in command for 10 years, and who is rated as one of the ablest public relations experts in Hollywood, takes complete charge of studio publicity and advertising under Barret S. McCormick, home office executive.

He is a young, vital man, veteran of two years in the studio war, who, with the producer, will produce features exclusively in the Lee Marcus unit henceforth, and Lou Brock will have charge of the short subjects department.

J. R. McDonough, vice-president in charge of studio operations, and Sidney Rogell, studio manager, continue in their present capacities.

Jack Warner Denies SWG Intimidations

Los Angeles, Aug. 17.—Jack L. Warner, Sol Wurtzel and E. J. Manix today denied from the witness stand in the N. L. R. B. hearing on the charges of Wurtzel in violation against eight major producers that they had in any way intimidated members of the Screen Writers Guild.

The hearing opened today before Trial Examiner J. J. Fitzpatrick, sent here from Washington, with the producers moving unsuccessfully for dismissals of the complaints on the grounds that the Board has no jurisdiction over the film industry and that writers are not "employees" in the true meaning of the Wagner act.

The first witnesses, denying having sent notices to writers urging them to quit the Guild.

He declared that he felt that writers are not employees but creators and said he was opposed to a two-year personal contract limit which the Guild has been attempting to push. "If writers are any good they should be put under longer contracts to studios," Warner said.

Manix and Wurtzel echoed Warner's view that writers are not employees.

AFI to Make Revised Ruling In Union Fight

(Continued from page 1)

Ralph Whitehead be permitted to return to the A.F.A. as executive secretary and to run for re-election after a 90-day period during which an equally selected 10-man board would rule the A.F.A.

The sub-committee was believed to be swaying, stating that they were not favorable to the 4-A plan which contained provision for the exclusion of Whitehead.

The 4-A was reported to have accepted the report while Whitehead formally announced that his group would reject it.

Green declared that the council proposal tomorrow would make provision for Whitehead's remaining in the picture, but would modify the speciality proposal to permit the selection of the 11th person in the event of a deadlock.

IA Officers Freed In Contempt Case

Los Angeles, Aug. 17.—Declaring that George E. Browne, I.A.T.S.E. international president, is chiefly responsible for violation of the injunction preventing the splitting up of Local 37, Superior Judge Henry Willis today discharged four counts of contempt charges against J. W. Buzzell, Central Labor Council officer, and four I.A.T.S.E. officials.

Three others, however, must present a defense to charges that they had violated the restraining order by the local. They are Mike Newman, International officer in charge in Hollywood; Zeal Fairbanks and Boyd Young, Alliance officials.

The cases against John Getele, Frank Steckling, Harold V. Smith and Lew G. Blix were dismissed.

Judge Willis declared that there was no question that the injunction had been violated and that Browne was primarily responsible. The court said: "It is regrettable that Browne is not within the jurisdiction of this court."

Murphy Aids CIO, Coast AFL Claims

Los Angeles, Aug. 17.—After making public a letter to Attorney General Frank Murphy whom they charged with using the prestige of his office to aid the campaign of the CIO against the I.A.T.S.E., three American Federation of Labor officials called today upon Charles Carr, assistant to Murphy, to explain the accusations. Carr said he was in charge of racketeering in the widespread labor racketeering inquiry now under way.

Carr declared that "there is no foundation to the charge that Murphy is favoring the CIO." J. W. Buzzell, Central Labor Council executive secretary; A. H. Peterson, A. P. O. L. representative for the local district, and John Getele, International L.A. representative, called on Carr.
Hollywood, Cal., Aug. 15

..."Film history was made last night when GOLDEN BOY was previewed!"

Louella Parsons
There's nothing more we can say about...

"GOLDEN BOY"
LIFE says: "GOLDEN BOY will leave you limp with its drama. William Holden and Lee Cobb are important discoveries. Barbara Stanwyck, Sam Levene and Adolphe Menjou standouts. Director Mamoulian has a hit here."

PHILA. PUBLIC LEDGER says: "William Holden proved a real Golden Boy. Here is a new star. Lee Cobb, who plays the role of the father, is another discovery of first importance."

BOSTON GLOBE says: "GOLDEN BOY is one of the very fine pictures of the year. I saw a star being born in William Holden and a great actor in Lee J. Cobb. From every standpoint, this Columbia picture is one to write home about."
More Raves on GOLDEN BOY

VARIETY says: “Fine blend of drama, action, romance and human appeal. Dandy entertainment. Femme appeal strong in persuasive, engrossing love story, while men will go for action angle. Holden looks like solid and lasting juvenile find.”

ASSOCIATED PRESS says: “Columbia has one of the top-ranking productions of the year in GOLDEN BOY.”

UNITED PRESS says: “GOLDEN BOY more than lives up to its advance publicity, turning out to be one of the best pictures of the season.”

BOXOFFICE says: “Deserves praise on many counts. GOLDEN BOY has the assets to make its mark in patronage and praise.”

SHOWMEN’S TRADE REVIEW says: “Human, touching picture that should do exceptionally well at the boxoffice.”

FAWCETT PUBLICATIONS say: “A knockout from start to finish. Columbia’s GOLDEN BOY is a picture to see over and over.”

PHOTOPLAY says: “GOLDEN BOY brings to the screen two newcomers of great importance, William Holden and Lee Cobb. Chalk them up for future reference.”

JAY EMANUEL PUBLICATIONS say: “Columbia can take a big bow on this offering. It should stimulate the boxoffice in any man’s theatre.”

NORTH AMERICAN NEWSPAPER ALLIANCE says: “The new Columbia picture comes under the head of outstanding entertainment.”

TORONTO STAR says: “GOLDEN BOY promises a golden harvest for exhibitors. It has story, stars, production value and finesse, plus a two-year preliminary buildup which has made fans anxiously await it.”

MOTION PICTURE DAILY says: “GOLDEN BOY has had more buildup in the public prints than most pictures can take. There was the story about the big price paid for Clifford Odets’ stage play, to start with, and there was the sustained sequence of newspaper stories about the search for the youngster to play the title part. These things breed titanic expectations. This picture justifies them. A rare 100 minutes in the theatre.”
CBS Raises Rate Schedule
Average 7.5%

Columbia Broadcasting System has made the first general rate revision since late in 1936, in its new rate card which is effective Sept. 15, for new contracts and effective Sept. 15, 1940 for present contracts, rates are up 7.5 per cent over the present average.

Comparison of the present card, and the new one, known as No. 26, disclose: Time charges for 12 stations have been lowered $25 per evening hour; 41 stations remain constant; 56 stations increased in rate and 33 stations from two stations added to the network (WMT, Cedar Rapids, and KWFT, Wichita Falls).

The basic network under the new rate card comprises 26 cities, compared with 25 on the present card.

Schine Defendants Served in Trust Suit
Virtually all individual and corporate defendants in the Government anti-trust suit against the Schine circus and major distributors were served in New York during the past week. Service was accepted by most defendants in person, while attorneys accepted service for others.

The Schine suit was filed in Federal court at Buffalo, Aug. 7. It was followed four days later with a trust suit against Crescent Amusement, of which Tony Sulekum is president, which was filed in Federal court at New York Aug. 11. Names in the latter suit have not been served yet.

Court Stops Chicago Ban on Radio Show
Chicago, Aug. 17.—Master-in-Chancery Daniel Cavalli upheld injunctions in a suit to stop "Dr. I. Q." radio show at Chicago theatre. City officials apparently have dropped the case as they did not file answers when due this morning. This indicated that city officials are probably convinced that the show is a "boring" topic. It is possible that the program may continue at the Chicago Theatre after the present contract expires next Monday.

Postpone Omaha Golf
Omaha, Aug. 17.—Film industry golf tourney and party, to be held here Oct. 21 at Missouri Valley Club, has been postponed until the middle of September due to complications in arrangements. No definite date has been set. M. G. Rogers of Film Transport is general chairman in charge of the event.

Hollywood Preview

"These Glamour Girls"
(M-G-M)

Hollywood, Aug. 17.—M-G-M's "These Glamour Girls," a story of debuntantes and college life, is a timely exploitation natural by virtue of the columns of newspaper space being accorded "glamour girls," self-made and otherwise. Basically not new, the story thrusts a taxi dance girl "out of the gutter and into the best people" and has her expose their mental and moral shibblines.

The very capable cast which includes marquee names of considerable strength consists of Lew Ayres, Lana Turner, Tom Brown, Richard Carlson, Jane Bryan, Anita Louise, Marsala Hunt, Ann Rutherford, and team of Bennett Glassie, Summer Carnell, Peter Hayes, Don Castle and Tom Collins. S. Sylvian Simon directed from a screenplay by Jane Hall and Marion Parsonnet, adapted from a Cosmopolitan Magazine story by Miss Hall. Sam Zimbalist was the producer.

Lana Turner, as the taxi dancer, is met by Ayres, wealthy college youth who, while drunk, invites her to the annual house party of his fraternity, forgetting he had already invited Jane Bryan. Complications arise through the disclosure that Miss Turner is a taxi dancer. She finally wins through while another thread of the story tells of the suicide of a "perennial prom girl" who has been compromised.

Running time, 85 minutes. "A+"

*"A" denotes adult classification.

Wanger to Produce
"Jules Verne Classic"

Hollywood, Aug. 17.—Walter Wanger plans to produce Jules Verne's "Around the World in 80 Days," as the most pretentious film the producer ever has attempted.

The project has been set at $2,000,000, according to Wanger, and the picture will go into work in February. He is working on the screen adaptation of the book, and negotiations are under way for Ronald Colman to play the leading role. United Artists will release the picture.

"Cavalcade' Opening Will Be for Charity

Hollywood, Aug. 17.—Twentieth Century-Fox will hold the première of the color production, "Hollywood Cavalcade," at the 4 Star Theatre in New York, at a date to be announced. Proceeds from the entire proceeds going to charity.

Seats will be priced at $1.10 each, and all gross will be donated by the company to the Hollywood Motion Picture Relief Fund. The plan is said to have been suggested by the theme of the film, which makes reference to old-time stars of the screen, now in need. It will be the first time a Hollywood premiere will be solely for charity.

Radio Company Formed

Dover, Del., Aug. 17.—Radio Electric Television Corporation has been formed here to engage in the business of communication by wire, with capital of $500,000. Incororporators are Edward Hughes, Vincent W. Westrup and H. A. Gaffor of New York.

Pollock on Fair Staff

Leo Pollock, until recently advertising and publicity director for Tri-National Films, Inc, is now assisting Leo Casey, newly-appointed director of public relations for the New York World's Fair. Pollock is in charge of the assigning of the publicity and photographic staff.

UA Foursomes Wins Canada Golf Trophy

Toronto, Aug. 17.—The N. L. Na-thanson Trophy, emblematic of the team golf championship of the film in-dustry in Canada, was captured by the United Artists foursome at the first annual Canadian Film Golf Tour-nament at the Oakdale course in Toronto. The team comprised H. M. Masters, general manager, Peter Manx, Richard Tarliss and D. Axley of the Toronto branch.

Second in the standing was the team of Famous Players Canadian Corp, which was made up of Jack Arthur and Robert Eves, Toronto theatre managers; C. L. Dentzlebeck and Ben Wachtman, the latter being of the home office staff. Low gross was won by Pete Myers of United Artists and low net, was scored by Dentzlebeck with a 70. Bob Eves won the prize in the long driving competition.

Boy Scouts to Rule NBC Blue 7 Hours

The Boy Scouts of America on Tuesday will take over operation of the NBC Blue network nationally from Radio City. Thirty-two Eagle Scouts from the Ten Mile River Scout Camp will handle the network from 12 noon to 7 P. M., taking over executive offices, program department, production, auditions and other operations.

The Scouts will write, produce, direct and announce a 15-minute "melodrammer" of their own.

'Vox Pop' Moving

The Penn Tobacco Co. "Vox Pop" program will be moved to a CBS network, effective Oct. 5. It will be heard Thursdays, 7:30 to 8 P. M. Ruthrauff & Ryan handles the account.

Takes WHN News Series

North American Accident Insurance Co., Newark, N. J., has taken 12 quarter-hours weekly of United Press News over WHN. The series will start Sept. 11 and run for 13 weeks.

Newsreel Parade

President Roosevelt takes the news- reel spotlight while on vacation. The reels and their contents follow:


PARAMOUNT NEWS, No. 109—Golfdub golf tournament. Britain's royal family at Scottish boys' camp. World-under-arm's winners. Tournaments; Buffalo; conserva-tion army in England; Italian legions in mass drill, and tours along German coast. Roose-velt and family at Camp David resort. Thanksgiving Day advanced; various viewpoints noted.


RKO Foreign Sales Parleys Under Way

RKO Radio's foreign sales conventions get into full swing today with the opening of a Rio de Janeiro meet-ing for the Brazilian force, Bruno Cheli, manager for Brazil, will preside. Phil Reisman, foreign manager,_cut in on the event, as a South American supervisor, will attend.

The meeting will be followed by a convention at Buenos Aires, Aug. 21, for the Argentine sales force. Liebs-kind will preside at the meeting, which will be attended also by Reisman.

The meeting will open Sept. 5, and New Zealand sales forces will meet at Sydney, Aug. 22, with Ralph Doyle, manager for the territory, presiding.

Ticket Code Action Suffers New Delay

Actors Equity committee which is considering plans for a ticket code for the new season failed to meet yesterday because most of its members were in Atlantic City, for confer-ences with the A. F. of L. execu-tive council. The code was to have been signed at a meeting this Tuesday of the council but it is not likely that the report will be ready.

Now It's Popcorn

Winfield, Ia., Aug. 17.—E. S. Tompkins, owner of the Winfield Theatre, sold his full house after advertising that a bag of popcorn would be given to each paid admission on Friday night.
New Mexico’s Film Tax Plan Hits Imports

Mexico City, Aug. 17.—Imposition of a special tax on the exhibition of all foreign pictures in Mexico to create a fund for official stimulation of the national industry is being drafted for submission to the Federal Government by a local group.

As about 200 American pictures alone are exhibited a year in Mexico, it is thought that the new tax, which will yield a considerable sum. The Government is expected to get this proposition early in September.

Boost Mexico-Made Films

That the local municipal government intends to go through with the regulation, enacted some time ago, which demands that all film houses here must exhibit during one week each month at least one native Mexican picture exclusively, is indicated by a meeting of the producers association and the exhibitors in order to classify the Mexican product.

Pictures which both organizations agree are screenable exclusively in the first run houses, “B” and “C” films are to be shown in the better neighborhoods and in the smaller spots, respectively.

The regulation, which also provides that exhibitors must pay for Mexican films the same percentages that they ordinarily pay for foreign product, is expected to go into effect late this month. It is stipulated that Mexican films that have been exhibited abroad must be considered as foreign films.

Censors O.K. Religious Films

Two out-and-out religious pictures, “Saint Theresa of the Child Jesus,” made in France, and “The Cure of Ars,” Spanish made, have passed the Mexican censors. They are the first wholly religious pictures to pass the censors.

136 Radio Stations in Mexico

One hundred and thirty-six radio stations were registered in Mexico on Aug. 1, according to the Ministry of Communications and Public Works, which supervises Mexican radio. Nineteen-nine of these stations are active. Last Nov. 1 there were 108 stations.

Stewart to KCMO

Kansas City, Aug. 17.—KCMO has signed Jack Stewart as general manager. Stewart started with WHK, when it was Cleveland’s pioneer network station, in 1923 as a technical man. In 1922 he joined WIAU, Columbus, in a commercial capacity. He was vice-president and general manager of WCAO, Baltimore, in 1927. In 1930 Stewart joined WFBR, Baltimore, as vice-president and general manager. He was general manager of WCAE, Pittsburgh, a year, and then went with WFIL, Philadelphia.

CBS Series Is Set

Starting Oct. 16, Purity Bakeries Corporation’s “Smirnoff’s Famous Gin—Smirnoff Connell” on 18 stations of CBS. The series will be heard Mondays through Fridays, 4:45 to 5: p. m. Campbell-Milham, Minneapolis, placed the account.

Applications Before FCC on Four Stations

Washington, Aug. 17.—The Federal Communications Commission has received applications for four new stations in Puerto Rico for the purpose of constructing new broadcasting stations.

Construction permits were asked by the Puerto Rico Advertising Co., Inc., for a 1,500-kilowatt, 250-watt station at Guayama, for $10,000.

FPC has approved the application for the erection of a short-wave transmitter for the facsimile service in California. The station expects to begin its daily time facsimile service during September.

W8XAL Letters Changed

Cincinnati, Aug. 17.—Crosley short-wave station W8XAL, which has been operating on an experimental basis for a number of years, has been removed from that classification and assigned new call letters of WLWO by the F. C. C., thus placing the station in position to transmit regular commercial programs to its Latin-American listeners.

Stations Join Mutual

WCMI, Ashland, Ky., operating on 250 watts daytime and 100 watts at night on 1,310 kilocycles; WSNJ, Nashville; WLAP, Lexington, Ky., and WGRK, Louisville, will become the ninth round or loop of the Mutual network on Sept. 24.
WATCH FOR IT

NO SHOWMAN SHOULD BE WITHOUT ONE. ORDER TODAY!

$3.25 POSTPAID

MOTION PICTURE ALMANAC
ROCKEFELLER CENTER, NEW YORK
Government
Action Kills
Trade Code

(Continued from page 1)

adoption under existing conditions might be to compel independents to continue orders to survive.

"In addition to the illegality of the code in failing to provide for divestiture of production and distribution from the major companies, various provisions of the code are directly challenged by the Government in the pending litigation against the major companies.

"The code is based upon a structure of the industry which the Department expects to show in clear and open violation of the Sherman anti-trust law," Arnold concludes.

"Therefore, the Department, in order to make its first draft completed clearly is compelled to announce that the adoption of the code dated Aug. 10, 1939, by the motion picture industry can only lead to continued and perhaps additional prosecutions."

Arnold Suggests Many Reforms

Arnold's letter then suggests conditions which any code would have to contain in order to receive Governmental approval.

These suggestions, which include divestiture and affiliated territories, comprise all of the important "reforms" which the Government hopes to achieve through its various industry operations. They are as follows:

"Independent theatres are being driven out of business because of the onerous and discriminatory conditions and it will only be a question of a short time before there are no independents left.

"New competitors who attempt to enter the exhibition business find it almost impossible to secure film on any reasonable and non-discriminatory basis with the result that there is practically no effective new competition.

"Theatres are given no opportunity to exercise a choice as to the type of pictures they desire to see and there is no expression of community taste.

"There is no opportunity for new forms of artistic expression which are already approved by the public in control of the major companies."

"These conditions, in the opinion of the Department, will not be remedied by the proposed code," Arnold declared.

Delay TMTA Hearing

Formal hearings before the State Labor Relations Board on the petition for recognition by M. P. Division of Theatrical Managers, Agents and Treasurers Union in the Rayburn circuit (Dave Weinstock) were postponed yesterday until Aug. 29.

Independents Hail U. S. Refusal of Code
As Proof Their Criticisms Were Justified

Washington, Aug. 17.—Independent exhibitor interests saw in the Department's rejection of the code complete substantiation of their criticism that the distributor proposals offered the theatre owners no relief from their alleged "tyranny.

Refusing to comment on the letter, saying that the Department's action spoke for itself, Abram F. Myers, Allied general counsel, asked:

"Now, how about a code that will command the confidence and respect of the Government, the independent exhibitors and the public in general?"

Fate of Industry's
Parleys Unknown

Washington, Aug. 17.—Departments of Commerce officials have no suggestions as to how the Thurman Arnold code might affect the film industry and themselves.

"Weinstock)

"Independent
producers find it practically impossible to secure a satisfactory market for their films because of the domination by the major companies of exhibition.

"New capital investment in the business is discouraged because of the great difficulty of competing on a fair basis with the major companies, either in production or exhibition.

"Theatres are given no opportunity to exercise a choice as to the type of pictures they desire to see and there is no expression of community taste.

"There is no opportunity for new forms of artistic expression which are already approved by the public in control of the major companies."

"These conditions, in the opinion of the Department, will not be remedied by the proposed code," Arnold declared.

World Series Rights
Exclusively Mutual's

Chicago, Aug. 17.—Mutual Broadcasting System obtained exclusive rights for the 1939 World Series today. The Safety Razor Co. will be the sponsor. The series has hitherto been broadcast by all three major networks and was sustaining for the past two years. Fred Weber, general manager, acted for Mutual. J. P. Spang, Jr., president, for Gillette.

Two Firms Chartered

Alarmed: Expels N. Y.'s Unit on 3 Counts

Fought National Policies, Charge; Cohen in Denial

National Allied has expelled the New York unit on the ground that it has pursued a course contrary to the policies of the national organization.

A bulletin issued by the national organization on Friday disclosed that the action had been taken pursuant to a formal complaint from the directors. Grounds for the action were stated as follows:

1. Failure of the New York organization to discharge its obligation to support the national association.

2. Acting contrary to the policies of Allied States Association.

3. Failure to curb attacks upon and criticisms of National Allied and its policies by the president of the New York organization.

These were said to be in violation of the Allied constitution.

Max A. Cohen, president of New York Allied, denied all the charges.

He said that the New York unit actually was not a member of the national organization as it had failed to pay the required membership dues.

Cohen, at a press conference, declared that the entire action of the New York unit was in conformity.

(Continued on page 13)

Almanac Out With New Trade Facts

The film industry, which employs a total of 282,000 persons in all its branches, pays them an average wage of $1,306.98, which compares with an average wage in New York State in all work of $1,211 and in the nation of $1,027, it is indicated by Terry Ramsay, editor, in the 1939-40 International Motion Picture Almanac, a Quigley Publication, out this week.

The Almanac's 1,106 pages give the biographical records of more than 11,500 individuals in the industry, in wondrously approximating 918,000. This year, 986 names were removed, while 278 new entries won inclusion for the first time.

With almost 11,000,000 seats in film houses throughout the country, each occupied 7.28 times weekly, the average attendance for each theater figures

(Continued on page 2)

Distributors In Arnold Parley to Rescue Code

3 I.A. Officers Found Guilty of Contempt

Los Angeles, Aug. 20.—Superior Judge Henry Willis Friday found three I.A.T.S.E. officials guilty of contempt for violating the injunction which forbid splitting up of Studio Technicians Local 37, Steve Newman, International officer in charge of the Hollywood area office, Boyd Young and Zoa Fairbanks, officers of two of five new locals created from Local 37 membership, were found guilty and must face sentence Monday.

Strike by TMAT Hits 16 Theatres

M. P. Division of Theatrical Managers, Agents and Treasurers Union declared a strike Friday at 16 Nelson-Ramsaye, Berkem-Endicott, Brooklyn and Long Island. The union claimed that the theaters are at fault for not keeping their promises to set up a proper agreement.

Kuykendall, Brandt

In Code Statements

Exhibitor leaders in the persons of Ed Kuykendall, M.P.T.O.A. president, and Harry Brandt, I.T.O.A. president, urged distributors over the weekend to ignore the views of the Department of Justice and to put the plans into effect immediately.

Kuykendall's statement follows:

"The action of the Department of Justice will be taken to a higher authority, possibly Attorney General Murphy or President Roosevelt."

Roosevelt Urged Code

It was on the recommendation of the President that the company heads initiated work on a code more than a year ago. At a White House conference attended by Will H. Hays and ranking company executives in June, 1938, the President strongly urged that a code of fair practice be drawn.

The conferences considered this a mandate.

Industry legal circles are not hopeful of the Department of Justice's stand, however. While company attorneys are continuing their study of the situation created by Arnold's attitude, they view the code, as having been effectively stopped, and are convinced that nothing short of a consent decree on the Government's own terms would alter the Assistant Attorney General's stand on the code.

Reading between the lines of Arnold's statement, attorneys say there is justification for believing that Ar-
Almanac Out; Gives Newest Trade Facts

(Continued from page 1)

at 5,200,44 per week. Ramsay opines that "the editorial fraction now is no doubt for midgets." Attendance declined approximately 60,000,000 to $5,000,000 per week. The drop was paralleled by the fact that fewer theatres were dark at the end of the year than at the close of 1939. A reflection on the upward swing of patronage in the fall.

According to the Almanac, the industry spent $150,000,000 to produce the current season's product, an important factor being the increase of $91,000,000 in the annual Hollywood payroll.

Besides the many informational departments standardized by the Almanac, such as the bankers' story of the year and the biographies of the officials of companies, unions and associations in all fields, including equipment manufacturers, theatre operators, radio, and film personalities of the radio, all arranged for rapid consultation, the new edition of the Almanac gives a comprehensive, its progress, limitations and leaders.

Lewis Play, Parrott Novel for Columbia

Columbia on Friday completed negotiations for the acquisition of Sinclair Lewis' novel, "Babbitt." The story, "Twist-and-Turn," and the Ursula Parrott novel, "For All of Our Lives." The two properties will be produced by Jack Skirball, in association with John Wildberg, legitimate producer and attorney.

The Lewis play, which was produced for the stage last Winter with the author and Philip Merivale in the cast, will be presented by the Geisha Studio, Astoria, for Columbia distribution.

Arnstein to Appeal Dismissed WB Suit

Notice of appeal to the U. S. Circuit Court of Appeals, New York City, of the dismissal of his suit against Warner Bros., Ascap, the National Broadcasting Co., Columbia Broadcasting System, and a large number of music-publishing concerns was filed on Friday by Ira B. Arnstein. Trial of the suit which lasted seven months before Judge Edward A. Conger involved charges of plagiarism of 57 of Arnstein's songs and a claim that Arnstein was unfairly excluded from membership in Ascap.

'Q.' to Pittsburgh

CHICAGO, Aug. 20—NBC has announced that "Dr. I. Q.", cleared of lottery charges when broadcast from the stand of the Chicago Theatre, will be broadcast from the stage of the Stanley in Pittsburgh, beginning Aug. 28.

Seiden Producing Film

Joseph Seiden is producing and directing a new Yiddish film at the Cincinnati Studio, Palatine, Ill. Titled "Kol Nid'vre," the film features the Yiddisher Bande, Polish-Jewish troupe.

Purely

W. F. RODGERS, M-G-M sales manager, went to Chicago over the weekend and is expected back in New York within a few days.

LOUIS LEFFLER of the Jefferson Amusement Co., Beaumont, Tex., is here for the World's Fair. Also here this week is Stephe

ERICH POMMER, British producer, has decided to go to the Monarch

STEPHEN GOSSON, Columbia art director, sailed on the Chai

KAY FRANCIS, after a 12-day visit at the farm home of Louis A. Bromfield, near Mansfield, O., has returned to Hollywood by plane. She spent the week of her vacation treating a cold and sinus trouble.

HARRY LAND, head of Independent Film Service of Cleveland, left Saturday after concluding a deal with H. Hoffberg for the Ohio and Kentucky franchise on Hoffberg product.


S. CHARLES EINFELD, director of advertising and publicity for Warners, arrives today from the West Coast. He will spend at least a fortnight in the East.

ROBERT SMELTZER, Warner central district manager, will visit in town Friday for house office conferences.

EDMUND GOULDING, director, has been awarded a new long-term contract by Warners.

J. R. POPPEL, chief engineer of WOR, left Saturday for a three-week vacation tour to the Coast.

J. P. MASTERS, city manager of the Crescent Amusement Co., Bowling Green, Ky., is visiting the World's Fair.

IVING LUDWIG, manager of the Eighth St. Playhouse, is en route to the Thousand Islands via motor and will also vacation in New Hampshire.

WILL HAYS entertained Friday night from Hollywood for New York.

ADOLPHE MENJOU will arrive from the Coast by train today.

WALTER SELIGMAN, manager of the Criterion, returns today from a three-week vacation.

JOHN CASSIDY, RKO Theatres publicist, has left for a two-week vacation cruise to the West Indies.

Personal

X. FRANK FREEMAN, Para

OLIVER ARNSTEIN, "U" musical director, and DAVID LIPON, Universal's studio publicity chief.

GEORGE LARNE of the Rita, Blackwell, Okla., Entree, Austin, assistant general manager of Ralph Talbot Theatres, Tulsa; PAUL TOWNSEND, manager of the Liberty, Oklahoma City, among men vacationing in various parts of the country.

HENRY KING, 20th Century-Fox director, left by plane Friday for the studio after completing background shooting for "Captains and Albemarles" and "Little Old New York."

MURRAY SILVERSTONE, United Artist president, and CHARLES SCHWARTZ, U. A. attorney and board member, visited Universal and Hollywood today for a week's visit.

GEORGE J. SCHAEFER, RKO president, and S. BARRETT MCCORMICK, advertising and publicity director, will arrive in New York from the Coast this morning.

CHARLES ROBERTS, Columbia home office supervisor for Latin America, was scheduled to arrive here yesterday from Mexico City plane.

HERMAN GOLDEN of the Columbia home office foreign staff, returned to New York Friday from the Orient from Panama and Cuba.

Grainger Off Today

On Exchanges Tour

J. R. Grainger, Republic president, has decided to spend until Sept. 11 touring Republic exchanges. He will visit the Los Angeles, N. Y. and New York exchanges Friday, and on the 11th will fly to Cleveland, Ohio, where he will be on the tour, and on the 12th will fly to Chicago and remain there Aug. 24 and 25; Los Angeles, Aug. 26, 29 and 30; San Francisco, Aug. 31, Sept. 1 and 2; Omaha, Sept. 6; Minneapolis, Sept. 7 and 8.

Columbia to Make First Color Picture

Hollywood, Aug. 20.—Columbia will have its first feature in color next month when "Arizona" goes before the cameras on a locale near Tucson. The picture is based on the story of Godfrey Kent and Saturday Evening Post serial. Jean Arthur will be starred and Wesley Ruggles will direct.

"Golden Boy" to Fair

Wednesday will be Golden Boy Day at the World's Fair. This marks the first time that the Fair has dedicated a day to a motion picture. William Holden, new Columbia star, Adolphe Menjou and Frances Farmer will be on the program.

Kuykendall, Brandt Give Code Views

(Continued from page 1)

Justice is no surprise to me. I have stated publicly many times that the Government would not approve of the code. I have said many times that the distributors needed no signatures nor legal approval for the code. The purpose of the code is to be put in effect at once. No one was ever put in jail for doing right. We have had enough of the code in operation long ago. Exhibitors everywhere were just as interested in it anyway because the distributors had procrastinated so long.

I repeat," Kuykendall concludes, "that there is nothing to prevent the distributors from adopting fair trade practices."

Keep Code Fight Up—Brandt's statement follows:

"Thurman Arnold has been ill-advised to ask the Supreme Court to prevent us from adopting the trade practice code and the needs of independent exhibitors. The divestment of theatres is not important to the welfare of the independence. What is important is that the troubles that would be solved through the arbitration provisions of the code would mean a great deal to the success of independent theatre operation."

"I earnestly entrust the distributors to go along with the code and allow the exhibitors of the nation to take advantage of what it offers. If the Government has received the code by the exhibitors, the exhibitors can stand the shoulders of Abram F. Myers who has campaigned most actively for Government intervention rather than logical exhibiter relief."

"The Government suit will take at least three years to prosecute and there is doubt whether the suit can be prosecuted to a successful conclusion. The code on the other hand means immediate relief and no litigation. Exhibitors who need that relief most urgently are from Dallas, Texas, Saturday. Colonel Cole, president of the National Allied, commented:"

"Certainly we're not going any further. There has been no action has been ruled illegal. We've got into enough hot water over it without going any further."

MOTION PICTURE DAILY

Published daily except Saturday, Sunday and holidays by Quigley Publishing Company, Inc., 530 West 58th Street, New York City Telephone Circle 7-3100. Cable address "Ongagohon, New York." Entered as Second Class Matter Jan. 25, 1936, at the post office at Atlanta, Georgia, under Act of March 3, 1879. Subscription rates per $6 in the Americas and $12 foreign. Single copies 10c.
THANK YOU, Mr. Exhibitor...

Thank you for creating the EXHIBITORS' SPONSORED TESTIMONIAL to NEW UNIVERSAL!

For the first time in the history of the motion picture industry, exhibitors have chosen to honor a producing and distributing company with the sponsorship of a booking drive!

— We are proud and happy to have earned such faith!

Thank you, Mr. Spyros Skouras, for undertaking the National Chairmanship for the Drive.

Thank you, Mr. Morton Singer, for volunteering as Chairman of the Mid-West Section!

Thank you, Mr. N. L. Nathanson, for taking over the duties of Canadian Chairman!

We know that words alone can never fully express our appreciation, but you are all showmen and understand the language of BIG PICTURES.

Here is a Partial List of the Hundreds of Exhibitors Participating in This Tribute!

Max and Joe Levenson; C. H. Buckley; Larry Herman and R. E. Snider; E. M. Fay; Harry Seitz; E. D. Heins; Fred Green; Nate Yamins; Robert Levine; Martin R. Taohey; Eddie Ansin and Harold Staneman; John H. Harris; Morton G. Thalkimer and Sam Bendheim, Jr.; Joseph S. Pizetto; John Nolan; L. J. Langlois; Bill Jenkins; R. E. Moon; Leo L. Ward; Alex Gaunares; Albert Magnuson; R. G. Pelletier; C. C. Perry; H. J. Longacre; Carl W. Buermele; Ted Gamble; Jules J. Rubens; William Brandt; T. C. Baker; Morgan A. Walsh; Irving Carlin; E. C. Rhoden; John Hamrick; Ned Edris; William Rosenthal; Ralph D. Goldberg; T. C. Beatty; Tom Garman; B. F. Shearer; Jack Sull; J. L. Schonberger; Jack Ros;
EXHIBITORS' SPONSORED TESTIMONIAL PICTURES DELIVERED BY UNIVERSAL IN AUGUST, SEPTEMBER AND OCTOBER

SHE LIVED ON THE BACK STREET of LOVE
(Here's a Selling Line That IS EXCITING Every Woman in the Country!)

Universal Gives You the Greatest Box-office Team of the Year – Directed by JOHN M. STAHL who Directed "Magnificent Obsession" and "Only Yesterday"

Irene DUNNE Charles BOYER in
WHEN TOMORROW COMES with
BARBARA O'NEIL ONSLOW STEVENS NYDIA WESTMAN FRITZ FELD

A JOHN M. STAHL production
Screenplay by Dwight Taylor Based on a story by James M. Cain Produced and Directed by John M. Stahl

NOW AVAILABLE – and cracking house records all over the country!
THE UNIVERSAL STAR-FINDERS DO IT AGAIN!  An Amazing New Personality Presented to Your Box-Office...

Insured by a Splendid Human Production...Crowded with Favorite Screen Names backed by one of the biggest promotional campaigns ever put behind a new star!

A JOE PASTERNAK PRODUCTION

READY FOR YOU SEPTEMBER 1ST

Robert CUMMINGS Nan GREY and
Gloria JEAN

in The UNDER-PUP

(There's One in Every Family)

with Beulah Bondi • Virginia Weidler • Margaret Lindsay
C. Aubrey Smith • Billy Gilbert • Ann Gillis
Raymond Walburn • Paul Cavanaugh • Samuel S. Hinds

Original story by I. A. R. Wylie • Screenplay by Grover Jones
Directed by Richard Wallace
EXHIBITORS’ SPONSORED TESTIMONIAL PICTURES DELIVERED BY UNIVERSAL IN AUGUST, SEPTEMBER AND OCTOBER

DRAMA FROM THE ROOT OF LIFE . . . YOUTH TURNING TO THE SWIFT CALL OF ADVENTURE AND THE HEART-CALL OF LOYALTY!

TWO BRIGHT BOYS

Starring Jackie Cooper, Freddie Bartholomew

with ALAN DINEHART • MELVILLE COOPER
DOROTHY PETERTSON • J. M. KERRIGAN

Directed by Joseph Sainty. Associate Producer, Burr Kelly

FOR RELEASE SEPT. 8th
EXHIBITORS' SPONSORED TESTIMONIAL PICTURES DELIVERED BY UNIVERSAL IN AUGUST, SEPTEMBER AND OCTOBER

Love and the Glamour of Paris — Transforming a Vengeful Flame to Hatred and Death in a Tropic Penal Hell!

Basil RATHBONE and Victor McLAGLEN

with SIGRID GURIE
ROBERT CUMMINGS
LEO CARRILLO

FOR RELEASE SEPT. 22ND

Directed by John Ford
EXHIBITORS’ SPONSORED TESTIMONIAL PICTURES DELIVERED BY UNIVERSAL IN AUGUST, SEPTEMBER AND OCTOBER

Deanna DURBIN

ALL AMERICA is Waiting For This Moment!

Deanna falls in love—her glorious voice finds new inspiration in romance! Millions of fans eagerly await Deanna

FIRST LOVE

with Helen Parrish, Robert Stack, Eugene Pallette, Lewis Howard, Lawrence Jure, Marcia Mayo Jones, Charles Coleman and other favorites

Produced by JOSE PASTERNAK

Directed by HENRY KOSTER

FOR RELEASE SEPT. 29th
EXHIBITORS’ SPONSORED TESTIMONIAL PICTURES DELIVERED BY UNIVERSAL IN AUGUST, SEPTEMBER AND OCTOBER

TOWER of LONDON

From Grim Pages Long Hidden by Time ... Storms the Gripping Drama of the Most Gruesome — Most Fascinating — Character in History!

Starring Basil RATHBONE

with BORIS KARLOFF, IAN HUNTER, NAN GREY, BARBARA O’NEIL, JOHN SUTTON, VINCENT PRICE

a ROWLAND V. LEE production

Produced and Directed by Rowland V. Lee

OR RELEASE OCT. 6TH
The FIRST of the FAMOUS PRODUCTIONS from HARRY EDINGTON for UNIVERSAL!

BACKED by tremendous star power, an important new producer brings you a picture aimed straight at your box-office... The cast—crowded with talent and popular appeal... The story—a dynamic, swiftly-paced romance set in the strangest, most dangerous country on earth!

DOUGLAS FAIRBANKS Jr. and JOAN BENNETT in GREEN HELL

with JOHN HOWARD  ALAN HALE  GEORGE BANCRFT  GEORGE SANDERS  VINCENT PRICE

A JAMES WHALE production

FOR RELEASE OCT. 20TH
Introducing Showmanship -- Two names that will ignite the hearts of romantic America!...

Another Pasternak Sensation!

Hesitant Jimmy, glamorous Marlene, make every moment a glowing one as they run the gauntlet of true love to happiness!

Marlene

James

DIETRICH and STEWART

in DESTRY RIDES AGAIN

with Charles Winninger • Mischa Auer • Brian Donlevy

a Joe Pasternak Production directed by George Marshall
MUTINY on the BLACKHAWK
Richard ARLEN and Andy DEVINE
in the first of the series of the grandest action pictures Universal has ever produced
Backed by a swell cast with CONSTANCE MOORE, NOAH BEERY, GUINN "BIG BOY" WILLIAMS and others.
Produced by Ben Pivar • Directed by Christy Cabanne
Released Sept. 1

DESPERATE TRAILS
Rip-Roaring, Pulse-Stopping Adventure with the Greatest Out-Door Team of the Year
JOHNNY MACK BROWN
BOB BAKER and FUZZY KNIGHT
Produced and Directed by Albert Ray
Released Sept. 8

HAWAIIAN NIGHTS
Breathless Romance of Swing-Mad Youth Set to the Alluring Tempo of the Hula
with JOHNNY DOWNS  MARY CARLISLE  CONSTANCE MOORE  MATTY MALNECK and His Orchestra
EDDIE QUILLAN  THURSTON HALL  SAMUEL S. HINDS  ETIENNE GIRARDOT
Max Golden, Associate Producer
Directed by Albert S. Rogell
Released Sept. 15

HERO FOR A DAY
Timely as the headlines on tomorrow's sports page! Action on the gridiron! Love on the sidelines!
A Laugh Touchdown
ANITA LOUISE  DICK FORAN  BERTON CHURCHILL
with CHARLEY GRAPEWIN  EMMA DUNN
Kea Goldsmith, Associate Director • Directed by Harold Young
Released Oct. 13

TROPIC FURY
A thousand dollar bill—torn in half—starts the strangest, most exciting story ever lived or played, with
Richard ARLEN  Andy DEVINE  BEVERLY ROBERTS, SAMUEL S. HINDS, LUPITA TOVAR
Produced by Ben Pivar • Directed by Christy Cabanne
Released Oct. 13

To Round Out the BIG PICTURE Schedule Ready for You During August, September and October!
4-A Planning To Quit AFL; Strike Seen
(Continued from page 1)

Distributors in Arnold Parley to Rescue Code

(Continued from page 1)

event, Equity will bear the brunt of the first battle in the jurisdictional war.

From reliable union sources, it has been learned that S.A.G. has pledged itself to take up the strike in the event Equity members are thrown out of work by the stagehands.

Although speaking to Mr. Schenck, president of Motion Picture Producers Association, declared 10 days ago that talks of any A.G. strike are selective. Because studios prevent a strike, a strike is nevertheless a strong probability.

Kenneth R. Parker, executive secretary of S.A.G., when told of the statement, stated: "A strike by any union which holds a strong hand over the picture business is the only conceivable "out" by which the distributors could put the intended labor code into effect.

"The committee which has worked on the code has not lost one single bit of faith in it. They believe thoroughly that the code is a fine plan, and that the industry will tend to solve a great many of the difficulties which have arisen. We still hope to persuade the Government that the code should be put into effect."

Rogers Greatly Disappointed

Rogers said he was greatly disappointed by the Government's action but added that he believed the work done on the code during the past 14 months was not "entirely wasted, even though the industry is forced by Arnold's refusal to enforce a code of fair trade practices."

"I know that thousands of small exhibitors throughout the country will refuse to accept this code," Rogers said. "I also know that those exhibitors are aware that the distributors are and should be working to improve industry conditions and relations. Our meetings with them convinced us of our sincerity and also brought them to the realization that they have their problems. These things will count for something."

Finally, a ruling other than Rogers and the negotiating committee, maintained their silence on the Arnold action over the weekend, although the committee was unprecedented and, for the most part, colorful.

Calls Action "Ill-Considered"

"It is a shame," said one, "that the ill-considered action of Arnold, can deprive thousands of exhibitors of the relief and trade benefits which this code offered them. And the industry, which I want to force the industry to accept a consent decree in settlement of a legal action which he is aware he may never obtain in the courts."

Others criticized Arnold for permitting the distributors and exhibitors, who are trying to improve the code to the very last in the belief, that although approval of the code could not be expected, the Department likewise would not disapprove it.

Arnold Accepted Early Drafts

In fact, Arnold, himself, defined the Department's policy in the matter just that way, it was pointed out, and told the industry that it would have to rely on opinions of their own counsel as to whether or not the code was legal. This the draft for a law, and the Park, and S.A.G., and the different drafts of the code to Ar- nold as each was completed, beginning last fall.

None of these preliminary drafts was pronounced "illegal" by Arnold, it was pointed out, thus, was permitted to continue its work for seven more months before being brought to a halt.

The scheduled to attend today's meeting in Washington include the company attorneys who presented the latest draft of the code to Arnold last week. They are J. Robert Rubin, vice-president and general counsel of Loew's; Robert W. Perkins, general counsel for Warners; Austin C. Keough, general counsel for Paramount; Richard E. Dwight, 20th Century-Fox attorney, and John Howley, attorney for the RKO trustee.

Should Arnold uphold the code, the only conceivable "out" by which the distributors could put the intended labor code into effect is a strike. The distributors' refusal to enter contractual clauses is that the opinion of the committee.

Contractual Clause Proposed

That action, of course, would have to be taken by the companies individually. It would cover the central concessions of the code, such as cancellations, the ban on shorts forcing, provision for preferred playdates and other points which the distributors themselves could govern contractually.

It is also possible that some form of arbitration could be set up, as now provided, or in licensing contracts.

Core of the Situation

But arbitration of clearance and zoning and overbuying practices which have caused most of the exhibitors complaints will not be legally possible under Arnold's interpretation because they involve a "third party." Arnold's refusal to agree on clearance and overbuying, but, lacking arbitration, the third executive body, the only legal way to resolve the dispute. Company attorneys feel that this is the core of the situation.

Studio Officials Take Stand in SWG Case

LOS ANGELES, Aug. 20.—Efforts of producers and influence, Screen Writers Guild members from affiliation with the Authors League of America were disclosed today at the N.L.R.B. hearing of charges that the studios violated the Wagner act in the SWG case.

J. K. McGuinness, who helped organize the Screen Playwrights, as did the SWG, made the charge. Other witnesses Friday were Sam Briskin,Trampe, Inc., B. Kahane, Bernard Hyman and William Koenig.

TMAT Calls Strike Against 16 Houses

(Continued from page 1)

Allied Expects N.Y.'s Unit On 3 Counts

(Continued from page 1)

ance with the national policies and that the only thing one can be charged with is the agreement about peace among industry branches.

Cohen has consistently fought Allied's stand in negotiations on the trade practice code, which Allied has rejected.

Cohen said that his organization, in the face of consternation of the new York unit, will continue and that its future course will be decided at the next membership meeting of the state organization which he will call shortly.

At the time Col. H. A. Cole, president of Allied attended a meeting of the New York unit's board last month he said that the local organization's position to continue negotiations on the code would be a matter for consideration by the national directors.

Cohen said that he has always favored peaceful settlement of disputes without prejudicing Allied's stand on arbitration. He also said he had exhausted the possibility of arbitration on the code and would prefer to go into arbitration with the union.

"I still believe it is possible to solve the industry's problems through collective regulation," he said. "I am still against litigation and regulation unless the other way fails.

"I still believe that it is possible to solve the industry's problems through collective regulation," he said. "I am still against litigation and regulation unless the other way fails.

Cohen said that meetings his organization and with the state committee were responsible for the inclusion of additional concessions in the latest code draft.

Myers on Cruise

WASHINGTON, Aug. 20.—Abram F. Myers, Allied board chairman, is on a cruise and will return to Washing- ton Sept. 11. He will attend the New Jersey unit's convention at Atlantic City, Sept. 6 to 8.

He has suggested that the units distribute copies of a recent national bulletin to members on Allied's posi- tion in its controversy with the distrib- utors on the code negotiations.

Wins Bank Night Verdict

Edward Goldstein, owner of the Bank Night franchise for New York and New Jersey, has won a verdict by the trial of a libel action brought by the Bank Night Motion Picture Corp., owner of the Ramsey at Ramsey, N. J.

Bingo Hearing Set

MINNEAPOLIS, Aug. 20.—Hearing on the petition of Charles W. Trampe, head of Film Service, Inc., for an injunction to enjoin the pared W. A. Free Hall, has been set for Sept. 11 by Circuit Judge Daniel W. Sullivan.

Release Yiddish Film

Joseph Green, president of Sphinx Films Corp., will release here "A Bir- vee Der Menen," the Yiddish film starring Misha and Leah Gehman. The film will open at the Waldorf in the middle of September.
**Motion Picture Daily**

**Monday, August 21, 1939**

**Denver Slow; 'Marshall' Is Hight $4,500**

DENVER, Aug. 20.—With weather too good for indoor entertainment and the Elitch Theatre with stock doing its second best week of the year, grosses were off. "Frontier Marshal," and "13 Days Straight," Vacation took $4,500 at the Paramount. Estimated takings for the week ending Aug. 16:

- **"Smash Hit" (20th-Fox)**
  - ALADDIN—(5,400) (25c-35c-40c) 7 days 2nd week. Gross: $3,500. (Average, $500)
- **"Goodbye, Mr. Chips" (M-G-M)**
  - MIDWAY—(3,000) (25c-30c-35c-40c) 7 days 1st week. Gross: $1,700. (Average, $243)
- **"Our FightingCitizen" (Para.)**
  - DEMPSEY—(1,750) (25c-35c-40c) 7 days. Gross: $600. (Average, $86)
- **"Each Dawn I Die" (W. B.)**
  - DENVER—(2,550) (25c-30c-35c-40c) 7 days. Gross: $800. (Average, $114)
- **"Bachelor Mother" (RKO)**
  - Carole Lombard in **"Eve of Destruction"** (M-G-M)
  - ORPHEUM—(600) (25c-30c-35c-40c) 7 days. Gross: $300. (Average, $43)
- **"Frontier Marshal" (20th-Fox)**
  - **Mr. RKO takes a chance**
  - PARAMOUNT—(2,000) (25c-30c-35c-40c) 7 days. Gross: $400. (Average, $57)
- **"Daughters Courageous" (F. N.)**
  - **News is Made at Night**
  - RIALTO—(650) (30c-40c) 7 days. **Daughters Courageous** 3rd week. Gross: $200. (Average, $29)

---

**'Dawn' at $13,000 Is Cincinnati Lead**

CINCINNATI, Aug. 20.—Despite extremely hot weather and baseball, "Each Dawn I Die" took a strong $13,000 at the RKO Palace, and "Winter Carnival" gave Keith's $6,800.

Estimated takings for the week ending Aug. 16-17:

- **"Lady of the Tropics" (M-G-M)**
  - RKO ALBEE—(2,300) (25c-30c-35c-40c) 7 days. Gross: $1,600. (Average, $236)
- **"Each Dawn I Die" (W. B.)**
  - **Mr. RKO takes a chance**
  - PARAMOUNT—(2,000) (25c-30c-35c-40c) 7 days. Gross: $400. (Average, $57)
- **"Four Feathers" (U. A.)**
  - RKO LYRIC—(1,200) (30c-40c) 7 days 2nd week. Gross: $600. (Average, $86)
- **"Behind Prison Gates" (Col.)**
  - 7 days. Gross: $1,900. (Average, $271)
- **"Chasing Danger" (20th-Fox, 3 days)**
  - **My, RKO takes a chance**
  - Y.M. (2 days)
  - RKO DOUBLE—(1,000) (25c-30c). 7 days. Gross: $1,900. (Average, $271)
- **"Winter Carnival" (U. A.)**
  - KEITHS—(1,500) (30c-40c) 7 days. Gross: $600. (Average, $86)

---

**Theatre Flooded**

Wichita, Kan., Aug. 20.—Out here in dry Kansas they had a heavy downpour the other day, and the T. H. Shoostowers spent all night pumping water from the new Sandra Theatre. Four rows of seats were under water.

---

**Theatre Personnel Notes**

Open President Sept. 5
President Theatre, closed legitimate house on West 48th St., will open Sept. 5 as a first run theatre for Spanish features. A former speakeasy with the profits of the city four theatres showing Spanish films. It has been leased by Juan R. Grisard and Jose Guerrero, operators of the Hispano and Latino, which also show Spanish pictures. Kunster is owner of the Claridge Hotel.

**Butterfield for Manager**
MARIETTA, W. Va., Aug. 20.—Ken Butterfield, formerly manager of the Fox, Strand and Rialto in Marietta, has been named manager of Fox's Myer and Beverly here, succeeding Russell Liddy, who will manage the circuit's Orpheum in Green Bay.

**Plan Madison Theatre**
MARION, W. Va., Aug. 20.—A permit has been issued for the erection of a new theatre here by the Ashley Theatre Co., at a cost of about $80,000. The house will seat 600. The Ashley is currently operating the Orpheum, Parkway, Strand and Madison here.

**Rosenberg Joins Monogram**
OMAHA, Aug. 20.—Joseph Rosenberg, RKO-AM general manager, has transferred Monogram exchange here as salesman. He was succeeded at RKO by Ed Stengel, transferred from RKO's Minneapolis branch.

**Rosenor to Open House**
SALT LAKE CITY, Utah, Aug. 20.—Herbert Rosenor's new theatre, the Metropolitan, will open Sept. 3 with three "Waltzes," French musical released in America by Vedis Films.

---

**In Omaha Theatre Post**
OMAHA, Aug. 20.—Arthur Olsen has been named treasurer of the Omaha Theatre to succeed Arthur H. Reed, who retired. Olsen has been promoted to chief of service.

---

**Plans North Carolina House**
ROCKINGHAM, N. C., Aug. 20.—H. C. Wall plans a new $25,000 theatre here.

---

**Bachelor' Scores $6,800 Hit in Omaha**
OMAHA, Aug. 20.—"Bachelor Mother," dailed with "Saint in London," now a smash $6,800 at, the Braden's.

Estimated takings for the week ending Aug. 16-17:

- **"Bachelor Mother"**
  - **Saint in London** (RKO)
  - RICKETTS—(2,050) (30c-35c-40c-45c) 7 days. Gross: $900. (Average, $128)
  - **Hotel Imperial** (Para.)
  - ORPHEUM—(2,100) (30c-35c-40c-45c) 7 days. Gross: $850. (Average, $121)
  - **Our Leading Citizen** (Para.)
  - ORPHEUM—(1,800) (30c-35c-40c) 7 days. Gross: $600. (Average, $114)
  - **The Man From the Kentucky** (20th-Fox)
  - ORPHEUM—(1,000) (30c-35c-40c) 7 days. Gross: $300. (Average, $43)

---

**'Mother' Gets $7,300, Beats Seattle's Heat**

SEATTLE, Aug. 20.—Hot weather and night baseball continued to take toll of "Mother," "Boy Friend" and "On Borrowed Time" drew $3,500 at the Fifth Avenue, and "When They See Us" and "Charley Chan in Reno" took $6,300 at the Paramount.

Estimated takings for the week ending Aug. 15:

- **"The Man in the Iron Mask" (U. A.)**
  - BLUE MOUSE—(500) (25c-30c-35c-40c) 7 days. Gross: $1,000. (Average, $143)
- **"Bachelor Mother" (RKO)**
  - **On Borrowed Time" (M-G-M)**
  - RKO—(2,000) (25c-30c-35c-40c) 7 days. Gross: $700. (Average, $100)
- **"Coast Guard" (Col.)**
  - **Boy Friend" (20th-Fox)**
  - PARAMOUNT—(1,500) (25c-30c-35c-40c) 7 days. Gross: $800. (Average, $133)
- **The Zero Hour" (Repub.)
  - PALOMAR—(1,100) (25c-30c-35c-40c) 7 days. Gross: $1,500. (Average, $133)
- **When Tomorrow Comes" (Univ.)**
  - PARAMOUNT—(1,600) (25c-30c-35c-40c) 7 days. Gross: $1,800. (Average, $133)

---

**Auten Seeks Quiz Of Nation's in Suit**

Application was filed on Friday in the New York Supreme Court by Andrew C. Auten, a director and treasurer of National Motion Picture deals, seeking a divorce under which Auten was American distributor for the company. Auten was awarded, for $17,000 commissions alleged due him. Application will be heard on Aug. 29.

---

**Livingstone Smash In Detroit, $20,000**


Estimated takings for the week ending Aug. 17:

- **"Hotel for Women" (20th-Fox)**
  - ADAMS—(700) (15c-25c-35c-40c) 7 days. Gross: $4,400. (Average, $630)
- **"Stanley and Livingston" (20th-Fox)**
  - **Jones Family in Hollywood" (20th-Fox)**
  - FOX—(1,000) (25c-30c-35c-40c) 7 days. Gross: $6,500. (Average, $930)
- **"The Man in the Iron Mask" (U. A.)**
  - MICHIGAN—(4,000) (15c-25c-35c-40c) 7 days. Gross: $19,500. (Average, $2,700)
- **"Winter Carnival" (U. A.)**
  - **They All Come Out" (M-G-M)**
  - ALAMO—(1,000) (15c-35c-40c) 7 days. Gross: $5,100. (Average, $730)
Boston, Aug. 20. — "Stanley and Livingstone" hit the top spot for a while theatre, taking $18,000 in one night. It has been replaced by "Praise the Feathers," dealing with "A Woman Is the Judge" at Loew's Orpheum and State, drew $17,300 and $13,000, respectively.

Estimated takings for the week ending Aug. 16:

"Juzer" (W. B. 2nd) (4 days) $11,000
"Mickey the Kid" (Republic) (1st run) (4 days) $7,000
"You Can't Get Away With Murder" (W. B. 2nd run) (3 days) $10,000
"Parents on Trip" (Col.) (2nd run) (3 days) $11,000

REE. KEITH BOSTON...$1,200 (25c-35c-40c-55c) 7 days; Gross: $18,000. (Average, $14,000)
"Eckham 1 Die" (W. B. 2nd run) $7,000
"Cowboys Over the Rockies" (W. B. 1st run) PARAMOUNT...$1,975 (25c-35c-40c-55c) 7 days; Gross: $11,000. (Average, $1,300)
"Eckham 1 Die" (2nd run) $7,000
"Cowboys Quartered" (W. B. 1st run) FUX...$1,900 (25c-35c-40c-55c) 7 days; Gross: $12,000. (Average, $1,400)

Hotel for Women...$7,000
"Mr. Moto Takes a Vacation" (20th-Fox) METRO...$7,000 (25c-35c-40c-55c) 7 days; Gross: $10,000. (Average, $1,400)

Central Park Memorial...$7,000 (25c-35c-40c-55c) 7 days; Gross: $12,000. (Average, $1,400)

"Four Feathers" (U. A.) $7,000
"A Woman in the Dark" (Col.) LOEW'S ORPHEUM...$2,000 (25c-35c-40c-55c) 7 days; Gross: $17,000. (Average, $1,400)

"Four Feathers" (U. A.) $7,000
"A Woman in the Dark" (Col.) LOEW'S STATE...$1,000 (25c-35c-40c-55c) 7 days; Gross: $11,000. (Average, $1,300)

"Hell's Kitchen" (W. B.) $7,000
"Indiana Jones Stories" (W. B.) SCOLLAY...$2,000 (25c-35c-40c-90c) 7 days; Gross: $4,200. (Average, $1,400)

"Breaking the News" (Paramount) $7,000

"It's the Natural Thing To Do" (Paramount) $7,000

"Sweet Moments" (Paramount) $7,000

"Hydro-Maniacs" (Paramount) $7,000

Army Shaw's Class in Swing" (Paramount) $7,000

**SHORT SUBJECT REVIEWS**

**The Bill of Rights** (Warners)

The American colonists' struggle to win, the rights of their forefathers the British Crown and the subsequent incorporation of a guarantee of civil liberties in the Constitution is dramatized in this feature "The Bill of Rights," latest in the series of Warner patriotic shorts in color.

As the Crown's refusal to consider "the colonials" as equals under British law was a direct result of the Revolution, ends with a stirring idea, spoken by James Madison, to hold on to the hard-won heritage of liberty.

The scene is Williamsburg, and the locale has been authentically re-created.

The shaping of the Bill of Rights and the Constitution to include it in the Constitution are traced briefly.

The cast includes Ted Osborne, Moroni Olson, Leonard Mudie, Ver- non Stele, John Hamilton, Raymond Brown and Tom Chatterton, Crane Wilbur was the director. Running time, 20 mins.

**Swing Styles** (Warners)

The Adrian Rollini trio, the Frayze family and with right of Terrier and Zee Lynn are featured in a medley of music, singing and dancing. There is playing on various instruments, and it is told well done, Running time, 10 mins.

**Mechanix Illustrated Vol. II** (Paramount)

This is the first of the new season's series and it holds fascination for those who are curious about the secrets of the mechanical. There are many interesting items: the art of jewel polishing, the manufacturing of fine English chinaware, various uses of polarized light in its application to glass and the making of a large outdoor billboard from a miniature sketch. These deserve wide popularity. Running time, 10 mins.

**Remember When** (Warners)

Ace favorites of vaudeville do their stuff with the old finesse, and there's a minstrel show to hold the sequence of time together. Done in a Gay Nineties setting, the whole has the right flavor, and there's Rags Ragland, the Era Boys, the Three Wives, Joe Socda and others, including a harmony octet, all making for a lot of fun. Running time, 20 mins.

**Vote Trouble** (Warners)

This is Grouch Club short but there's nothing grouch about it except the series title. The chairman of the Club reads a letter from a Ronald Girtsch who tells of his troubles, runs him by his troubles and the subsequent events brand him as a wife beater and a brute. All he wants is to return to his plumbing business. On the night of the election it appears that he will get his wish, but he wins and becomes a hero. Running time, 10 mins.

**Detoluring America** (Warners)

Leonard Schlesinger has turned out a good film spoof about "Anti-Minority" continuing the idea of bisculising the familiar type of travel shorts. The subject is real sustained and there are hilarious situations as the commentator, in serious tone, takes the audience on a scenic "tour" of the country. Running time, 7 mins.

**Slapsie Maxie's** (Warners)

Since Maxie Rosenblum, slap-happy ex-pug, is revealed in the role of night club impresario in Hollywood. Johnnie (Scott) Davis plays the part in a winner with Thimble Theatre. When he accidentally knocks out the champion, whom he idolizes, Maxie gets the idea that Davis could be taught the funny art. Davis is an unwilling pupil, but enters the ring and wins the crown from the champion in one of the most hilarious fights imaginable. 10 mins.

WASHINGTON, Aug. 20.—The Federal Communications Commission has set aside 1,370-kilocycle for broadcasting applications, as follows: Sept. 21: Applications of Spartanburg Advertising Co., for a new 1,370-kilocycle station, S. C., with 100 watts night, 250 watts days; Brown County Broadcasting Co., for a new 1,370-kilocycle station in Covington, Ky., with 50 watts night, 100 watts day, requesting the facilities of WAAB, Bos- ton, and Harold Thomas for a new 1,310-kilocycle station at Bridgeport, Conn., with 100 watts night, 250 watts day.

Oct. 1: Application of WNBX, Scranton, Pa., for authority to move studio and transmitter to Kneen, N. H.


Oct. 27: Application of Radio Voice of Springfield, Inc., for a new 1,310-kilocycle, 100-watt station at Spring- field, O.

Nov. 7: Application of KNPF, New- bedford, Mass., for a new 1,310-kilocycle station at New Bedford.

The "reviewing committee of the home office has just finished preview- ing a number of motion pictures which have recently been completed in the studios. These pictures are to be shown in your theatres at an early date.

"It is the consensus of opinion of the board that Hollywood has again demonstrated its ability to improve its standards each year. We are all most enthusiastic about the fine productions that are coming to us."

**Bigger Films for Sisk**

Robert Sikel, producer for RKO, will be assigned to the company's more important films and special fea- tures, George J. Schefrer, president, announced yesterday. The change was announced yesterday. The change will transfer the Sisk group of pictures now in production.
1939-40 INTERNATIONAL MOTION PICTURE ALMANAC

OUT

COVERING EVERY PHASE OF PRODUCTION DISTRIBUTION EXHIBITION FOR 1939-40

INTERNATIONAL MOTION ROCKEFELLER CENTER

Edited by TERRY RAMSAYE
THIS WEEK

THE NEW 1939-40 MOTION PICTURE ALMANAC IS OFF THE PRESS.

OVER 1100 PAGES OF VITAL INFORMATION FOR THE ALERT SHOWMAN’S EVERY-DAY USE!

$3.25 POSTPAID

PICTURE ALMANAC
NEW YORK
That's what you want in an advertisement...

ATTENTION-VALUE!

And that's what you get more of in the NATIONAL SCREEN TRAILER than in any other form of theatre advertising you can buy.

Lowest cost per seat sold... lowest cost per person reached... greatest results per dollar spent.

NATIONAL SCREEN TRAILERS reaches them while they are in your theatre... LOOKING at your screen... LISTENING to your sales message... a 100% customer-audience in a buying mood.

Attention-Value... Seat-Selling... Word-Of-Mouth Advertising... BEST SELLER in the Business!

USE NATIONAL SCREEN Special Announcement TRAILERS BECAUSE YOUR SCREEN DESERVES THE BEST!

NATIONAL Screen SERVICE Prize Baby of the Industry!
New Product
Boots B'way
Despite Heat

Neither Sun nor Rain
Affecting Box Office

Neither the terrific rainstorm which drenched the city Saturday night nor the terrific heat which seared the town before and after the rain, could stop the flow of trade to the picture houses on Broadway this past weekend. Business was great everywhere. The weather which blistered the town was no competition for the crowds, in now showing on the Main Stem, including "When Tomorrow Comes," "Wizard of Oz," "In Name Only," "Stanley and Living," "Beau Geste," and "The Old Maid."

The box-office overflow extended throughout the day when the mercury rose to a record high of 83-90.

Fair Influx Helps
New York is full of out-of-town people here to see the city and the "World's Fair," and these undoubtedly helped to swell the business which is reminiscent of old-time mid-August grosses.

"When Tomorrow Comes" is taking the Rivoli to $36,000 which is a new high gross for the house, this year.

The Strand, playing "The Old Maid," is having the second best week in a long period. Yesterday's estimate was $8,000 for the day, very big for the house on a Monday, and the weekend gross, Friday to Sunday inclusive, totaled $27,800.

At the Capitol the attendance was reported to be greater than it was last Thursday, when Mickey Rooney, Judy

Urges 'A' Films
Only in Argentina

American distributors must eliminate the "B" or at least the "C" product from the Argentine market and export only their big pictures if they want to hold that territory and particularly the second run theatres, according to the opinion of Clemente Lococo, Buenos Aires circuit operator.

Lococo has expressed his opinion to the foreign departments here and the producers in Hollywood. He says that exhibitors are increasingly demanding quality and are no longer content with secondary product.

Argentine films constitute real competition to Hollywood pictures, Lo-

Warners Combine
Selling in England
H. M. Warner, president of Warner Brothers, notified the home office by cable yesterday that effective immediately the Warner and First National selling organizations in England will be joined, with Max Milder in charge of all English distribution.

Up to this time, the company operated as two separate distributing organizations, Warner Brothers Pictures, Ltd., of which Milder was managing director, and First National Film Distributors, Ltd., with D. E. Grifffiths as managing director, selling Warner and First National product separately.

Tax Revenue Up
$42,989 for July

WASHINGTON, Aug. 21—Federal admission tax collections in July showed a substantial increase over the preceding month but were markedly below the receipts of July, 1938, it was reported today by the Internal Revenue Bureau.

Collections for the month were reported by the bureau as $1,534,249, compared with $1,491,260 in June and $1,018,813 in July of last year, bringing the collections to the 10-months of the year to $10,090,477, which was

Compromise Is Expected
In Ascap Fight With NAB

As long as music is used by radio, long will Ascap and the National Association of Broadcasters need each other, a ranking Ascap official stated yesterday.

It was his way of saying that the current differences over renewal of N.A.B.'s contract with Ascap will be compromised and cleared away before Jan. 1, 1941, when the contract will expire.

"They need our music and Ascap needs their money," the official said.

Recognizing this, Ascap will adopt a public policy calculated not to further aggravate the existing situation between the two organizations, the official said. All qualified Ascap spokesmen will restrain their public utterances on the subject and will do nothing to derange or make more difficult the ultimate peace between Ascap and N.A.B., it was said.

The broadcasters' dissatisfaction over Ascap's present terms and the refusal of the society thus far to indicate what its renewal terms will be, led the N.A.B. recently to lay plans for building up its own music library. It proposes to further these plans at a meeting in Chicago next month.

The situation is reminiscent of the theatre owners' revolt against Ascap taxation in 1921, when the M. F. Exhibitors' League, predecessor of the present M.P.T.O.A., raised $8,000 with which it formed its own music bureau with Henry Watterson of Watterson, Berlin & Snyder, music publishing firm, at its head.

Subsequently, $25,000 additional was raised and the exhibitors' Tax Free

Four A's Appoints
Steering Committee
In Jurisdiction Tilt

"Preparing to meet any contingency that might arise," the international board of Associated Actors and Artists of America yesterday appointed a "steering committee" with full powers to act in emergency situations. The board also called upon all member unions to appoint committees, with full powers so that action may be taken on short notice.

The groups, will be set up and coordinate or disassociate action by the branches, the board instructed them that no action be taken on the jurisdictional fight with the A.F.A. or the international Federation of Actors could be taken without the approval of the steering committee. However, the board was not to interfere with the pending trials of Sophie Tucker, A.F.A. president, and Harry Richman, vice-president.

Guilty Verdict Expected
Miss Tucker is not expected to appear to answer the charges against her when the Equity council meets today. The council is expected to find her guilty and suspend her indefinitely. It is not likely that she will be expelled, union sources indicated.

From members of the 4-A board came reports that William Green, A.F. of L. president, and Matthew Woll, chairman of the mediation committee, were still continuing their efforts to induce George E. Browne, I.A.

Lawyers Still
Studying U.S.
Code Rebuff

No Change in Belief Pact
Now "Dead Issue"

Film attorneys yesterday continued their study of the situation resulting from Assistant Attorney General Thurman Arnold's statement last week that the proposed industry trade practice code is "illegal" and its adoption would lead to "continued and perhaps additional prosecution.

No formal statement was issued following a meeting of company attorneys at M.P.P.D.A. headquarters yesterday afternoon but individual comment crept into the attitude of the attorneys as expressed last week when they held that the Arnold stand made the code a "dead issue."

Not Risking Indictments
Likewise, there was no change of views at individual home offices over the weekend, distribution officials holding that while the "sabotage of the code by the Government" is regrettable, company executives cannot risk the chance of criminal indictments by adopting the code now.

Spokesmen for several companies stated that their organizations would (Continued on page 10)

IA Officials Fined
In Coast Dispute

LOS ANGELES, Aug. 21—Three I.A. T.S.E. officials who were convicted late last week of contempt of court in splitting up Studio Technicians Local 37 into five groups were fined here today by Superior Judge Henry Willis.

Zeal Fairbanks was ordered to pay $150 fine; Steve B. Newman, International officer in charge of the Holly-

Screen Writers Guild case involving Wagner Act violation charges against eight major producers was postponed until tomorrow to permit producers' attorneys to attend the N.L.R.B. hearing on the industrial dispute involving the I.A. and the United Studio Technicians Guild.

Both sides in the latter dispute are attempting to get together on several points.
Coast Active With 38 Films Now Shooting

Hollywood, Aug. 21.—Productions before the cameras this week increased to 38, as eight finished and 11 started. Twenty-five are being prepared, and 62 are being made.


Warners started one short subject and finished another. M-G-M finished two, and RKO one. Seven are being prepared, and 14 are being edited.

Warner Production Ahead, Einfeld Says

Production at the Warner studio is farther ahead for 1939-40 than it has ever been at this time of the year, declared M-G-M’s production chief, and publicity director, who arrived yesterday for a stay of two weeks.

Einfeld disclosed that the studio has 17 completed features awaiting release and three in the cutting room.

He came east to complete campaigns on new season releases, including “The Private Lives of Elizabeth and Essex,” “On Your Toes,” “Dust Be My Destiny” and “A Child Is Born.”

New Film Festival Planned in London

London, Aug. 21.—Plans to provide Europe with yet a third international London Film Festival are being prepared by the British Film Institute, which suggests England as the location. The intention is to garner outstanding pictures from all over the world and show them in London at an annual festival.

An experimental drive has been launched in Glasgow with the collaboration of the British Film Institute, which is holding an international show of documentaries and shorts this summer.

New Haven Union Elects

New Haven, Aug. 21.—Newly elected officers of Local B-41 of exchange employees union, installed at a meeting at the Hotel Galer, are: Jack Muller, president; Katherine Fitzgibbon, business agent; Jerry Massimo, vice-president; James Mahan, secretary; William Nutile, treasurer.

Motion Picture Daily Tuesday, August 22, 1939

Coast Active With 38 Films
Now Shooting

Purely Personal

G. J. Schaeffer, RKO president, has been detained in Hollywood a second time and now is returning to New York at the end of this week. S. Barrett McCormick, advertising and publicity director, also is returning in Hollywood a few additional days.

Spyros Skouras is expected back in New York this week from a series of circuit meetings in various parts of the country.

W. F. Hayner, Canadian district manager for M-G-M, has been removed from the hospital to his home in Toronto, following a recent collapse.

Tony Martin and Alice Faye, who has completed her role in "Hollywood Cavalcade" at 20th Century-Fox, have arrived in New York for a short vacation.

William Holden, playing the title role in Columbia’s "Golden Boy," will arrive in New York this morning, and will be met at Grand Central by the Columbia officials for the role won by Holden.


Sam Zembalist will return to the RKO stage tomorrow after 10 days in New York.

Laurel and Hardy are planning a series of personal appearances in South America, following completion of "The Flying Deuces."

Ruth Gordon will leave New York tomorrow for the RKO studio, where she will appear with Ethel Massey in "Abbe Lincoln in Illinois." She will return to the Broadway stage after completion of the screen role.

Lenore Ulric made her debut in "My Magician" last night at the Starlight Theatre, Pawling, N. Y.

John Barclay is cast opposite her.

Sam Shain returned to New York yesterday from Saratoga.

Edgar G. Ulmer has completed shooting on "The Light Ahead," Yiddish film, for Carmel Productions, Inc.

Mrs. Harry M. Poppin, wife of the head of Million Dollar Productions, is visiting here from Los Angeles.

David Perotko of Baltimore is in town.

Films at English Fair

London, Aug. 21.—Theatre to seat 1,000 will be one of the shows at the Radiologya, annual British trade exhibition of radio and television apparatus. The theatre will not be used for the customary stage show, but will screen technical and commercial films.

Lawyer Still Studding U.S. Code Rebuff

(Continued from page 1)" not think of adopting the code unless and until Arnold's declaration is reversed.

Arnold's absence from Washington prevented the holding of the meeting which had been sought by industry attorneys for yesterday in an effort to convince the Assistant Attorney General that exhibitors of the country wanted and needed the code and that it could be effectuated legally. Arnold's absence was confirmed among themselves and, it is assumed, will endeavor to arrange a later meeting with Arnold for the same purpose.

Hays Hurries Back

Will H. Hays, M.P.P.D.A. president, returned to his office from Hollywood yesterday, about two weeks earlier than he had planned originally. He had no statement to make on his arrival, his office reported.

The possibility of industry leaders taking an appeal to Attorney General William J. Donovan, who was President Roosevelt, in the event Arnold refuses to alter his stand on the code, is still being entertained in some industry quarters. Most officials, however, are of the opinion that the chance of reversing the code hinge entirely on a change of attitude on Arnold's part and, about this, few are hopeful.

G. N. in Spanish Deal

Julio Elias, distributor of Barcelona, yesterday signed a deal with E. W. Hammons, president of Educational-Grand National, for the distribution of the companies' product in Spain. The contract calls for him to produce one or more films in Barcelona for release under the Grand National trade name in the United States with the Educational distributor in Spain.

Preview 'Star Maker'

Paramount played host last night to the press at a preview of "The Star Maker," starring Bing Crosby, at the Astor Theatre, and announced a dinner at the International Casino.

New Haven Union Elects

New Haven, Aug. 21.—Newly elected officers of Local B-41 of exchange employees union, installed at a meeting at the Hotel Galer, are: Jack Muller, president; Katherine Fitzgibbon, business agent; Jerry Massimo, vice-president; James Mahan, secretary; William Nutile, treasurer.
A SPECIFIC

Statement

Concerning the Policy of
WARNER BROS. STUDIO

by J ACK L. W ARNER
In Charge of Production

At this time, the conclusion of the current season, I feel it is an obligation to our exhibitors to put forward a fair and frank statement for the purpose of mutual understanding.

In response to the many letters of praise we have received throughout the year I say—don’t thank us, thank you. Thank you for the faith you placed in our plans; thank you for the splendid manner in which you merchandised our product to the public;
thank you for your congratulatory expressions which have served continually as an inspiration to us. It is because of the results obtained through you that it was possible to continue to move forward as we have and to build our superlative production organization — acknowledged everywhere as the most successful now operating.

The surest indication of what we can offer the progressive exhibitors of this industry for next season is our record for the season now passing. I am gratified that during a period when the effects of a nation-wide boxoffice slump was generally felt, the product of our studios continuously and regularly offered the major profit — when profit was needed most! For the fair method of distributing these pictures, for defying the usual warm-weather bugaboos and other threadbare distribution practices, credit must go to the foresight of our General Sales Manager, Grad Sears.

The list of our 1938-39 pictures speaks for itself. For their devoted efforts in making them possible I want to publicly acknowledge my gratitude to Hal B. Wallis, Executive Producer of Warner Bros. Studios, and to our associate producers.

**FOUR DAUGHTERS • THE SISTERS • VALLEY OF THE GIANTS • BROTHER RAT • ANGELS WITH DIRTY FACES • DAWN PATROL • DEVIL’S ISLAND THEY MADE ME A CRIMINAL • WINGS OF THE NAVY • YES, MY DARLING DAUGHTER • OKLAHOMA KID • DARK VICTORY • CONFESSIONS OF A NAZI SPY • DODGE CITY • JUAREZ • HELL’S KITCHEN • THE ANGELS WASH THEIR FACES • DAUGHTERS COURAGEOUS • EACH DAWN I DIE**

Now that our company has determined for the new season to
spend the largest sum of money ever ear-marked for film production it means this to you: It means that the star and the story values of this season’s successes will be even greater next season: it means that our steadfast policy, developed after thirty odd years’ experience, of giving each picture individual treatment and not “assembly line” delivery assures to you uninterrupted output such as neither we nor any others have previously provided. We have the courage to do this only because we, as proved to everybody’s satisfaction through the past seasons, know how to do this!

We can therefore promise the exhibitors who have so staunchly supported this company that they can look forward with confidence to a continued successful relationship with Warner Bros. As an indication of our unprecedented plans I list the following properties — many already completed, the others actually in preparation:

THE OLD MAID
(Bette Davis, Miriam Hopkins, George Brent, Donald Crisp)

ON YOUR TOES
(Zorina, Eddie Albert, Alan Hale, Frank McHugh, James Gleason. From the Rodgers and Hart stage hit)

PRIVATE LIVES OF ELIZABETH AND ESSEX
(Bette Davis, Errol Flynn, Olivia de Havilland, Donald Crisp, Alan Hale, Vincent Price. In Technicolor.)

THE ROARING TWENTIES
(James Cagney, Priscilla Lane, Humphrey Bogart, Gladys George, Jeffrey Lynn. Story by Mark Hellinger)

THE SEA HAWK
(Errol Flynn, Olivia de Havilland, Alan Hale)

ESPIONAGE AGENT
(Joel McCrea, Brenda Marshall, Jeffrey Lynn, George Bancroft)

DUST BE MY DESTINY
(John Garfield, Priscilla Lane, Alan Hale)

THE FIGHTING 69TH
(James Cagney, Pat O’Brien, George Brent, Wayne Morris)

A CHILD IS BORN
(Geraldine Fitzgerald, Jeffrey Lynn, Gladys George, Gale Page, Spring Byington)

THE CITY OF LOST MEN
(John Garfield, Ann Sheridan, Pat O’Brien, Burgess Meredith)

THE SPIRIT OF KNUTE ROCKNE
(With one of the biggest casts of all time, headed for the outstanding success in the history of Warner Bros.)

THE STORY OF DR. EHRLICH
(Edward G. Robinson)
THE 'DEAD END' KIDS AT MILITARY SCHOOL

AND IT ALL CAME TRUE
(James Stewart, Ann Sheridan, Humphrey Bogart)

BROTHER RAT AND A BABY
(By the authors of the sensational stage show, Eddie Albert, and the same great 'Brother Rat' cast.)

DEVOTION
(The lives of the immortal Bronte Sisters written especially for the screen by James G. (Mr. Chips) Hilton. Bette Davis, Miriam Hopkins, Geraldine Fitzgerald)

GANTRY THE GREAT
(Starring the famous blind horse. This will be one of the most unique and most gripping dramas of Warner Bros.' entire career.)

THE STORY OF CAPTAIN HORATIO HORNBLOWER
(Based on the great novel! Starring Errol Flynn and Geraldine Fitzgerald)

TWO SONS
(Starring John Garfield, Jeffrey Lynn, Priscilla Lane)

INVISIBLE STRIPES
(By Warden Lawes. To star George Raft, Humphrey Bogart)

THE PATENT LEATHER KID
(George Raft, Priscilla Lane)

FOUR WIVES
(With 'The Four Daughters', Claude Rains, Jeffrey Lynn, May Robson, Dick Foran, Frank McHugh)

NEVADA
(Epic Technicolor follow-up to 'Dodge City. Starring Errol Flynn and Olivia de Havilland)

DANGEROUS CURVES
(Ann Sheridan will display all the 'oomph' in the world, in her first important starring vehicle)

MARRIED, PRETTY AND POOR
(Ann Sheridan teamed with George Raft)

BROTHER ORCHID
(From the great Collier's Story; Starring Edw. G. Robinson, Olivia de Havilland)

UNDERGROUND
(To star John Garfield, George Brent, Geraldine Fitzgerald)

WE ARE NOT ALONE
(Paul Muni, Dally Haas, Flora Robson. By the author of 'Goodbye, Mr. Chips,' James Hilton)

In conclusion, I want to express sincere appreciation to all the exhibitors who have given us their suggestions. They are an invaluable guide. You asked for action and we are giving it to you. You promised better playing time for finer product and we are getting it. Together, we of Warner Bros. and you, our customers, can look confidently to a greater mutual prosperity than at any time before. We will do our share, and know you will do yours.

Vice-President
Warner Bros. Pictures, Inc.
Minneapolis Gives ‘Lady’ Good $6,400

Minneapolis, Aug. 21.—Best business of the week was done by “Lady of the Tropics” with $6,400 at the play. In St. Paul, “Andy Hardy Gets Spring Fever” took first position with $5,200 at the Playhouse, weather was warm and clear.

Estimated takings for the week ending Aug. 17:

<table>
<thead>
<tr>
<th>Studio</th>
<th>Gross</th>
<th>Average</th>
</tr>
</thead>
<tbody>
<tr>
<td>STAGETROJAN</td>
<td>$6,400</td>
<td>$2,000</td>
</tr>
<tr>
<td>PARAMOUNT</td>
<td>$5,200</td>
<td>$1,700</td>
</tr>
<tr>
<td>LOEW’S</td>
<td>$5,000</td>
<td>$1,667</td>
</tr>
<tr>
<td>APOLLO</td>
<td>$4,800</td>
<td>$1,590</td>
</tr>
<tr>
<td>CENTURY</td>
<td>$4,600</td>
<td>$1,533</td>
</tr>
<tr>
<td>UNIVERSE</td>
<td>$4,400</td>
<td>$1,466</td>
</tr>
<tr>
<td>ROYCOCKE</td>
<td>$4,000</td>
<td>$1,333</td>
</tr>
<tr>
<td>LOEW’S</td>
<td>$3,900</td>
<td>$1,266</td>
</tr>
<tr>
<td>WARNER</td>
<td>$3,800</td>
<td>$1,266</td>
</tr>
<tr>
<td>SAGETROJAN</td>
<td>$3,500</td>
<td>$1,166</td>
</tr>
<tr>
<td>LOEW’S</td>
<td>$3,400</td>
<td>$1,133</td>
</tr>
<tr>
<td>APOLLO</td>
<td>$3,200</td>
<td>$1,066</td>
</tr>
</tbody>
</table>

**Hollywood Previews**

**“Nurse Edith Cavell”** (Imperado-RKO)

“‘Nurse Edith Cavell’ is a tale based on fact of heroic life and a conflict of loyalties, told in reverence and without bitterness. Nursing is a dedication to mercy and healing. War is a dedication to brutal force. Neither adrift distinction of race or person. Each is the unconcupmromising foe of the other.” — Foreword from “Nurse Edith Cavell.”

Hollywood, Aug. 21.—A tale of sacrifice and devotion to the cause of saving lives, appealingly told in domestic style, comes to the screen in “Nurse Edith Cavell.” History has made Nurse Edith Cavell one of the most outstanding figures of the early days of World War and her execution by the enemy a cause celebrated throughout the civilized world, it remained for producer Herbert Wilcox to tell cinematically for the first time a seemingly dispassionate account of her work and her death. To be released September 1 amidst a great war rumblings and with the world’s great significance, indicated immoently perhaps by a publicity handbook on the film which said in part: “Official figures show that army recruiting in outraged nations jumped far above normal in the two weeks following Miss Cavell’s death—an eloquent commentary on the effect of the military verdict.”

Hollywood, Aug. 21.—To Wilcox, who produced and directed; to Merrill G. White, his associate producer, and to Michael Hogan, who wrote the screenplay from the story, “Dawn,” by Capt. Reginald Berkeley, goes credit for the creation of intense drama, founded on facts whose shadings might be deemed controversial. The foreword, followed by acknowledgement to the sources of information such as the Imperial War Museum at London and the Department of State at Washington, leaves no doubt that the film is documentary. In its telling of the arrest, conviction and execution of Miss Cavell, the story is macabre.

Running time, 95 minutes. **G**

---

**‘Livingstone’ Sets Chicago Pace, $50,200**

Chicago, Aug. 21.—“Stanley and Livingstone” ticked into the Loop to establish a $50,200 gross at the Chicago, a record for this year in the house.

At the United Artists “Lady of the Tropics” drew $18,600. The weather was warm and clear.

Estimated takings for the week ending Aug. 19:

<table>
<thead>
<tr>
<th>Studio</th>
<th>Gross</th>
<th>Average</th>
</tr>
</thead>
<tbody>
<tr>
<td>ALVIN</td>
<td>$15,100</td>
<td>$5,000</td>
</tr>
<tr>
<td>LEAGUE</td>
<td>$14,800</td>
<td>$4,933</td>
</tr>
<tr>
<td>STANLEY</td>
<td>$14,500</td>
<td>$4,833</td>
</tr>
<tr>
<td>LOEW’S</td>
<td>$14,000</td>
<td>$4,666</td>
</tr>
<tr>
<td>GARRICK</td>
<td>$8,500</td>
<td>$2,833</td>
</tr>
<tr>
<td>ROYCOCKE</td>
<td>$8,400</td>
<td>$2,800</td>
</tr>
<tr>
<td>PALACE</td>
<td>$8,400</td>
<td>$2,800</td>
</tr>
<tr>
<td>ROYCOCKE</td>
<td>$8,400</td>
<td>$2,800</td>
</tr>
<tr>
<td>ROYCOCKE</td>
<td>$8,400</td>
<td>$2,800</td>
</tr>
<tr>
<td>ROYCOCKE</td>
<td>$8,400</td>
<td>$2,800</td>
</tr>
<tr>
<td>PALACE</td>
<td>$8,400</td>
<td>$2,800</td>
</tr>
<tr>
<td>ROYCOCKE</td>
<td>$8,400</td>
<td>$2,800</td>
</tr>
<tr>
<td>ROYCOCKE</td>
<td>$8,400</td>
<td>$2,800</td>
</tr>
<tr>
<td>ROYCOCKE</td>
<td>$8,400</td>
<td>$2,800</td>
</tr>
<tr>
<td>PALACE</td>
<td>$8,400</td>
<td>$2,800</td>
</tr>
<tr>
<td>ROYCOCKE</td>
<td>$8,400</td>
<td>$2,800</td>
</tr>
<tr>
<td>PALACE</td>
<td>$8,400</td>
<td>$2,800</td>
</tr>
<tr>
<td>ROYCOCKE</td>
<td>$8,400</td>
<td>$2,800</td>
</tr>
<tr>
<td>PALACE</td>
<td>$8,400</td>
<td>$2,800</td>
</tr>
</tbody>
</table>

**’Dawn’ at $22,500 Big in Cleveland**

Cleveland, Aug. 21.—“Each Dawn I Die” finished a 12-day run at Warner’s Hippodrome with a take of $22,500. “Vigilantes” made a good showing at Loew’s State with $14,500. The weather was hot.

Estimated takings for the week ending Aug. 16:

<table>
<thead>
<tr>
<th>Studio</th>
<th>Gross</th>
<th>Average</th>
</tr>
</thead>
<tbody>
<tr>
<td>ALVIN</td>
<td>$7,000</td>
<td>$2,333</td>
</tr>
<tr>
<td>LEAGUE</td>
<td>$6,900</td>
<td>$2,300</td>
</tr>
<tr>
<td>STANLEY</td>
<td>$6,800</td>
<td>$2,266</td>
</tr>
<tr>
<td>GARRICK</td>
<td>$6,700</td>
<td>$2,233</td>
</tr>
<tr>
<td>ROYCOCKE</td>
<td>$6,600</td>
<td>$2,200</td>
</tr>
<tr>
<td>PALACE</td>
<td>$6,600</td>
<td>$2,200</td>
</tr>
<tr>
<td>ROYCOCKE</td>
<td>$6,600</td>
<td>$2,200</td>
</tr>
<tr>
<td>PALACE</td>
<td>$6,600</td>
<td>$2,200</td>
</tr>
<tr>
<td>ROYCOCKE</td>
<td>$6,600</td>
<td>$2,200</td>
</tr>
<tr>
<td>PALACE</td>
<td>$6,600</td>
<td>$2,200</td>
</tr>
<tr>
<td>ROYCOCKE</td>
<td>$6,600</td>
<td>$2,200</td>
</tr>
<tr>
<td>PALACE</td>
<td>$6,600</td>
<td>$2,200</td>
</tr>
<tr>
<td>ROYCOCKE</td>
<td>$6,600</td>
<td>$2,200</td>
</tr>
<tr>
<td>PALACE</td>
<td>$6,600</td>
<td>$2,200</td>
</tr>
</tbody>
</table>

**‘Feathers’ Scores $17,000, Pittsburgh**

Pittsburgh, Aug. 21.—Box-offices zoomed for the fourth straight week, despite a dry, hot spell. Pace-setter was “Four Feathers” with $17,000 at Loew’s Penn, followed by “Hotel for Women” with $10,000 at the Harris Alvin.

Estimated takings for the week ending Aug. 17:

<table>
<thead>
<tr>
<th>Studio</th>
<th>Gross</th>
<th>Average</th>
</tr>
</thead>
<tbody>
<tr>
<td>ALVIN</td>
<td>$9,000</td>
<td>$3,000</td>
</tr>
<tr>
<td>LEAGUE</td>
<td>$8,500</td>
<td>$2,833</td>
</tr>
<tr>
<td>STANLEY</td>
<td>$8,500</td>
<td>$2,833</td>
</tr>
<tr>
<td>GARRICK</td>
<td>$8,500</td>
<td>$2,833</td>
</tr>
<tr>
<td>ROYCOCKE</td>
<td>$8,500</td>
<td>$2,833</td>
</tr>
<tr>
<td>PALACE</td>
<td>$8,500</td>
<td>$2,833</td>
</tr>
<tr>
<td>ROYCOCKE</td>
<td>$8,500</td>
<td>$2,833</td>
</tr>
<tr>
<td>PALACE</td>
<td>$8,500</td>
<td>$2,833</td>
</tr>
<tr>
<td>ROYCOCKE</td>
<td>$8,500</td>
<td>$2,833</td>
</tr>
<tr>
<td>PALACE</td>
<td>$8,500</td>
<td>$2,833</td>
</tr>
<tr>
<td>ROYCOCKE</td>
<td>$8,500</td>
<td>$2,833</td>
</tr>
<tr>
<td>PALACE</td>
<td>$8,500</td>
<td>$2,833</td>
</tr>
</tbody>
</table>

**Revivals at Playhouse**

Ten revival pictures will be shown at the Uptown Theatre, as a result of a poll of patrons’ preference. Originally planned for two weeks, panic buying caused extension of the idea to 20 days. Each film will be shown two days.

**’Set ‘Living Dead’ Run**

J. H. Hoffberg, Inc. has set the American premiere of the Gabriele Pascal film, “Living Dead,” at the World Theatre, following the run of “Harvest,” which is expected to open next month.

**‘Baby’ Permit in London**

London, Aug. 21.—A permit to show “The Birth of a Baby,” but only under special educational circumstances, may be granted by the Surrey County Council to individual applicants.
BORIS KARL
The COUL
OFF

The "Frankenstein" MONSTER

The Master of Horror Returns from the Grave to Destroy Those Who Condemned Him

MAN THEY D NOT HANG


A Columbia Picture
New Product Boosts B'way Despite Heat

(Continued from page 1)

Garland and "The Wizard of Oz" opened to police lines. At 9:15 A.M., the theatre was jammed, and at 10:30 A.M. three streets were closed completely around as many streets, with the management reporting that the police refused to open the formation of a fourth waiting line.

The Roxy reported the second largest weekday attendance since the opening of "Cavalcade" at the Curran, and the "Chicago" at the Kingston, last week.

Vance the admissions department of the Joseph H. Levy's, Inc. group conducting brokers, free operated in the theatre houses.


This week, the admissions department of the Joseph H. Levy's, Inc. group conducting brokers, free performed in the theatre houses.

The agreement, approximated 15,000 patrons, and the matinee gross almost exceeded $3,000, strong for a Monday.

“Hawaiian Nights” of General Levy's, Inc.

Hollywood, Aug. 21.—Universal’s "Hawaiian Nights," a comedy with music, is a blend of Hawaiian melodies and swing. "Hawaiian Nights," of General Levy's, Inc., and his orchestra and Sol Hoopii's Hawaiian band are the orchestral combinations which help out considerably the story of a young man whose personal ambition is to lead on orchestra and whose father's desire is that he learn the hard business of the motion picture industry.

Albert S. Rogell directed from a screen play by Charles Grayson and Lee Loeb, who adapted an original story by John Grey. Max Goldenson produced.

Downs, as the would-be band leader, goes to Hawaii with a group of hotel employes whom his father hired for forming an orchestra on company time. He meets the daughter of a rival hotel owner and falls in love. While his father is attempting to force the girl's father to sell his property, Downs arranges to put together the orchestra playing properly in opposition to his father's ownership.

Running time, 65 minutes. "G"*

VANCE KING

"G" denotes general classification.

Harvest' Showing Scheduled Today

A private screening of the French film, "Harvest," banned by the New York state censor, has been arranged for today by the National Council on Freedom from Censorship in a drive to lift the ban. The council is allied with the American Civil Liberties Union.

Mayor La Guardia, Lieutenant Governor Poletti and representatives of the theatre, the film and film have been invited to view the film. An appeal is pending with the Board of Regents.

Sponsor Boys' Camp

PITTSBURGH, Aug. 21.—The local Variety Club has voted to co-sponsor a boys' camp, and is conducting a drive for funds under the leadership of Judge Chaker Ira H. Cohn and I. Elmer Reznick, with the executive committee are John H. Harris, Harry Kalmine, Dan Hamly, Larry Katz, Art Levy, Burt Bishop, Archie Finken, Al Abrams, and Dr. L. C. Biehauer.

Democracy Award

HOLLYWOOD, Aug. 21.—Attorney General Frank Murphy will make the first annual award for service to democracy at "Hollywood Premiere." The award will be made to the studio which produced the film "having the most valuable contribution to the democratic ideal" during the year ended June 15.
FIFTH AVENUE GIRL

puts some Ginger in the stuffed-shirt socialites!
IT'S BIG BOX=OFFICE WHEN YOU'VE GOT A SHOW ALIVE WITH GREAT SELLING ANGLES!

And look at the angles here!... Everything!... Title, star, theme, director, cast!... A story with treatment as modern as next Spring's Paris fashions... told with a daring zip and a flair for fun that will hit movieland broadside!... Ginger as a park-bench Cinderella who graduates to a millionaire's mansion—over roads entirely new to screen stories!... A picture crackling with the life and fires aflame in the man who made "Stage Door"—producer-director Gregory La Cava!... Yes, sir... another BIG ONE from RKO RADIO!

Ginger Rogers

IN

"FIFTH AVENUE GIRL"

WITH

WALTER CONNOLLY • VERREE TEASDALE • JAMES ELLISON
TIM HOLT • KATHRYN ADAMS • FRANKLIN PANGBORN
PRODUCED AND DIRECTED BY GREGORY LA CAVA
PANDRO S. BERMAN IN CHARGE OF PRODUCTION
SCREEN PLAY BY ALLAN SCOTT

OPENS
RADIO CITY MUSIC HALL
THIS WEEK...
Ascap Sees Compromise In NAB Fight

Banner Radio Lines

By Jack Banner

Baseball and Radio . . . Sponsors of baseball broadcasts seeking data for a promotional effort that will attest to the extent of the baseball audience are referred to the attendants in the gasoline stations that dot the highways. It is claimed that over 400,000 of each 10 auto sets are tuned to the ball games during afternoons.

Sells Articles . . . The editor of the American Hebrew happened to tune in Martin Starr when WMCA's film commentator was commenting on 'The Oath of Liberty' on which he is due to appear on the Hiram N. Salomon. As a result of the broadcast, Starr has been commissioned to write two articles for the magazine about the making of the film, which are to appear in the next two issues of the magazine.

Radio at war games . . . Radio, via live and recorded broadcasts, even television, will attend the war games this week. The networks have scheduled a number of shows from the two areas. Yesterday WMCA also dispatched a crew headed by Leon Goldstein and Hal Janis to take transcriptions of the shoot battles on three portable units which the station dispatched to the scene in advance of the recording crew. On Friday, NBC's television apparatus will picture the air maneuvers of the air corps at Mitchel Field.

Newspaper short wave stations . . . Speaking of "war," the agitation in Europe over the acute mortal situation is being matched in the radio rooms of the New York Times, New York Herald-Tribune, and New York Daily News. These newspapers operate short-wave transmitters. During the Munich crisis the Times scored a series of notable scoops by turning to the short-wave service. On the other hand, the News and Herald-Tribune have installed powerful short-wave receivers.

Personals . . . It's still summer, and one need not be told, but Fall cannot be far behind, for the radio social activities have started. Last night at the Warwick the sponsors of the "Tune-Up Time" series tendered a party to usher in its Fall series; NBC tenders an affair to Orchelber and Alla Nazimova on Thursday in behalf of the film "Island of Gold." Nazimova will appear later in the week. That same evening Phil Baker will be tendered a birthday party at the Havana-Madrid, with Lyn Murray, the Andrew Sisters and the rest of the Baker cast on hand to give felicitations. . . . The 21st Century is at the Hotel Gotham and will show several pictures for Quaker Oats series. Lipton's Tea is looking over the radio field.

Gloria Jean Here For Film's Opening

Gloria Jean, Universal's new 11-year-old singing star, arrived in New York from the Coast yesterday and was given a noisy welcome by 35 of her schoolmates from Alexander Hamilton school, Brooklyn, Pa. The world premiere of her first picture, "The Under-Pup," will be held at the Comerford Strand in Scran- son. She will leave here with a group of film executives, celebrities and critics from more than 50 cities to attend the premiere. The critics have been invited by Universal to remain in New York over the weekend for "Gloria Jean" Day at the World's Fair.

Gloria Jean was accompanied east by her parents, Mr. and Mrs. Herman Schoonover, Charles Previn, Universal musical director, and David Lipton, of the studio publicity staff. Following her arrival she held a press reception at the St. Moritz and lunched with her classmates at the hotel. She is scheduled to appear on national broadcast and to make Marion Martin, Laurel and Hardy, Who's Afraid of Virginia Woolf, and "The Bishop's Wife." She is attending the premiere by arrangement with Arthur Mayer and Joseph Burstyn, will have its American premiere at the 55th St. Playhouse on Sept. 1.

Six New Companies Formed at Albany


Denver Outing Is Held

Denver, Aug. 21.—More than 300 attended the annual picnic and golf tournament at the Rocky Mountain Screen Club, with Lon Fellow, mono- gram exchange manager, winning the cup in the topflight, with Walter and Gus Ishold, brothers, taking second and third. Winners in other flights were Bill Reis, George Tawson and Howard Metzger. Winner in the division was Florence Chamberlain, with Mrs. Frank Roberts second.

Heat Closes Lew's

Most of the departments of Lew's closed at 4 P.M. yesterday because of the heat.

British Radio Licenses Now At 9,030,950

London, Aug. 21. — The British Post Office issued 363,114 radio receiving licenses during July, 1939. This figure represents a net increase of 20,640 in the number of license holders during the month after making allowance for expired licenses and renewals. The approximate total number of licenses in force at the end of July, 1939, was 9,030,950 as compared with 8,657,100 at the end of July, 1938, an increase for the year of 375,850.

A recent survey by the London County Council reveals that London has 291 film houses, seating 360,000. Additionally there are 88 theatres and music halls with seats for 124,000.

The principle that one attendant is necessary for every 100 children present at a juvenile matinee, has been established by the Rotherhithe Watch Committee. Local theatres have been so notified.

The new War office and trade Ad- visory Committee on camp theatres will meet Thursday.

The C.E.A., meanwhile, has been circulating exhibitors in whose areas camps exist, asking them their reaction on the matter.

It is the function of the committee to see that nothing which encourages upon the legitimate trade of local pic- ture houses and the War Office is in leaving the matter almost entirely to the joint consideration of the C.E.A. and K.R.S.

Poor working conditions in Miners' Hall film houses are to be the sub- ject of a discussion by the National Association of Theatrical and Kin- emplophones. It is the contention of the union that they are the worst in the world as theatres and directed by miners' committees, show great room for improvement in wages and hours of those employed.

Legion Approves 13 New Pictures

The National Legion of Decency, for the current year, has approved all of the 13 new pictures reviewed and classified, as suitable for general exhibition and six for adults. The new films and their classification follow.

Sorry...

Due to the unfortunate illness of CAROLE LOMBARD, we regret our inability to deliver "VIGIL IN THE NIGHT" to Exhibitors in October, as we had planned.

We are happy... however, to announce that MISS LOMBARD is recovering swiftly; that production will be resumed soon; and that "VIGIL IN THE NIGHT" will be delivered at the earliest possible date.

And to Carole... a speedy recovery... and hurry back HOME...

RKO RADIO
Russian-Nazi Pact Comment
Crowds Webs

European Staffs Relate Capitals' Reactions

Networks were crowded last night with numbers of trans-Atlantic discussions of the Russo-German non-aggression treaty, and of the developments that followed revelation of the treaty.


On NBC, Viscount Herbert L. Samuel was heard from London at 11:30 P.M.

(Continued on page 11)

Unions Agree on Technicians' Vote

HOLLYWOOD, Aug. 22.—I.A.T.S.E. and United Studio Technicians Guild today worked out an agreement which provides for a consent election under N.L.R.B. auspices to determine the collective bargaining agency for studio technicians.

Marked by a near riot in which several persons were injured, the conference, held throughout the day with William R. Walsh, senior N.L.R.B. attorney here, provides for a test of strength of the rival groups within 30 days and will make a contest between the I.O. and U.S.T.G. and the AFL affiliate.

The agreement, which must be approved by the N.L.R.B. in Washington, calls for ballots by all members in the disputed crafts who have worked 50 days or more from the first of the year to July 15, suspension of the closed shop clause of the I.A. contract with the producers until five days after election and certification within five days by the N.L.R.B. of the agency chosen by the workers.

Approximately 9,500 workers will participate in the balloting. Under the agreement, first cameramen will not vote.

Richman Proposes 'Peace Plan' in Actors' Dispute

Further complications were added yesterday to the already entangled jurisdictional dispute between Associated Actors and Artists of America and the I.A.T.S.E., when Harry Richman, American Federation of Actors vice-president, appeared before the council of Actors Equity to propose an "honorable settlement" of the 4-A jurisdictional controversy.

A.F.A. officials promptly denied that Richman had any authority to negotiate settlements and declared that his appearance before the council was as a member of Equity and not as an officer of 4-A.

Richman, under suspension by Equity and due to come up for trial on charges for his appearance in connection with the scheduled trial of Sophie Tucker, A.F.A. president, who is charged with "conceivable conduct" under an A.F.A. chart of the A.F.A. He pleaded with the council for more than an hour and, after the council had conferred with the 4-A steering committee, the following statement was issued:

"Mr. Richman, at his own request, came before the council in an effort to find, as he stated it, an "honorable settlement of the 4-A jurisdictional controversy."

(Continued on page 4)

Film Firms Paid $760,000 For 14 Plays in 1938-1939

Film companies during the 1938-39 season paid a total of $760,000 for 14 legitimate stage plays which lasted three weeks or longer on Broadway, for an average of $54,285 per play, according to the Dramatists Guild. Figures for plays which were imprudently or which did not last for a three-week run are not included because such plays were sold independently of the guild.

Guild sources stated that the season was slightly above the average in the number of plays purchased although the average prices paid were somewhat lower. During the 1937-38 season, 12 such plays were bought for a total of $760,000. The average price during 1937-38 was $58,333.

"Mr. Richman told me that his individual plays are not released by the Guild because film companies insist that their own public jurisdiction offices be permitted to handle these details. The present minimum basic agreement, which went into effect in March, 1936, has not restricted the purchase of film rights, according to the Guild. It was pointed out that the greatest year the guild enjoyed was the 1936-37 season, which was the first under operation of the pact. During that year, $1,750,000 was paid for 17 plays, an average of slightly more than $100,000 each.

Negotiations for modification of the pact to permit film companies to purchase rights before the production of the legitimate stage play have been delayed until after Labor Day. The guild council will not be able to mull a quorum before then.

Two major difficulties have presented themselves. One is the demand by the council that $15,000 be paid for pre-production rights in addition to royalties, and the other is the right of the film company to withdraw a legitimate play's star for work in the production of the picture. The guild is preparing a new draft which eliminates these obstacles and will present it to the guild council for approval.

(Continued on page 2)

COMMERCe DEPT. STUDY CONTinues

N.Y. Film Tax Revenues for Year $300,331

By RICHARD J. CONNERS

ALBANY, Aug. 22—The State of New York received $300,331 from its motion picture tax in the 12-month period ended June 30, 1939, it was learned here today. The tax was assessed for the work of the Motion Picture Division of the Department of Education, headed by Director Irwin Egan, which reviews the pictures on submission, censors or deletes portions when necessary and issues a seal for exhibition throughout the state.

The tax is $3 per 1,000 feet or fraction thereof on the original submitted and $2 per 1,000 feet for each duplicate. For the fiscal year ended June 30, 1938, the State of New York received $366,945.50 or $6,034 more than for the more recent 12 months, and

No Industry Meeting Is To Be Called Until After Labor Day

By BERTRAM F. LINZ

WASHINGTON, Aug. 22—Rejection of the proposed trade code by the Department of Justice as yet has had no effect upon the plans of the Department of Commerce to aid the industry in solving its problems, Commerce Department officials stated today.

No touring bureau, with which distributors or exhibitors are planned for the near future, and none will be called until after Labor Day.

It was made clear that the Department of Commerce group which interested itself in the film situation did not consider the proposed code to be the only solution to the industry's problems. Rather, the code was looked upon as one of a number of possible expedients which might be developed to better relations among the various groups.

The Department of Commerce officials are fully conversant with latest developments in the code situation and have not been advised by the distributors of any changes in their plans. These officials are continuing their study of the factual material which

SWG 'Blacklist' Told at Hearing

HOLLYWOOD, Aug. 22—Blacklist threats during the controversy between the Screen Writers Guild and the producers were laid today to Jack L. Warner, vice-president of WARNER BROS., and Harry Cohn, president of Columbia, at the N.L.R.B. hearing into charges filed against eight major producers.

The testimony was given by Dalton Trumbo, Guild member, who occupied the stand most of the afternoon.

He said Warner, in connection with the S.W.G. affiliation with the Authors League of America in 1936, told writers at the studio that "many writers wouldn't last long in this business."

"Communistic," Says Jones

Trumbo declared Cohn forced him into a long-term contract on threat of blacklist.

Grover Jones, first president of the Screen Playwrights, Inc., testified that the organization was formed "to get

(Continued on page 2)
Purely Personal

LEO SPITZ, John Balaban and George M. Stevens have returned by plane to Chicago from a week's fishing trip in northern Canada. They flew down from Winnipeg.

HARRY LYONS, manager of the RKO Republic Theatre, Brooklyn, is on an 18-day vacation cruise through the Panama Canal to Mexico. Herriman Grasing, the theatre's assistant manager, is vacationing in his absence.

LOUIS GOLDBERG, division manager in charge of the 17 RKO houses in Brooklyn, is summering with his family at Long Beach, L.I.

JEAN MUIR arrived from Hollywood by TWA Sky Chief yesterday en route to Greenwich, Conn., where she will rehearse for a role in "It's Always Juliet."

Bob Russell of the Poli circuit, New Haven, is in town conferring with Joe Vogel and Oscar Door.

Anna D. Ellmer, Loew advertising department office manager, is back at her desk after a Lake Placid vacation.

Lester Israel, Loew projection chief, is in New Orleans for the first trials of the new "double track" sound development with "The Wizard of Oz."

H. M. Richel of RKO returns tomorrow from Detroit.

Andrew Christensen, Irving Trust representative in RKO, is back from a vacation.

Pat Casey is expected here from the coast on Friday.

Donald Crisp, Warner player, arrived in New York yesterday on the Lusitania after a vacation abroad.

Renee Carroll, hatchet girl at Sardi's, will be interviewed on an NBC television program at 1 o'clock today by George Ross of the World-Telegram.

3 Flights Daily
NEW YORK TO LOS ANGELES
It's Cool All the Way!
THE PLAINSMAN
Ltv: 7:41 p.m. Arr: 12:39 A.M.
THE MERCURY
Ltv: 5:10 p.m. Arr: 7:43 A.M.
THE SOUTHERNER
Ltv: 10:10 p.m. Arr: 1:55 P.M.

3 Flights Daily
NEW YORK TO ALBANY

Wednesday, August 23, 1939

MOTION PICTURE DAILY

Coast Hearing Told Writers Blacklisted

(Continued from page 1)

pad of that lousy communist Writers' Guild. It seems Josephine Vitro and clashing frequently with Leonard S. Janofsky, S.W.G. counsel.

For his part, Mayer, and O. Selznick and John Lee Hamm, Screen Playwrights president, to the stand. Mayer testified that the Playwrights agreement amount is being addressed in the following the late Irving Thalberg to M-G-M writers. Mahin corroborated Mayer and said he resigned from the SWG following Thalberg's talk. Selznick told of his approval and signing with other producers of the Playwright's contract.

Zanuck on Stand

Opposition of Darryl Zanuck to SWG is under the Hollywood Authors League of America was told by the producer as he appeared as the hearing continued. Zanuck described the A.L.A. move as "an effort to set up a group antagonistic to the industry" to control Hollywood film material.

Describing his rise from writer to producer, Zanuck denied having intimidated writers into resigning from the Guild. He said film writers are required to be a certain "group of writers and dramatists" as incompetent playwrights and that the east-coast group is jealously guarded and sometimes makes the one script as it is possible to earn on one book or play.

Meeting on Studio Union Pact Friday

Meeting of the international unions which are signatories of the five-year-long contract will be held Friday morning in the Robert Treat Hotel, Newark. Meeting was requested by the unions and the date and place were confirmed by the producers' labor representatives yesterday.

Union officials said "nothing of importance" is on their agenda for Friday's meeting.

MOTION PICTURE DAILY
(Registered U. S. Patent Office)

Published daily except Saturday, Sunday and holidays by Quigley Publishing Company, Inc., Rockefeller Center, New York City. Telephone, 7-3309. Cable address "Quigraphics, New York." Martin Quigley, Editor-in-Chief and Publisher; Colvin Brown, Vice-President and General Manager; Waterson B. Rotterher, Vice-President; Sam Shain, Advertising Manager; Charles B. O'Neill, Managing Editor; Chicago Bureau, 24 South Michigan Avenue, C. B. O'Neill, Manager; Hollywood Bureau, Postal Union Life Building, Los Angeles, California, William R. Weaver, Editor; London Bureau, 4, Golden Square, London, W. 1, Miss Letitia S. Keen, Manager; New York, 14, E. 42nd Street, E. J. Quigley, Manager, cable address "Quigraphics, London." "Quigraphics" is copyrighted by Quigley Publishing Company, Inc. Other Quigley titles copyrighted are "MOTION PICTURE DAILY," "Theatrical" and "Seattle Motion Picture Daily." New York, London and Los Angeles.

Critics Due Today

For Scraton Trip

About 40 film critics from the eastern half of the country are due in New York tonight to join the Universal party to honor Gloria Jean on the occasion of the world premiere of "The Under-Pup," in which she makes her film debut. Headquarters of the party are at the St. Moritz Hotel.

Tomorrow morning the group will leave for Scranton, Gloria Jean's home town, where the premiere of the picture will be held tomorrow evening at the Comerford Strand. Numerous social events for both the critics and the young star and her friends have been planned for the two days the party will be in Scranton. The group returned to New York in time to help observe "Gloria Jean Day" at the World's Fair on Sunday.

Edward Levy Sentenced

Edward G. Levy, secretary of the Connecticut M.P.T.O. and general counsel of national M.P.T.O.A. for a number of years, was sentenced to serve one year in state prison for his part in the conspiracy case against officials of the city of Waterbury, Conn. Levy, a New Haven lawyer, turned state's evidence and pleaded guilty about one year ago.

Loop Relief Fund

To Aid Film Needy

CHICAGO, Aug. 22,—A fund has been established for the relief of persons in the industry here who are unemployed and in need. The fund was established immediately after the Jack Kirsch testimonial dinner, the proceeds of $2,300, being set aside for this purpose. Of this sum, the committee has already distributed $1,140.94, leaving a balance of $1,159.06.

The group also reported that the net proceeds of the Clyde Eckhardt Silver Anniversary Testimonial Dinner were $3,950, being added to the proceeds of the following dinners, which money will all be used for relief purposes. Kirsch is chairman of the committee.

Television in Tavern

A television receiver is now being installed in Bob Goldstein's tavern on West 48th St. Television receivers have appeared in theatre lobbies, department stores and other places of business, but this is the first set to be placed in a Broadway restaurant.

INSIDER'S OUTLOOK

By SAM SHAIN

EONARD GAYNOR and Bland Johnson have changed the name of their pet rooster from Fido to Golden Boy, because he got the best of a tussle with one of the guests on the farm during the past weekend. Golden Boy is a regular fighting cock and enjoys pecking away at anything or anybody he can reach. Generally, he gets beaten off, so that when he actually gets away with a bite or a nick, that's something. Of course, the fact that Gaynor is associated with Columbia Pictures hasn't anything to do with the change of title.

LYNN FARNOL gives a luncheon at the Plaza yesterday for Clarence Erickson, who is the business manager and treasurer of the Walter Wanger company. Present were Terry Ramsaye, Monroe Greenenthal, Red Kann, Al Margolies, Jack Harrower and Harry Koziner.

ON Armando's Whippet, a 72-foot, luxury cruiser over the weekend with Matty Fox, Jack and Bill Skirball—to Saratoga for the races and back to New York for an evening sail around the Battery. The yacht ran aground off Golden Gate Saturday night when rain was encountered from Albany to Poughkeepsie.

Friday night, somewhere between Albany and Troy, the boat ran out of gas, and a passing cruiser answered our "Ahoy!" "Ahoy!" and skimmed back to Albany to bring us enough gasoline to get to Troy. The boat is to be part of the party, but there were many more things from the trade, including Ned Depinet, Jack Pulaski, Willard McKay, Herbert Baywood Swope and David Sarnoff.

In his budget recommendations to the legislature, which he made in January, Governor Herbert H. Lehman estimated the film tax receipts would amount to $300,000 for the fiscal year ending March 30th, last. Figures from Albany now show that the actual receipts were $300,315.00, which is pretty close figuring and proves what a shrewd judge of such matters the Governor really is.

ALTHOUGH not obligated to deliver "First Love," the Deanna Durbin picture, under the 1938-39 contract because the picture is unavailable for release during the current season, Universal is going to let exhibitors have it just the same on the old contract. This is Universal's way of expressing its gratitude to exhibitors. Time was when exhibitors had to go to law to enforce rights for delivery of product under such conditions.
Front page flash from N.Y. World-Telegram (typical of news coverage) as New York went wild!

10,000 Wait in Line To See Wizard of Oz

Fans Circle Block Standing Four-Abreast

Thousands of women and children, with a few men sprinkled among them, today surrounded the block in which the Capitol Theater is located, waiting in line to see the Wizard of Oz on its opening day.

The line began to form before 8 A.M. and when 6,000 marched into the theater, when the doors opened at 8:45, there still remained a line in which there were 4,000 movie fans, police estimated, and 2,000 by the estimate of the theater's press agent.

The line, which 100 police controlled, began at the box office; extended north to 51st St., east to Eighth Ave., south to 50th St., and west to Broadway.

For most of its length people were standing four abreast. Broadway showmen who happened by stared in amazement. They commented that the Wizard was the biggest hit since Snow White and might turn out to be even a greater draw.

OH BOY!
U. S. Survey Of Industry Will Continue

(Continued from page 1)

has been compiled as the basis for further discussions with various interests in the industry.

"We have not heard anything from the distributors and are proceeding with business as usual," said the department.

No definite plans have been worked out for future activities, although the department is weighing the implications of the code action after the current study of the statistical material is completed.

Distributors Denier Code Action for Month

The proposed trade practice code, which received its knockout blow from the Department of Justice last week, will be permitted to rest in peace for at least a month insofar as distribution activity is concerned, it was learned yesterday.

At the end of that time, and if there is any indication of a change of heart or mind on the part of the Government, exploratory moves may be initiated to determine whether or not a respirator would make a page of a revival of the code—even an attempted one—appears then to be out of the question, the code will be put aside permanently.

Contract Clauses Possible

However, it appears likely that in such an event, individual code features could be incorporated in company contracts, as reported by Motion Picture Daily on Monday. Companies would be obliged to act individually in this direction, however, and there would be little or no likelihood of uniformity in the matter of contract clauses. Thus, some provisions of the code, as originally approved, might be found in the license agreements of some companies and not in others, although the license agreements are generally different.

Conference Postponed

Earlier plans for a conference of company attorneys with Assistant Attorney General Thurman Arnold with the announced purpose of attempting to convince him that exhibitors want the code and that it could be given to them legally, have been dropped for the present, at least. The plan met with some opposition and, in addition, was regarded by many industry attorneys as a hopeless procedure at best.

Will H. Hays, who returned from the coast on Monday, held a meeting two weeks ahead of schedule, was described as being "stunned" by the Arnold letter which spelled the code doom. Hays, however, made no public comment on the matter.

California I. T. O. To Discuss Stand

LOS ANGELES, Aug. 22.—Board of directors of I.T.O. of Southern California will meet tomorrow to discuss Thurman Arnold’s proposal for a new trade practice code. The organization is one of the unaffiliated groups which participated in the code action after the current study of the statistical material is completed.

Richman Has ‘Peace Plan’ in Actors Dispute

(Continued from page 1)

sented, without prejudice to its position, to agree to his request for a postponement of Mr. Tucker’s case until Aug. 24, 1939 at 2 P.M., when a special council meeting will be held.

Equity officials declined to reveal what proposals Richman had made, but it is understood that he offered to try to have some of the proposals. He felt that he might have something to offer in two days.

An appreciative of the situation, Miss Tucker and Ethel Whitehead, A.F. of L. executive secretary, declared that he had gone before the council "strictly in the white heat" and "out of the brightness of his heart."

Whitehead pointed out that Rich- man could not have any ideas, should have submitted them to the council. In any event the L.A. must approve all peace plans. That’s definite," Whitehead insisted that the A.F. of L. would not come peace but that it had not changed its original stand.

It is very nice if Harry Richman can accomplish what the A.F. of L. executive council could not accomplish," Miss Tucker said.

Tucker called an executive council meeting to consider the latest developments for 4 P.M. today. She was still undecided as to whether the council would meet at all, although it could appear before the Equity council tomorrow when her case comes up before it, Whitehead explained.

It is advisable by the instructions of her attorney. Miss Tucker was not present at yesterday’s Equity council meeting. Tucker, who was from the Actors Guild, came to a more ominous note.

Following an executive board meeting of the L.A. yesterday made public the text of a resolution offering full support to any exhibitor who refuses the L.A. attempts at reprisals. Declaring that "any attack or reprisal against one 4-A union is an attack on all 4-A unions," they said that the strength and "economic and otherwise... for the duration of a clean fight.

The resolution stated that the S.A.G. would support the "one big union" plan, provided each group maintained its autonomy.

The pledge to support other unions against reprisals from the 4-A was generally interpreted as a threat of a strike on the coast if the board refuses to permit "Leave It to Me" to reopen without Miss Tucker.

U.S. Survey Of Industry Will Continue

(Continued from page 1)

All 3 Skirball Films To Be Made in East

All three of the features planned by Knickerbocker Pictures, the new company formed by John Skirball, producing company, will be made at Eastern Service Studios, Astoria, the studio releases yesterday.

The productions will be budgeted at about $400,000 each and will be distributed by Columbia. The first to go on the lot will be a feature called "Greta Is 22," by Sinclair Lewis, start of which is scheduled for early October. Further productions to follow will include: "For All These Lovers," by Ursula Parrott, and "Fourteen Uncles," by Peter Arno and Bertram Van Santen.

Production of the first picture in each six-month period, it was said.

Budgets are the highest budgeted to be slated for eastern production in many years.

Judell Purchases Arizona Studio Site

HOLLYWOOD, Aug. 22.—Producers Pictures Corp., of which Ben Judell is president, has purchased a site near Prescott, Ariz., where studio sound stages, western streets and period settings are to be built for the filming of outdoor pictures.

Three series of westerns, of eight films each, will be made at Prescott, according to bankruptcy Clark in the "Sagebrushers Club." One, to be made in Houston, in the "Tales of Billy the Kid," and Tim McCoy, in the "Frontier.

‘Citizen’ Withdramn

MADISON, Wis., Aug. 22.—Following protests from labor groups, the Capitol here pulled “Our Leading Citizen” after a showing of only one day.

N.Y. Allied Defends Course In Reply to National Allied

By AL FINESTONE

New York Allied has consistently supported the policies of National Allied, despite efforts of the parent organization to “wreck” the state unit, it is declared in a statement released yesterday by New York Allied, of which A. Cohen is president.

The statement is in the form of a bulletin to members in answer to charges made by National Allied when expelling the state unit from membership.

At the outset the bulletin asks: "Will we permit the ‘inner circle’ of National Allied to govern the future independent exhibitors in this country?"

A Few “Backbiters"

New York Allied charges that “efforts were made by the present unit and try and create another unit which would bow sub- serviently to the wishes of the ‘inner circle’ and do exactly as they are told.” It is declared that a few “backbiters” within the state unit were "marked members" of the unit and "all this chopping in the back was being at- tempted without the knowledge of the membership at large and certainly without the knowledge of the president of the organization."

"National Allied’s assertion that ‘marking members’ of the unit are out of sympathy with the leaders is declared to be ‘a deliberate and mal- intenioned statement,’" it is said. A meeting at Syracuse unqualified ap- proval was given to the actions con- templated by New York Allied, and this by a vote of ‘unanimous’ of the vote of the membership.”

This charge, says New York Allied, "is just another effort to draw a ‘red herring’ across the trail, on the part of National Allied, so as to attempt to overshadow the important and con- siderable body of work being carried on by this unit."

The bulletin makes specific answer to the grounds for expulsion stated by National Allied. It is charged that the New York Allied did not fail to support the national organization financially, that it acted con- trary to National Allied policies and failed to curb attacks on National Allied by Cohen and Harry G. Koch, New York Allied president.

In 1932, says the bulletin, the na- tional organization attempted unsuccess- fully to form a New York State unit, due to the policies of the national organization at that time. When the present unit was instituted the latter was continued and the unit “somehow made ends meet,” the state- ment continues.

If you are expelled because of a top- heavy burden placed on us by Na- tional Allied, in a job that they have failed miserably to complete,” says the bulletin. “And remember this, too— we are expelled from membership when we never were accepted into membership of National Allied."

Cole Praised Unit

It is further declined, by quoting the official minutes of New York Al- lied’s annual convention in May that both Cohen and Koch vigorously sup- ported National Allied’s policies and course of action and that Col. Cole, the delegate of the unit, had spear- head the unit’s successful organization.

The convention went on record, it is pointed out, in the course of this the national policies while favoring continuation of negotiations on the pro- posed trade practice code. Col. Cole declared at the time that National Allied welcomed recommendations from state units and that the resolu- tion on the code would be given every consideration by the national board.

“The is,” says the bulletin, “beyond any question a doubting and exclulsive proof on the part of Col. Cole as any proof could be that he found no fault with the policies of New York Allied and could not be interpreted— if fact he endorsed them. We defy anyone to state that we have deviated one iota from the course and from the policies charted by an overwhelming majority of the membership.”

Richman Has ‘Peace Plan’ in Actors Dispute

(Continued from page 1)
Hello-
say “Hello!” and get on to what’s happened! Universal has found a new star! A girl with a thrill-ion dollar voice, an amazing faculty for being herself. A star who’s first picture finds her surrounded by the top favorites of Hollywood and backed by the production genius of Joe Pasternak, unerring creator of successes!

Robert CUMMINGS • Nan GREY

and Gloria JEAN in

"The UNDER-

—There's one in every family!

with

Beulah Bondi • Virginia Weidler • Margaret Lindsay
C. Aubrey Smith • Billy Gilbert • Ann Gillis
Raymond Walburn • Paul Cavanaugh • Samuel S. Hinds

Original story by I. A. R. Wylie • Screenplay by Grover Jones • Directed by RICHARD WALLACE

A JOE PASTERNAK Production
HERE'S A STORY SO HUMAN YOU COULD CAST IT WITH ANY FAMILY, ANY YOUNG LOVERS, AND ANY SHINING YOUNGSTER—PROVIDED SHE HAD THE VOICE IN A MILLION THAT IS GLORIA JEAN’S!

Nothing ever happened to this family until Pip-Emma wrote about trees . . . . . . . .

HERE’S HOW
JOE PASTERNAK (Creator of the Deanna Durbin successes)
CAST “THE UNDERPUP”

1. Gloria Jean’s first movie role is that of “Pip-Emma,” a girl full of pranks and golden voice.
3. Nan Grey plays “Priscilla,” who, for a time, denies Denis’ claim that he’s best things are free.
4. Beulah Bondi is inimitable as a chilly old maid with a reserve like the Federal Bank.
5. Virginia Weidler was assigned as “Shy Janet.”
6. Margaret Lindsay plays Mrs. Cooper, Janet’s troubled mother.
7. C. Aubrey Smith, irascible, dominating as “Grandpa.”
9. Ann Gillis was handed the part of “Letty-Lou,” red-headed “stooge.”
10. As the moneyed Mr. Layton, Raymond Walburn really swings his weight.
11. Paul Cavanaugh plays the good provider but bad father.
12. Shirley Mills is the dictatorish president of the “Penguins.”

But that did it! That brought on the people…and the Penguins . . . and the kind of happenings that could occur only in—and out of—a typical American home!

AUGUST 24th SEES the WORLD PREMIERE of UNIVERSAL’S
“THE UNDER-PUP”
—There’s one in every family!
at the Strand Theatre, SCRANTON, PA.
GENERAL RELEASE SEPTEMBER 1st
Backed by a $75,000 National Promotion Campaign
New York Previews

"The Star Maker" (Paramount)

This new Bing Crosby in the title role, the title of the film itself, with its suggestion of the origin of the film, the work of the famous cameraman Edwards, and the appearance of the young singer, Linda Ware, are invaluable selling assets for the exhibitor showing "The Star Maker."

This Charles R. Rogers production has tuneful music of today and yesterday, which is certain to arouse a gratifying response in any audience, young or old; the appearance of the Philharmonic Orchestra, conducted by no less than the notable Walter Danrosse himself, which provides the film with a certain distinguished appeal, and dozens of extremely talented youngsters.

The film is a natural for exploitation along the child talent lines, since the film is basically Crosby's developed idea of kidle shows and a talent hunt across the country, and that type of exploitation has never failed to score successful response. Paramount has made great exploitation use of the fact that Linda Ware, who makes a striking musical appearance, is an orphan, an idea which the alert orphans also may turn to advantage.

Roy Del Ruth directed from a screenplay by Frank Butler, Don Hartman and Arthur Caesar, based on a story by Caesar and William R. Fullmer. Thursday, the kiddie stage numbers effective and well turned. In support are Ned Sparks, as the press agent who assists Crosby in developing his child acts; Louise Campbell as the star's long-suffering wife; Laura Hope Crews, as the former opera singer mother of young Miss Ware, and Thurston Hall, as Mr. Proctor.

Crosby, song writer, married to Miss Campbell and with more ideas in his hat than the proverbial 100, is the film's star. The film finally "arrives" and with cross-country talent hunts and the likes, hits the top. But the Gerry Society clamps down on the children working at night, Crosby gives Miss Ware's contract to Damrosse, assuring the girl's future, and the star man is down once again, until radio crystal sets come to his attention. Unabruptly, ending pictures, he rides again on top, this time in the new medium.

Running time, 94 minutes. "G."* CHARLES S. AARONSON

*"G" denotes general classification.

World's Fair Fetes 'Golden Boy' Today

Special events have been arranged at the World's Fair for today to honor William Holden, new Columbia star, who has the title role in "Golden Boy."

The day has been designated "Golden Boy Day," and will start with a welcome to Holden at the Administration Building shortly before noon. Later, he will serve with Adolphe Menjou as a grand marshal of a Children's Day parade, will tour the Fair grounds, appear with Ben Bernie in the Amusement Park and end by receiving the flag of the Washington family coat of arms. Holden is described as being "a collegial descendant of George Washington on the maternal side."

Columbia has set Sept. 5 as the national release date for "Golden Boy."

Loew Shifts Ad Men

Gene Murphy of the Loew circuit advertising and publicity staff, is now handling newspaper contacts for the New York circuit and Loew's State advertising. George Shauf, who has been handling the State, has been placed in charge of Brooklyn newspapers. Alfred Garvin, formerly assistant to Edward Dowden, Brooklyn publicity director. Dowden will continue to work on circuit campaigns out of the home office.

Newsreel Parade

The critical turn of events abroad and pictures of a runaway British aircraft carrier capture first attention in the new edition. The reels and their contents follow:

MOVIENTONE NEWS, No. 99—Europe reaches boiling point; outlook for peace is bleak as Austria-Bulgaria agree on railroad. New British airplane carrier, the Formidible, this week on the way to the Mediterranean. Postmaster General Farley visits Warsaw. King Victor Emmanuel reviews Italian army and British. King George VI has left Paris, New War Resources Board formed. British girls use bow and arrow. John Cobb after new auto record. Sir Malcolm Campbell sets mark.


Griffith Asks Details In Government Suit

OKLAHOMA CITY, Aug. 22—The former producer fighting a Government anti-trust suit alleged in a plea filed in Federal Court here that the injunctions sought by the Government "if granted, will wreck their business."

The assertion was made in a memorandum which the four theatre circuits, which own and control 200 theatres in three states, including Oklahoma, filed in court in support of their motion to dismiss the Government to detail and amplify its charges.

"Certainly when the very existence of these exhibitors is at stake, they should be asked in some reasonable certainty the thing with which they are charged," the memorandum said.

Burroughs-Tarzan Drive

Burroughs-Tarzan Enterprises, Inc., has inaugurated a new series of press releases running from Aug. 15 to Sept. 30. Prizes are to be awarded to independent exchanges handling the product. "Tarzan and the Green Goddess" is the last independent Tarzan film, since M-G-M has the exclusive right to all Tarzan stories.
**Hollywood Previews**

**"The Adventures of Sherlock Holmes"**

Hollywood, Aug. 22.—Following the enthusiastic public response to "The Hound of the Baskervilles" in which "Sherlock Holmes" was recreated on the screen, 20th Century-Fox decided to make a series based upon the famed Sir Arthur Conan Doyle character, with Basil Rathbone as "Holmes" and Nigel Bruce as "Watson." "The Adventures of Sherlock Holmes" is the second in the series, and is taken from the story "Sherlock Holmes" by William Gillette. In it, "Holmes" and "Watson" foil a dangerous criminal who commits a strange murder to throw them off his track while he attempts, unsuccessfully, however, to steal the Crown jewels from the Tower of London.

Supporting Rathbone and Bruce are Ida Lupino, Alan Marshall, Rod La Rocque, Blyth Allen, and Dennis Price. The film was directed by Alfred Hitchcock. Running time, 73 minutes. "G." **VANCE KING**

**"Irish Luck"**

(Monogram)

Hollywood, Aug. 22.—A goodly turnout of resident correspondents, who witnessed this film in a studio projection room on a hot night agreed that it is the best of the Frankie Darro series to date. Majority opinion traced this superiority to the fact that it's the first film to bear the name of the young Darro as associate producer. Your coastal agent votes eye on both ballots.

There's a lot of plot tied into the swift story unreeled in this light hour. There's no ostentation about the unreeling. Darro is a bell boy in a hotel that happens to be an exchange center for hot bonds. It happens to be an amateur detective of more courage than canton. Much that is melodramatic occurs and some telling comedy by Mantan Moreland, as the colored porter, counterbalances it pleasantly.

The film is directed commendably by Howard Bretherton and the screenplay by Mary McCarthy, from a story by Charles Murney Brown, keeps the identity of the double murderer effectively concealed until the proper time.

Running time, 60 minutes. "G." **ROSCOE WILLIAMS**

**"Full Confession"**

(RKO)

Hollywood, Aug. 22.—This is the story, a generation-to-generation tale of the Catholic families, of the murderer who confessed his crime to the priest in the confessional and then defied the priest to betray him to the authorities to save an innocent man condemned for the crime. This is one of many tallings it has received at the hands of dramatists and this one includes all the essentials familiar to its fans plus some new ingredients which make it different.

Victor McLaglen is the murderer in this version, playing the part in a fashion reminiscent of "The Informer," and Joseph Calleia, last seen as the gangster in "Golden Boy," plays the priest with effective restraint. Sally Eilers, Barry Fitzgerald and Elizabeth Risdon have other principal parts, although the priest and the murderer carry the burden of the narrative.

Starting slowly, director John Farrow gets things moving along nicely after a time and works up considerable suspense in the latter stretches of the picture. Robert Sisk served executive producer Lee Marcus as assistant producer, and the screenplay is by Jerry Cady from a story by Leo Birinski.

Running time, 65 minutes. "G." **Roscoe Williams**

*aG* denotes general classification.

**Weather and Races**

**Blow to Providence**

PROVIDENCE, Aug. 22.—The advent of a new racing meet at Narragansett Park and continued hot weather contributed to a generally falling off at A.B.C. (American Booking Corporation) "Carnival" and "Miracles for Sale" at Loew's State, garnering $10,000 for the Providence campaign.

Estimated takings for the week ending Aug. 16-17:

- **Winter Carnival"** (U. A.) *Miracles for Sale* (Para.)
  - LOEW'S STATE—$2,250 (35c-35c-5e) 7 days, Gross: $1,500. (Average, $214.29)
  - "Indianapolis Speedway" (W. B.)
  - "Waterfront" (W. B.)
  - "Island of Lost Men" (Para.)

- **"Blonde Takes a Vacation"** (Col.)
  - ARLOWS (35c-5e-6c) 7 days, Gross: $1,200. (Average, $171.43)

- **"Feathers"**
  - BLUD "Quick Millions" (20th-Fox)
  - WARFIELD—$2,600 (35c-35c-4e) 7 days, Gross: $1,800. (Average, $257.14)
  - "A New Mexico Waltzes" (Vedla)
  - CLAY—$500 (15c-35c-4e) 7 days, 2nd week, Gross: $90. (Average, $12.86)
  - "Soviet Border" (Amkino)
  - LARKIN—$700 (35c-35c-4e) 7 days, Gross: $700. (Average, $100.00)

**No London Theatre!**

London, Aug. 22.—No picture theatre exists within the boundaries of the City of London. London County has 291 picture houses, but the City is a legal area to which is confined much of the commercial activity of the capital and which has in it the bulk of the stock exchange, broker markets and shipping offices, is entirely without a building licensed for film purposes.
Russian-Nazi Pact Comment
Crowds Webs

(Continued from page 1)

7:45 P. M. on the Blue; and at 8:30 P.M. the network presented the big list of experts out of London and Paris. Earlier in the day NBC presented a number of broadcasts from Europe including a report at 10:30 A. M. from Wallace Duell at Berlin and a broadcast from Kenneth Downs, who described the situation in Paris.

Mutual last night resumed its successful policy of presenting transcriptions of news broadcasts heard by short-wave from the capitals of the world.

NBC presented the firsttrans-Atlantic discussions of the non-aggression agreement and the planning for when it presented William Hillman, INS correspondent in London, and Baughke, from Washington. This broadcast beat opposition programs from Europe by some 40 minutes. CBS, however, was first on the air with a broadcast of the treaty, broadcast at 6:29 P. M. Monday.

Power Increases
Sought by Stations

WASHINGTON, Aug. 22—In an increase in power have been asked by a number of broadcasting stations in applications filed with the Federal Communications Commission.

An increase from 1,000 to 5,000 watts was asked by WTOP-WMBF, Miami, while KFQG, St. Joseph, Mo., asked for extension of time from day to day to unlimited an increase of power from 500 watts which will be added to 5,000 watts; WOLS, Florence, S. C., and KVOS, Bellingham, Wash., asked for an increase from 250 watts to 500 and also 250 watts to 500 watts; WLLL, Lowell, Mass.; WMAS, Springfield, Mass.; WOAI, Owensboro, Ky.; WCFL, Port Huron, Mich.; WCMI, Ashland, Ky.; WGRM, Grenada, Miss.; WOPJ, Bristol, Tenn., and WHGU, Anderson, Ind., asked for increases of night power from 100 to 250 watts.

Canada Exposition
Will See Facsimile

TORONTO, Aug. 22.—Added to the film, television and newspaper coverage and the exhibits already announced for the Canadian National Exhibition, for the 13 days of the 1939 exposition, arrangements have been made for a demonstration of facsimile for the first time public for the Dominion.

This exhibition, which will be open throughout the fair, is being presented by the Newfax Canada Ltd., which has offices in Montreal and the Dominion. The fair also is providing the introduction of television, the equipment for which was donated by RCA. Insofar as the exhibition is concerned, motion pictures are also practically new and the screen attraction is the Paramount full length feature of the Royal Visit, which is being presented nightly.

BANNER RADIO LINES

By JACK BANNER

WINCHELL BLUNDERS . . . In Sunday's column Walter Winchell told of a poll taken in Lindy's which purported to show the relative popularity of the local radio editors with the Broadway crowd. "Alton Cook, the World-Tribune's" column, is tied for last place with Alton Cook." Alton for the last two weeks has been away on vacation. His column has been handled by Maxine Cooke.

CHARITY GAME . . . There's to be a softball contest in Madison Square Garden Sunday night for the benefit of the Stagecrafters Dinner Club, which feeds needy thespians. The contest is to be between the Hellzapoppin cast and the CBS announcers' team. Nick Kenny, Dinty Doyle and John Steiner were ordered by Katherine Hepburn, Tallulah Bankhead, Tony Martin, Andre Kostelanetz, Carmen Miranda and other notables.

TRAGEDY . . . Last night David Laughlin got his first big break on the air when the Andre Kostelanetz "Tune-Up Time" series returned for the new season. Immediately following the repeat performance Laughlin received a telegram from Colorado Springs informing him that his father had died. Laughlin is flying west to attend the funeral.

NEW ACCOUNT . . . Newell-Emmett agency has just obtained the Pepsi-Cola account, and the agency is shopping for a radio program. A children's show is being sought.

A MOST NAUGHTY SOCIETY . . . As related in a news story in another column, NBC was the trans-Atlantic discussion of the Russo-German non-aggression treaty, with William Hillman, INS representative in London, and Baughke, NBC's Washington commentator, heard in a two-way discussion of the treaty. How Baughke beat the clock to the studios makes another interesting story.

Baughke, after a frantic search by NBC, was located in the home of Professor Charles Tansil, who had been discussing the European situation. Tansil, who was foreign affairs adviser to the Senate Foreign Committee during the World War, and Baughke, grabbed a couple of reference books, and in a taxi they drove up a list of questions to ask of Hillman. They get to the studio just 50 seconds before Hillman came on the air from London.

Chesterfield Renewes
Paul Whiteman Show

Chesterfield Cigarettes, through the agency of William Colley, has renewed the Paul Whiteman broadcasts over CBS for another year. Program is presented by Colley in conjunction with the new series titled "Society Girl" over a 35-station hookup, Mondays through Fridays. Friday night will be "Auditions," sponsored by Coca-Cola, in a renewal of the Monday through Friday dramatic strip, "Bachelor's Children," which is broadcast at 9:45 A.M. over 18 stations. Hellwig-Miller is the agency for the former program; Roche, Williams & Connelly the agency for the latter.

To Ask Carlin Quiz

Examination before trial of Phillips Carlin, sustaining program director of WCBS, will be asked of the N. Y. Supreme Court on Aug. 28 by Leo Linder, according to a notice filed yesterday. Linder is suing NBC for $25,000, claiming to have given the defendant the idea for the "Hall of Fame Presentation" program.

WOR and WHN Sign To Air Pro Football

Contracts were signed yesterday for WOR--Barnes & State--until the New York Giants professional football team and the Brooklyn Dodgers professional baseball team, over WOR and WHN, respectively.

General Mills will sponsor the broadcasts of both teams. The contracts were placed through the Knickerbocker agency.

The broadcasts will involve play-by-play accounts of each team. Programs get under way Sept. 14, and on succeeding Sundays thereafter for 18 weeks. Sportscasters for the games are as yet unselected, although it is believed Red Barber will handle the assignment over WOR.

Two Shows Cancelled

SAN FRANCISCO, Aug. 22.—Making way for a network broadcast of San Francisco Breakfast News with Sam Hayes, from Hollywood, KPO, NBC red outlet here, has cancelled Liberty, a show of two of sponsors, Continental American Accident Insurance Co., which sponsored Bob Anderson's newscasts locally. Babcock, which has been a market blanketing show on KSFQ, has been replaced with Bob Garred, and North American to KJBS, with Jim O'Neil.

CBS Signs Severad

Eric Severad, recently resigned as the "editor of the Firem musical," has been engaged by CBS to serve on the network's European staff.

NBC Signs 19 New Accounts
In One Month

New accounts signed on NBC from the end of the Labor Day weekend through Oct. 19, according to a survey. Practically all of the accounts will run into and beyond 1940. The programs are as follows:

Ohio Oil Co., sponsoring "Melody Marathon," Fridays at 10:30 P.M. over the Blue, starting Sept. 1; Grove Laboratories, sponsoring "Blue and White," will be heard in a Sherlock Holmes series, Mondays at 8 P.M. on the Blue, starting Oct. 2; Andrew Jergens Co., presenting "The Parker Family" Sundays at 9-15 P.M. over the Blue, starting Oct. 2; Quaker Oats Co., sponsoring "Hilda Hope, M.D."

NBC Signs 19
New Accounts
In One Month

General Mills Program

General Mills will sponsor "Jack Armstrong" Mondays through Fridays at 3:30 P.M. on the Red starting Sept. 25; Gordon Baking Co., sponsoring a series titled "One of the Finest" Mondays and Thursdays on a limited Blue network beginning Oct. 2; Charles Tuttle Co., sponsoring the "Serendipity" Wednesdays and Fridays at 6:30 P.M., starting Oct. 4.

Quaker Oats Co. will sponsor "Girl Alone," Mondays, Thursdays, starting Sept. 26; Tommy Riggs starts for the same sponsor Monday Sept. 24; Ralston-Purina will present Tom Mix Mondays through Fridays starting Sept. 25; Ward Baking Co. will bring back to the air Joe Penner on Thursdays, beginning Oct. 5; H. Pennick will present "The Dreamer" on Sundays starting Sept. 24; General Electric will return "Hour of Charm" beginning Sept. 17; Bob Becker in chats about dogs will be heard Sundays beginning Oct. 1 for John Morrell Co.; Sherwin Williams Co. will sponsor the Metropolitan Opera "Auditions" Sundays starting Oct. 1; Mars Co. sponsor "Dr. L. Q."

Winchell, Boyer Return

Andrew Jergens will return the Carlites and "Fugitive," Walter Winchell series starting Oct. 1; Miles Laboratories will resume "Barn Dance" Sept. 30; George Washington Coffee will return the "Taggart" Sept. 28 and "Bee Sept. 23; Quaker Oats will sponsor "Dick Tracy" beginning Oct. 7; Sunday's "Air View's" will "Living the Most Out of Life" Oct. 2; Pacific Borax Co. will sponsor "Death Valley Days," effective Sept. 29.

NBC Training Course

A new plan for filling in ranks in the arts of radio is being formulated at NBC by George Engles, network vice-president in charge of the Art and General Department of Civic Concerts Service. According to the plan, NBC will set up a training course for company employees. Ten candidates for the course will be selected from recommendations by department managers.
A UNIVERSAL PICTURE

IRENE DUNNE AND CHARLES BOYER IN "WHEN TOMORROW COMES" GAVE THE RIVOLI THEATRE, NEW YORK, THE BIGGEST OPENING IT HAS HAD IN THREE YEARS. THROUGHOUT THE COUNTRY THE STORY IS THE SAME.

A JOHN M. STAHL PRODUCTION
U.S. Creates New Group to Aid Business

Commerce Dept Unit Not To Study Films

WASHINGTON, Aug. 23—Establishment of a new Commerce Department activity, to be known as the Industrial Economic Division, to undertake to aid industries to solve their problems along the lines already experimentally tried out in the film, oil and fertilizer fields, was announced today by Secretary Harry L. Hopkins.

It was indicated, however, that the new group would not take over the motion picture study now in the hands of Dr. Willard L. Thorpe, Ernest A. Tupper and Nathan D. Golden. Funds for the new organization would be provided by Congress shortly before adjournment of the session and a number of men expert in various fields of commerce and industry already have been appointed.

The Industrial Economics Division, which will report only to Secretary Hopkins, will be vested with responsibility to bring improvement in those fields where business progress is being retarded. While the division's work may take up problems of any industries which in the future may ask for departmental aid, it is understood no change will be made with respect to the film negotiations because of the fact that the three men in charge of that work have become identified with conditions in the industry and shortly will begin the development of proposals for dealing with major problems.

'Under-Pup' Train To Scranton Today

Approximately 100 film critics and executives will leave New York by special train this morning for Scranton, where, as guests of Universal, they will attend the premiere tonight of "The Under-Pup," in which Gloria Jean, 11-year-old Scranton girl, is featured.

A special two-day program has been arranged for the preview party which is scheduled to be welcomed by a crowd of about 25,000 on arriving in Scranton at 1:00 P.M. The program includes a parade to city hall welcome by Mayor Fred J. Huester, and a musical program with the Scranton Philharmonic Orchestra featured.

Eve of War
London, Aug. 23.—All British film houses are included in the official blackout instructions issued by the British Government this evening. It is compulsory to extinguish all exterior lighting and neon signs from dusk to morrow. All London theatres undertook a voluntary blackout tonight.

Writers Assail Producers at NLRB Hearing

Hollywood, Aug. 23.—Screen Writers Guild members today paraded before the National Labor Relations Board to protest the trial in 1936 against the Authors League of America. That production heads sent letters accusing the Guild and described the Guild's leadership as "radical and communist" was the gist of testimony by Charles Brackett, SWG president, Wells Root, Stephen Morehouse Avery, George Seaton, Tess Slesinger, Richard Maibaum, Jack Ward, George Beicker, Melville Baker, Julius Epstein, Peter Milne and Abem Finkel.

Charles R. Rogers, formerly Universal vice-president, testified.

Brooklyn Wants a Picture Premiere of Its Very Own

Brooklyn, that borough of more than 2,000,000 souls, which has long been the butt of Manhattanites' humor, has decided it wants to get itself on the map. They've abandoned hope of ever having the Dodgers do that for them and the Brooklyn Young Men's Chamber of Commerce has decided to turn the film industry to aid and comfort.

Shocked when he learned from his research group that Brooklyn has NEVER led a world's premiere, John L. Hansen, banker president of the Chamber, broached the matter to several major companies. He offered real inducements, too. He promised a parade through Flatbush with a detachment of the U. S. Army from Fort Hamilton participating, and society leaders, political bigwigs and industrial tycoons at hand for the opening. Everything, in short, that Manhattan offers and then some.

Only hitch seems to be that there must be some reason for staging a world premiere in Brooklyn. Even Hansen concedes that. He says that the film must have its locale there, or at least a Brooklyn star. It seems that Samuel Goldwyn offices offered to open "The Real Glory" there but Hansen suggested that Manhattan would be more appropriate. Brooklynites with civic pride are not easy to satisfy, it would appear.

From a national publicity standpoint, Hansen points out, cooperation could be obtained from the 150,000 members of Junior Chambers of Commerce throughout the country. It goes without saying that Brooklyn newspapers and radio stations would help. Anyway, until Brooklyn gets its premiere we're here to advise that Brooklyn is that place across the river where they have their funny baseball team.

WARNERS SET UP OWN TRADE CODE

Tucker, Equity Seek Peace But Hope Is Absent

Sophie Tucker, president of American Federation of Actors, proposed to Actors Equity in a formal letter last night that committees from the A.F.A. and Equity meet to discuss peace proposals in the jurisdictional dispute between Associated Artists and Artists of America and the L.A.T.S.E. Nevertheless there was little indication that the warring factions were any nearer agreement than they have been in the past few months.

Miss Tucker's proposal was contained in a letter to Paul Dullzell, Equity executive secretary, in which she reiterated her call before the Equity council today to answer charges of "treason" which have been preferred against her. At the same time, Harry Richman, A.F.A. vice-president, stated that he had "no definite plan to offer" when he was asked for an adjournment from the council.

Expect Other Companies To Follow Lead with Similar Policies

By SAM SHAIN

Warner Bros. has decided to go ahead with its 1939-40 sales plans, setting up its own reforms, regardless of the code situation. It is the first company to set up such a policy. Other companies are expected to follow this W. B. lead, with similar policies.

In setting up this new policy, Warner Bros. executives were accuracy of the present conflation and diversity of opinion regarding reforms and the code now existing in the trade.

This new and clarified Warner Bros. distribution policy is no tie-in with the code although embodied in the new W. B. sales policy are reforms which have been included under the code.

Under the new merchandising policy, Warner Bros. intends to allow 20 per cent and 10 per cent cancellation privileges and conduct certain test-run showings to determine the price of certain pictures.

Recording charges are out. Arbitration is in for whoever wants it.

This new Warner Bros. plan embodies a 12-point policy and it is clearly set forth in a statement which was issued last night by Gradwell Sears, sales chief, and president of the...
See No Hope To Alter Film Act This Year

London, Aug. 23.—The meeting of Parliament in emergency session tomorrow to remove all possibility of legislation to amend the Films Act this year.

The Board of Trade currently is overwhelmed with emergency work, and will make no move as yet in the direction of promised amendments, notably the alteration of the terms of the multiple quota clauses.

The Cinematograph Exhibitors Association and the Cinematograph Reelists’ Society are considering the practicability and procedure involved in film houses for militia camps. The committee will meet tomorrow for further consideration of the problem.

Gartner to Studio

Charles Gartner, foreign publicity manager for Paramount, has been assigned to the studio publicity staff under Teri De Lapp and leaves Sept. 8. Paramount gave a luncheon to the foreign trade press at the Astor yesterday to introduce George Frazer, who will succeed Gartner.

Quigley Back from Tour

Martin Quigley returned from Europe last Friday following a two-month visit abroad, during which he studied motion picture conditions in England, Ireland, France, Italy and Spain.

WILLIAM F. RODGERS, general sales manager of M-G-M, plans to leave Chicago Monday for a vacation in the east and to confer with Thornton Wilder, whose play, “Our Town,” will be produced for the screen by Lesser. The producer also will motor through New England to select sites for backgrounds in the filming of the picture.

C. W. Clark, branch manager; George Friedel, head booker; Marion Osborne and Grady James, salesmen, of the 20th Century-Fox Exchange in Oklahoma City, will leave Aug. 30 for Kansas City to attend the middlewest district meeting of the S. R. Kent sales drive.

Will H. Hays may return to the coast within the next few days.

E. B. Coleman, M-G-M exploitation man, is in Oklahoma City, working on preparations for “The Wizard of Oz,” opening at the criterion next week.

John Barcroft, director of publication for the Columbia, O. RKO theatres, is in town. He will sail on the Roma for a two-week Caribbean cruise.

Maureen O’Sullivan sailed yesterday on the Queen Mary for England to appear in M-G-M’s “Busby’s Holiday” with Robert Montgomery. She is accompanied by her sister, Sheila.

Oscar Homolka, screen player, sailed yesterday for a vacation in Europe with his wife.

SOL LESSER, producing for United Artists, will arrive in New York tomorrow for a vacation in the east and to confer with C. W. Clark, branch manager; George Friedel, head booker; Marion Osborne and Grady James, salesmen, of the 20th Century-Fox Exchange in Oklahoma City, will leave Aug. 30 for Kansas City to attend the middlewest district meeting of the S. R. Kent sales drive.

Will H. Hays may return to the coast within the next few days.

E. B. Coleman, M-G-M exploitation man, is in Oklahoma City, working on preparations for “The Wizard of Oz,” opening at the criterion next week.

John Barcroft, director of publication for the Columbia, O. RKO theatres, is in town. He will sail on the Roma for a two-week Caribbean cruise.

Maureen O’Sullivan sailed yesterday on the Queen Mary for England to appear in M-G-M’s “Busby’s Holiday” with Robert Montgomery. She is accompanied by her sister, Sheila.

Oscar Homolka, screen player, sailed yesterday for a vacation in Europe with his wife.


BING MILLER, Columbia booker in Des Moines, leaves on a vacation this week, “I’ll be spent at his former house in Cleveland.”

WILLIAM SCULLY, Harry KALMINE, Sidney PHILLIPS, Ben WAHLER, Ethel EDELL, lunching at Nick’s Hunting Room in the Astor yesterday.

VERA ZORINA, following completion of her role on the coast in Warners’ “On Your Toes,” will arrive in New York this morning. She will join her husband, George Balanchine, and the couple will sail shortly for a European vacation.

JAMES CAGNEY will come east for a month’s vacation, at the end of his contract in Warners’ “Road to Yesterday.”

LAURENCE OLIVER left New York for Hollywood yesterday to play the leading masculine role in David O. Selznick’s “Rebecca,” for United Artists release. He arrived from Europe on Tuesday.

TONY MARTIN, Harry-richman and Lou Holtz at the ball game at the Polo Grounds yesterday.

CURTIS COKSEY will play the leading role in “Midway” next week at the Starlight Theatre, Pawling, N. Y.

UNITED... THE DISTINGUISHED WAY TO LOS ANGELES

Overnight to the coast.


Finest meals afloat. Call travel agents, hotels, or EUROPE.

LA HIFF’S TAVERN

The Industry’s MEETING AND EATING PLACE

156 W. 46th St. Tel. Chickerling 4-4200

For Lunch, Dinner or Supper

PUBLICITY DAILY

(Registered U. S. Patent Office)

Trade Code Is Offered By Warners

(Continued from page 1)

Vitaphot, distributing end of picture, the statement, which speaks for itself:

"1. We announced on March 14, 1939, that we would release 48 feature pictures and 48 trailers. We also stated that 'Quality is not a Passing Fashion. Our production of excellent value continues, based on the pictures finished and available for release justly that statement.

"2. An exhibitor who licenses all features and short subjects offered shall have the right, if he be not in default, to diminish proportionate amounts from the price brackets, 20 per cent of the total number of features licensed, if the average of the license fees for all features shall exceed $100 and 10 per cent if such average is in excess of $100.

"3. We confirm our policy of long standing and our intent to continue to license our pictures to our regular customers who prove to be worthy of our trust.

"4. No exhibitor will be required to license short subject, trailers or re-issues as a condition of licensing feature pictures.

"5. No recording charge will be made in connection with the licensing of any of our feature pictures.

"6. We assist in the booking problems of our customers, and for the mutual benefit of our customers and ourselves, it is our intention to hold a number of test exhibitions of pictures in order fairly to establish their proper price bracket allocation, and we will allocate features to particular price brackets not later than 14 days after the national release date there being no established by us in those cities which we may select as 'Test Cities' and to all others, on giving notice of the availability of each.

"7. We have never at any time coerced or intimidated any exhibitor in the matter of the purchase of pictures by threatening to build or otherwise acquire a competing theatre, and we will never do so. It is our belief that the quality of our pictures and the high standard of our production create a demand for our pictures."

Chicago Showmen Priming For the American Legion

By WILLIAM F. CROUCH

CHICAGO, Aug. 23.—Chicago theatre owners and exhibitors, especially those in the neighborhood, are looking ahead for special attractions during the American Legion convention that will be here this last week of October. The local committee in charge of the convention says that 225,000 legionnaires and their families will be present for this annual meeting.

Chicago theatres, neighborhood houses especially, are taking it on the chin and hoping to give the visitors to the fair attracting a crowd of 91,000 and more than 15,000, it is estimated, were turned away.

Theatre Lawrence Tibbett appears in a free concert at Grant Park and it is thought that he will equal if not break the record set a few weeks ago by Lily Pons for attendance at one of these affairs which are held night after night. Lily Pons and Arnold Newman drew a record 33,000 to the open air musical held on Chicago’s lakefront.

This Sunday the Chicago Times staged its annual bicycle day and more than 50,000 persons jammed Garfield Park for the free show, which had 1,000 contestants.

This coming week the All-Star football game is scheduled and 90,000 fans will be expected to jam Soldier Field. Theatremen are beginning to wish businessmen would stay out of the show business.

The suit filed by the Iattice Brice against 20th Century-Fox and a number of Chicago exhibitors was heard in Federal Court here. Superior Judge Charles A. Williams has ordered the transfer of the suit from Superior to Federal Court because the Illinois corporation is not a Illinois corporation.

Spitz & Adcock are representing Miss Brice.

Opening of the Telenews Theatre at Randolph and State Sts. is scheduled for the last week of October. The theatre will be Chicago’s first newsreel theatre. Dave Dubin is supervising the new enterprise.

Henri Elman is back from Hollywood after several weeks of conferences with Monogram officials and the Motion Picture Security Committee. During his stay in the Hollywood Elman made arrangements for new independent product for his Capitol Film exchange.

Veloz and Yolanda open a week’s engagement at the Chicago Friday. The dance team will appear at the B. & K. house only one week, as they open a Fall engagement in London early in September.

The Grant Advertising Agency and NBC are elated over the failure of Shreve’s to hire an advertising consultant to establish the radio show "Dr. L. Q."

V MI as a lottery. The ruling handed down by Master-in-Chancery Daniel Co-.*) as the radio shows a bill of health in other cities where it is booked, they believe. Final performance of the show here was Monday night at the Chicago Theatre. Next week it will be presented from the Stanley Theatre in Pittsburgh.

Prize winners at the Theatre Manager and Bookers Golf Tournament at Bon-Air Country Club last week were Sid Yates, Leo Miller, Billy Diamond, Dave Balaban, Ben Feldman, Charles Ryan, Ben Cohn and John Kirk. The former owner of the William Morris office here was in charge of the affair.

"Gold boy" will be the Labor Day week offering at the Chicago Theatre. A special stage attraction is being sought for the week.

Universal held a special trade showing of "The Under-Pup" at the Esquire Tuesday morning. More than 1,100 Illinois and out-of-state exhibitors were invited to see the picture.

Emergency Budget Set Up by Universal

An additional emergency budget of more than $200,000 has been established by Universal to insure completion and delivery on time of "Destry Rides Again" and "Green Hell," the company stated yesterday. The two pictures are the last to be scheduled for release during the current Exhibitor-Sponsored Testimonial drive.

The pictures are scheduled for re-releasing on Oct. 27 and Oct. 30, respectively.

Berman Has No Plans

HOLLYWOOD, Aug. 23—Pandro S. Berman said today he has no production plans beyond finishing up current work at RKO which will take until November or December, following which he plans a four-week vacation. The Berman made a South American trip.

Tucker, Equity Seek Peace But Hope Is Absent

(Continued from page 1)

council Tuesday to work out an "honorable settlement." A.F.A. officials are ready to reap the fruits of its affiliation with the L.A. Picketers who have been hounding the Biograph Odditorium were called off yesterday and the union started negotiations with the management. Only the Screen Stagehands Union, Local 1, were present at the negotiations last night and saving clause that the stagehands might threaten to strike if A.F.A. terms were not met.

Dudrell, in his letter to Miss Tucker, pointed out that her trial had been postponed until today at the request of Mr. Harry Richman who stated that the trial was likely to bring about an amicable, honorable adjustment of all our present difficulties' which we would like to appear before the Court and you have assurance that there will be no lawyers present at this hearing as the policy of the union is to compel you will allow even the association's attorneys to participate in matters of this kind."

Miss Tucker's Reply

Miss Tucker replied:

"Your actions having been guided by your counsel, I see why you do not appear before the Court. My future being at stake, I will not appear unless I am afforded the right to have counsel. I am always for peace and would be very glad to appoint a committee of the A.F.A. to meet with the union to discuss peace. No charges were ever raised against me personally. All charges arise out of my connection with the A.F.A. Be assured that I am always willing to do my best to discuss a peaceful solution."

Richman made it clear that he was still within the A.F.A. at all times and he was acting as an individual when he suggested that Richman might be accomplished, and that he was trying to get "reform" to the 4-A's so that it would have more reasonable attitude." Richman said he regarded the differences as very slight and could not see why the parties could not get together.

The A.F.A. council "condemned" Richman's actions but they did not share his optimistic views. The principal bone of contention—the continuation in office of Ralph Whitehead, executive secretary—continues as a major obstacle to peace.

Despite Miss Tucker's refusal to appear before the Court and answer charges, Richman declared that he will make his appearance. However, as he has an engagement out of town on Tuesday, he will request an adjournment.

Goldwyn Apparises

HOLLYWOOD, Aug. 23—Samuel Goldwyn today called President Manuel Quezon of the Philippines that the president has scheduled conferences with Resident Commissioner Elizalde in "The Real Glory" company of displaying as if on the courage of the Philippine soldiers will be changed.
1. We announced on March 14, 1939 that we would release 48 feature pictures, 104 short subjects and 48 trailers. We also stated that “Quality is not a Passing Fashion”. Our production performance since this date and the pictures finished and available for release justify that statement and announcement.

2. An exhibitor who licenses all feature motion pictures offered shall have the right, if he be not in default, to eliminate proportionately among the several price brackets, 20% of the total number of features licensed, if the average of the license fees for all features shall not exceed $100., and 10% if such average is in excess of $100.

3. We confirm our policy of long standing of allowing an exhibitor to eliminate any feature which may be locally offensive on moral, religious or racial grounds.

4. We expect all top bracket pictures to be played on preferred playing time.

5. We will license a run designated by us of our features in any situation to any exhibitor of good reputation as a theatre operator and customer, whose theatre is in good condition and who operates under a policy which will not substantially reduce our revenue from any other run, provided such exhibitor and we can agree upon the number of features to be licensed, and other terms and conditions.

6. We confirm our policy of long standing and our intent to continue to license our pictures to our regular customers who prove to be satisfactory.

7. No exhibitor will be required to license short subjects, trailers or reissues as a condition of licensing features.

8. No recording charge will be made in connection with the licensing of any of our feature pictures.
9. To assist in the booking problems of our customers, and for the mutual benefit of our customers and ourselves, it is our intention to hold a number of test exhibitions of pictures in order fairly to establish their proper price bracket allocation, and we will allocate features to particular price brackets not later than 14 days after the national release date thereof, to first run exhibitors in those cities which we may use as “Test Cities” and to all others, on giving notice of the availability of each feature.

10. We have never at any time coerced or intimidated any exhibitor to license our pictures by threatening to build or otherwise acquire a competing theatre, and we will never do so. It is our belief that the quality of our pictures and the high standard of our production create a demand for our pictures.

11. For over five years it has been our policy to arbitrate with any customer desiring so to do, all claims and controversies which may arise under our license agreements, and our form of license agreement contained an optional arbitration provision. We will continue to give to each of our customers the option to arbitrate all such claims and controversies.

12. Clearance is an absolute necessity in the conduct of our business and we therefore intend to continue our policy to negotiate with each of our customers for clearance reasonable as to time and area.

This policy will apply for the motion picture season 1939-40 and to all license agreements covering the 1939-40 products made after Jan. 1, 1939.

President, VITAGRAPH, INC.

Distributor of Warner Bros. and First National Feature Pictures and Vitaphone Short Subjects
<table>
<thead>
<tr>
<th>COLUMBIA</th>
<th>M-G-M</th>
<th>MONOGRAM</th>
<th>PARA.</th>
<th>REPUBLIC</th>
<th>RKO RADIO</th>
<th>20TH-FOX</th>
<th>U.A.</th>
<th>UNIVERSAL</th>
<th>WARNERS</th>
</tr>
</thead>
<tbody>
<tr>
<td>July 21 Goldie Takes a Vacation</td>
<td>Andy Hardy</td>
<td>Magnificent</td>
<td>South</td>
<td>Way Down</td>
<td>News Is Made at Night</td>
<td>Winter Carnival</td>
<td></td>
<td>I Stole a Million</td>
<td>Daughters</td>
</tr>
<tr>
<td></td>
<td>Get Spring Fever</td>
<td>Fraud</td>
<td>Bobby Breen</td>
<td>Preston Foster</td>
<td>Ann Sheridan</td>
<td></td>
<td></td>
<td>Courageous</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Lew Stone</td>
<td>Ahin Tamiroff</td>
<td>Alan Mowbray</td>
<td>Ware Case</td>
<td>Richard Carlson</td>
<td></td>
<td></td>
<td>John Garfield</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Lloyd Nolan</td>
<td></td>
<td>Clive Brook</td>
<td></td>
<td></td>
<td></td>
<td>Priscilla Lane</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>(A) (D)</td>
<td></td>
<td></td>
<td>(C)</td>
<td></td>
<td></td>
<td>Gloria Dickson</td>
<td></td>
</tr>
<tr>
<td>July 28 Behind the Man From</td>
<td>Goodbye, Mr. Chips</td>
<td>Island of Lost Men</td>
<td>Should Husbands Work?</td>
<td>The Spillbinder</td>
<td>Frontier</td>
<td></td>
<td></td>
<td>cowboy</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Robert Donat</td>
<td>Anna May Wong</td>
<td>Three Gleasons</td>
<td>Lee Tracy</td>
<td>Marshal</td>
<td></td>
<td></td>
<td>Backyard</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(G) (D)</td>
<td>Trux</td>
<td></td>
<td>Barbara Read</td>
<td>Randolph Scott</td>
<td></td>
<td></td>
<td>Bert Wheeler</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Binnie Barnes</td>
<td></td>
<td></td>
<td>Marie Wilson</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>(O)</td>
<td></td>
<td></td>
<td>Gloria Dickson</td>
<td></td>
</tr>
<tr>
<td>Aug. 4 Coast Guard</td>
<td>Mr. Wong in</td>
<td>Colorado Sunset</td>
<td>Bachelor Mother</td>
<td>Chicken Wagon</td>
<td>Four Feathers</td>
<td></td>
<td></td>
<td>Indianapolis</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Chinatown</td>
<td>(O)</td>
<td>Ginger Rogers David Niven</td>
<td>Family</td>
<td></td>
<td></td>
<td></td>
<td>Speedway</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Boris Karloff</td>
<td></td>
<td>(A) (C)</td>
<td>Wagon</td>
<td></td>
<td></td>
<td></td>
<td>Ann Sheridan</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(G) (D)</td>
<td></td>
<td></td>
<td></td>
<td>(C)</td>
<td></td>
<td></td>
<td>Richardson</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Aubrey Smith</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>(G)</td>
<td></td>
</tr>
<tr>
<td>Aug. 11 The Man They Could Not</td>
<td>Lady of the</td>
<td>Our Leading</td>
<td>New Frontier</td>
<td>Bad Lands</td>
<td></td>
<td></td>
<td></td>
<td>Pat O'Brien</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Tody</td>
<td>Citizen</td>
<td>(O)</td>
<td>Robert Barrat</td>
<td></td>
<td></td>
<td></td>
<td>(G)</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Bob Burns</td>
<td>John Wayne</td>
<td>Noey Beery, Jr.</td>
<td></td>
<td></td>
<td></td>
<td>(D)</td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Susan Hayward</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td>(D)</td>
<td></td>
</tr>
<tr>
<td>Aug. 18 Five Little Peppers and</td>
<td>These Glamour Girls</td>
<td>This Man Is</td>
<td>In Old Monterey</td>
<td>In Name Only</td>
<td></td>
<td></td>
<td></td>
<td>(D)</td>
<td></td>
</tr>
<tr>
<td></td>
<td>How They Grew</td>
<td>Tee Ritter</td>
<td>Monterey</td>
<td>Only</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Riders of Black</td>
<td></td>
<td>(O)</td>
<td>Carol Lombard</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>River</td>
<td></td>
<td></td>
<td>Cary Grant</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>Kay Francis</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Aug. 25 5 Little Peppers and</td>
<td>Wizard of Oz</td>
<td>Star Maker</td>
<td>Smuggled Cargo</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>How They Grew</td>
<td>Bing Crosby</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Riders of Black</td>
<td>Louie Campbell</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>River</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sept. 1 The Wild Stallion</td>
<td>The Women</td>
<td>Death of a</td>
<td>Flight at Midnight</td>
<td>Nurse Edith</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Fred Stone</td>
<td>Champion</td>
<td>Wall Street Cowboy</td>
<td>Cavell</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Rochelle Hudson</td>
<td>Lynne Overman</td>
<td>(O)</td>
<td>Anna Neagle</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sept. 8 Golden Boy</td>
<td>Henry Goes</td>
<td>Robert Paige</td>
<td></td>
<td>Edna May Oliver</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Arizona</td>
<td></td>
<td></td>
<td>(G)</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Frank Morgan</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sept. 15 Outpost of the Mountains</td>
<td>Dancing Co-ed</td>
<td>Television</td>
<td></td>
<td>Conspiry</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Charles Starrett</td>
<td>Spy</td>
<td></td>
<td>Allen Lane</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Iris Meredith</td>
<td>William Henry</td>
<td></td>
<td>Fighting</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td>Judith Barrett</td>
<td></td>
<td>Gringo</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td>George O'Brien</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sept. 22 Prison Surgeon</td>
<td>Thunder Afloat</td>
<td>Sky Patrol</td>
<td>The Day the Bookies Wept</td>
<td>The Rains</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Walter Connolly</td>
<td>John Trent</td>
<td>Joe Penner</td>
<td>Movie</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td>Iris Meredith</td>
<td>Richard Carlson</td>
<td>Betty Grable</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

[Dates Are Based on National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After Titles Denote the Following: (A) Adult, (G) General, (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action]
Critics Go To Scranton For Preview

(Continued from page 1)

Special events also will precede the premiere at the Comerford Strand.

Following the opening of the picture there will be a buffet supper and entertainment at the Carey Hotel. Tomorrow, Gloria Jean will be hosted to 10,000 youngwomen and children who will be led by such singing hits by the three critics will enthrall for New York in the afternoon.

Invitations to attend the premiere have been extended by the following: C. R. Roseberry, Knickerbocker Press and Edgar Van Olinda, Times Union, Albany; Dudley Glass, Atlanta Georgian; Louis Azerall and Norman Clark, Baltimore News-Post; Marjorie Adams and Charles Howard, Boston Globe; Demos B. and Boston Post; Joyce Dana, Boston Record; Helen Eager, Boston Traveler; Peggy Doyle, Boston American; James Hugie, Bridgeport Times-Star; Dorothy Day, Chicago Herald and Examiner; Dorothy Deere, Chicago Evening American; Doris Arden, Chicago Daily Times.

Also Stan Kohn and R. B. Radcliff, Cincinnati Enquirer; E. V. Dismen- man, Cincinnati Post; Gordon Davis, Cleveland Press; Eddie Bar, Dallas Dispatch Journal; Fairfax Nibset, Dallas Morning News; Ann Kennedy Lovett, Dallas Times Herald; James S. Pool- er, Detroit Free Press; Al Weischtat, Detroit Evening News; Jane Schermerhorn, Detroit Morning News; Ralph Wally, Harrisburg Patriot and News; Ed Smith and Robert Sidman, Harris- burgh Times.

Julian B. Tuthill, Hartford Times; Herbert Kenny, Indianapolis News; Henry Morrison, Jr., Indianapolis News; Switzerland; Albert A. Mathias, Louisville Times; Star; A. A. Daugherty, Louisville Times; Boyd Martin, Louisville Courier-Journal; John Mathias, Memphis Commercial Appeal; Hugh Frank Smith, Memphis Press-Sentinel; Elizabeth Hemp, Miami Herald; Pat McFadden, Sentinel; Pete Dailey, New Orleans Item; Keith Wilson, Omaha World; Holy Young, Toronto Globe and Mail.

The following fan magazine editors have accepted Miss Llewelyn Miller, Hollywood Magazine; Lester Grady, Silver Screen; May C. Kelley, Movietone; Elizabeth Lockwood, Movietone Life; Wade Nichols, Screen Guide; and Frederick James Smith, Liberty.

From the trade press the following will be in attendance: Picture Daily; A. Mike Vogel and James Cunningham, Motion Picture Herald; Leonard Weinberg, Bas- 1951; Bob Wile and Ralph Cokan, Showmen’s Trade Review; Jack Harrower, Film Daily; Jack Harrison, Hollywood Studio; Franklin, Jay Emanuel Publications; and Mo Wax Film Bulletin.

The full contingent of New York newspaper representatives will also be present in addition to the following Universal home office executives: Matthew Rosenthal, C. M. McCarthy, F. J. A. McCarthy, Joseph Seidelman, Anthony Petti, Lou Pollock, Hank Lenz, And Shariak, James Jordan, Marion Orloff, Morris Allin and For- tunat Baronat, who will head a group of foreign newspaper representatives.

"Wizard" Big Los Angeles Hit, $38,000

LOS ANGELES, Aug. 23 — The Wizard of Oz" took the town, with a combined gross of $38,000 at two theatres and $17,100 at Loew’s State. "Four Feathers" drew a solid $8,500 at the 4 Star, and "The Mystery of the Vanishing Stones" and "Unexpected Father" continued its smart pace in the second week at the $7,100 and Pantages, grossing $27,900 at both.

Estimated takeings for the week ending Aug. 23: "The Wizard of Oz" (M-G-M CHINESE (2,500) $8,500 (Average, $3,400) $8,500 (Average, $3,400) $8,500 (Average, $3,400) $8,500 (Average, $3,400) $8,500 (Average, $3,400) $8,500 (Average, $3,400) $8,500 (Average, $3,400) $8,500 (Average, $3,400) $8,500 (Average, $3,400) "Four Feathers" (U. A. A.) $5,000 (Average, $5,000) $5,000 (Average, $5,000) $5,000 (Average, $5,000) $5,000 (Average, $5,000) $5,000 (Average, $5,000) $5,000 (Average, $5,000) $5,000 (Average, $5,000) $5,000 (Average, $5,000) $5,000 (Average, $5,000) $5,000 (Average, $5,000) "Unexpected Father" (Univ.) HILLSTREET (2,000) (85c-65c) 7 days, Gross: $7,100. (Average, $1,000) "The Wizard of Oz" (M-G-M) $13,900. (Average, $1,000) "The Cowboy Quarterback" (W. B.) PANTAGES (1,000) (85c-65c) 7 days, 2nd week, Gross: $11,900. (Average, $1,700) "The Magnificent Fraud" (Para.) $1,800. (Average, $1,000) "Blind Pilot" (Para.) $1,600. (Average, $1,000) "Blind Cargo" (Para.) $1,600. (Average, $1,000) "A.

"Wizard of Oz"

"What Would You Do Chums?"

(British, National-Anglo-American)

LONDON, Aug. 23.—With a star whose brilliance, long shining elsewhere, has only recently been observed in the heavens of British radio, and a subject and background designed deliberately to exploit the appeal of the program in which he has built new popularity, this modest but homely story of London lowlife starts from scratch with much in its box-office favor. Even the title is derived from the catch phrase of Syd Walker’s "Band Waggon" act, and the role he fulfills is the same, that of the "Junk Man Philosopher."

Walker’s thriftyy Junk man character is set into a plebian piece about a junk man and his pretty if unofficial ward, and his love for a no-good boy who consorts with forgers and pin table promoters. The story unrolls easily and with a back street and market flavor clinging to it tells how Syd does his best to guard the girl against the gangsters. In the climax the Junk Man, philosophizing with himself, refuses to tell an easy lie in court, and lets the boy go to jail rather than trash the girl’s life.

The market backchat and banter is the real Cockney thing. Wally Patch and Jack Barty, noted Cockney comics, help the realism, but all the meany moments and situations are handed to Walker, whose benignly bearing person is in itself a character to fans.

Though the type of humor and the regional dialect will restrict the film’s appeal outside these waters, it is likely to find its way into the popular programs here without any difficulties or apologies.

Running time, 75 minutes. "A." AUDEY FLANAGAN

1939

"Conspiracy"

(RKO)

Hollywood, Aug. 23.—Tall, dark and handsome Allan Lane, personal to Linda Hayes, gruff Robert Barrat, glib Charley Foy and an extensive army of 88 minutes in scurrying through a series of captures and escapes, threatening situations and a rain of bad marksmanship for no reason ever clarified for the customers. A Hollywood preview audience gave up trying to figure out what it was all about and extracted a modicum of amusement out of laughing at the villains.

The melodramatics occur in an unidentified country dominated by secret police in uniform who seem intent on killing a young American radio operator, for no reason that he or the audience can discover, and who generally with whom he comes in contact. Just what the conspiracy of the title is all about.

The production is by Cliff Reid, direction by Lew Landers, screen- play by Jerome Chodorow from a story by John McCarthy and Faith Thomas.

Running time, 58 minutes. "G." ROSEWILLIAMSON

"Literal" of Los Angeles,

Women’s Clubs Aid

Films’ Anniversary

The N. Y. State Federation of Women’s Clubs is cooperating with the industry committee in observance of the motion picture’s 50th anniversary. Detailed plans for the participation of individual units of the federation will be submitted to it by Dorothy Smith, chairperson of its Motion Picture Department yesterday by Mrs. Malcolm Parker Mac- Coy, state chairman.

Mrs. Mac Coy suggested to the local chairmen that they call together all agencies in their communities which have an active motion picture program such as women’s clubs, Y. M. C. A’s, Y. W. C. A.’s, Boy Scouts, and any other organizations of schools and public libraries. In addition, a two-page outline of practical projects takes in library, school, radio and newspaper promotion.

The week of Oct. 1 to 7 is to be observed as 50th Anniversary Week with a single luncheon, dinner or mass meeting, or a series of such meetings under the sponsorship of local organization.

Kent Drive Swing

To Start in L. A.

Second series of branch meetings for the S. R. Kent sales drive for 20th Century-Fox will start at Los Angeles today with Herman Wobber, general sales manager, and M. G. M. Los Angeles district manager and driver leader, conducting the rally.

The meetings will wind up at the New York exchange Sept. 19. Division managers will accompany Wobber on his swing around the country. Wobber will attend the sessions also at San Francisco, Portland, Seattle, Chicago and Denver, then will come east, due here Sept. 5.

William J. Kupper, western division head, will join District Managers W. C. Gehring and William Simmons will accompany him in the central and eastern sections, respectively. Meetings will be attended by sales staffs, bookers and ad sales managers, with staffs from two to four exchanges present.

Alliance in Canada

Bud Rogers, vice-president and general manager of Alliance Films Corp., has extended his distribution territory to include the Dominion of Canada. All these new provinces. Up to now, Rogers has confined sales of the 12 Alliance features and sev- eral shorts to this country. "Black Lime Light," starring Raymond Mas- ey, will open at the Thalia on Sept. 13.
Motion Picture Daily

Thursday, August 24, 1939

AFRA Opens 4-Day Loop Meet Today

Second annual convention of American Federation of Radio Artists gets under way today at the Madison Hotel in New York with 150 delegates from 10 branches expected to attend. The convention will last four days and wind up Saturday with a dinner at the Tihbiett, vice-president, will preside.

Principal business of the convention is expected to be a consideration of the transcription problem, a proposal to be sponsored by A.F.R.A. for a "one big union" plan for the parent body, Associated Actors and Artists of America, and a resolution dealing with the 4-A and I.A.T.S.E. jurisdictional dispute.

Program Agenda


The meeting was held for Chicago by train yesterday. It included Emily Holt, executive secretary; George Heller, associate secretary; Josephine Tonge, assistant to the secretary; Mrs. Holt; Everett Clark and John Brown, national board members.

NAB Seeks 'Free' Market in Music

“We are not necessarily trying to put ASCAP out of business, but we are trying to establish a free market from which we can purchase our music,” said Ed Kirby, director of public relations for National Association of Broadcasters, declared after an N.A.B. subcommittee meeting here yesterday.

The meeting considered tentative plans for the sale of the American Society of Composers, Authors and Publishers, who were retained to draft proposals to be submitted to special N.A.B. convention in Chicago in Sept., members of N.A.B. have been invited to attend.

Regardless of concessions which ASCAP may make, the N.A.B. will continue its efforts for new sources, Kirby said. The committee will have further meetings to formulate a definite program before the convention date.

BANNER RADIO LINES

By JACK BANNER

GOLDEN BOY TRAILERS ON TELEVISION

If Molacken won’t come to the mountain, then, . . . but you know the rest of the proverb.

Major studios persist in refusing to allow their product to be shown on television, so NBC’s television department has worked out a new idea in an endeavor to prove that television can be a money-maker. NBC will present on television a regular and a special trailer made especially for video purposes, of “Golden Boy,” on the theory that the trailers will whet the appetite of those who will watch the picture in Motion Picture House, where it will have its première, or at their neighborhood house when it plays there. The “Golden Boy” trailers will be shown twice, Tuesday afternoon and Friday night. The same offer will be made to other studios by NBC, it is understood.

VOX POP TO CBS

Contracts were signed yesterday to shoot the “Vox Pop series, with Wally Butterworth and Parks Johnson, from NBC to CBS. The transfer will be made Sept. 27 at that hour over a chain of 50 stations. Penn Tobacco Co. will continue to sponsor the program.

ROLAND YOUNG SIGNED

Roland Young has signed to serve as the regular comedian in the series which last season bore the M-G-M stamp. Only personality lacking in the show thus far is an M.C., but according to reports it is only a matter of days before Walter Husten is signed for the role.

WORLD SERIES MIFFS

With the World Series broadcasts awarded to Mutual exclusively, the other two networks are doing their best to take the situation away from Mutual. They are not quite succeeding, NBC, for instance, yesterday notified its affiliates that they are not going to get the series games and stated “we expect that our stations will live up to their contracts. Meaning that if Mutual is prevented from broadcasting by NBC stations, NBC expects that the offers will be turned down. CBS similarly has asked its affiliates not to take the games from Mutual. Meanwhile, Mutual states it is not concerned by the attitude of the other networks, the series will be scheduled on Mutual this week and other stations in the network will then be able to broadcast the World Series games to England, South America, Africa, the West Indies and Cuba.

Open Chicago Union Pact Talk Next Week

CHICAGO, Aug. 23.—Exhibitors will open negotiations here next week with the operators’ union on the new term agreements. The union, as is customary, is asking increases in wages of approximately 20 per cent.

Mark Vance Dies

Mark Vance, theatrical newspaper man, died Tuesday at Saratoga after a long illness. Services will be held at the Riverside Memorial Chapel at 11 A.M. tomorrow. Burial will be in Maple Grove Cemetery, Long Island. Vance is survived by his wife and a son.

John Olinger Dies

MILWAUKEE, Aug. 23.—John B. Olinger, 65, retired exhibitor, is dead here. Olinger was in the theatre business for 27 years from 1919 to 1926, operating the old American and Toy Theatres. He is survived by his wife, a sister and a niece.

Young to Record Firm

Herbert Young has been signed as national representative of States Record Corp. Young, who is experienced in the radio, transcription and recording fields, will take to the road to contact the company’s distributors.

Republic, Schines Close Product Deal

Republic has closed a deal with the Schine circuit for its entire 1938-40 product, James R. Grainger, Republic director of sales, said yesterday. The deal, which was closed in Graysville, N. Y., is for 122 houses in New York, Ohio, Maryland and Delaware. Grainger, together with Nat Lef- ton, Ohio franchise holder; Sam Flax, Washington franchise holder; Jack Belden, eastern district sales manager; Sam Gorrel, Cleveland manager; Max Margolies, Cincinnati manager; Nat Marcus, Buffalo manager, and Wally N. Young, New York manager, acted for Republic. J. Mey- er Schine, Louis Schine, George Lyczek and Louis Goldenstein acted for the Schine circuit.

Republic has set “Man of Con- tinental Europe.” Pending with bookings at the Rural Table in Panama City and the Rex at Colon.

Delay TMAT Hearing

Hearing before the State Labor Rela- tions Board on petition for certifica- tion of the M. P. Division of the theater and the Motion Picture Treas- urer’s Office as collective bargaining agency for managers and assistants at J. L. Young, 2nd St., operated by J. L. Young, Inc. (Harry Brandt) was adjourned yesterday. It will be tried after completion of the hearing with the Mutual building on the Broadway circuit (Dave Weins- stock).

Three Major Deals Closed

By CBS Web

Three major program deals were consummated at CBS yesterday, including a contract with Ford Motor Corporations, and Chesbrough Chrysler. The former renewed its annual refusal to make the Amateur Hour for another year on the air. The series is broadcast on network Monday for three nights to stop.</raw_text>
**MAJOR VARY ON NEW SALES PLANS**

**Distributors’ Hesitancy Believed Due to Fear Of New Government Suits**

Several major distributors are weighing plans for incorporating in their sales policies and exhibition license agreements salient features of the new federal industry code, home office inquiries revealed yesterday.

Walters was first to complete and announce its post-trade practice code selling policy for the new season, disclosing yesterday a 12-point program which will govern all new season deals made by the company. Outstanding in the company’s announcement was its decision to grant a 20 per cent cancellation on all deals averaging up to $100 per picture.

It was indicated fairly definitely that Columbia has decided to revise its new season sales policy by including in its license agreements several clauses designed to achieve some of the objectives of the proposed trade practice code. These have not been finally determined and may not be ready for announcement to the trade for some time.

Neil F. Agnew, Paramount vice-president and distribution chief, declined to state whether Paramount contemplated any action affecting its sales policy and license agreement, and stemming from the proposed code of fair trade practices.

Universal officials said the matter has been under consideration for several days but no decision has been reached.

"I don’t know what we will do or whether we will do anything more than what we are already doing,” one Universal executive said. “For several

**Scranton Opens Its Arms As Gloria Jean Returns**

Scranton, Aug. 24.—Gloria Jean, Universal’s 11-year-old star of ‘The Under-Par,” was acclaimed tonight by 40,000 of her neighbors who crowded the downtown thoroughfares of this city in celebration of the child player’s debut in films and the premiere of her picture at the Comford Strand.

City officials mustered all available police to handle the crowds. There were more than 5,000 on hand to greet her on her arrival in the afternoon from New York accompanied by about 100 newspaper film critics and trade representatives.

There was a parade in her honor in the afternoon led by Mayor Fred Hueter and John Nolan, general manager of the Comford Circuit. Representing Universal were Matthew J. Fox, vice-president, and Lou Pollock, eastern advertising and publicity director.

A special radio program headlined by Graham McNamee was broadcast from the front of the theatre before the premiere performance tonight. A display of fireworks was another feature of the early evening.

Scranton was bedecked in bunting and gay colors for the triumphant return of its native daughter who, with her mother and father, Mrs. and Mr. Herman Schoonover, three

**Broadway Grosses Continue Uptrend**

Aided by big weekend crowds and standup business during the rest of the week, Broadway houses rolled up impressive grosses. Outstanding was the "Wizard of Oz" which drew an estimated $70,000 for its first week at the Capitol, with Mickey Rooney and Judy Garland on the stage. "When Tomorrow Comes" brought an estimated $35,000 at the Rivoli, a new high. Third week of "In Name Only" at the Music Hall tallied an estimated $85,000.

At the Roxy, "Stanley and Livingstone” drew down an estimated $40,000 for its third week, an unusual showing. In its best second week since the band policy was started, the Strand grossed an estimated $44,000 for the second week of "The Old Maid.” It will stay a total of four weeks.

“Beau Geste” drew an estimated $34,000 at the Paramount in a third week. “Goodbye, Mr. Chips” in its 14th week at the Astor attracted an estimated $11,000.

**Crisis on the Air**

Europe and the war scare continued to hold the spotlight on the radio networks yesterday with regular programs subject to frequent interruptions for broadcasts from Europe. Highlight of yesterday’s European broadcasts was the peace plea delivered by Pope Pius, and the transcript of Chamberlain’s address to the House of Commons, delivered over the three networks, CBS, NBC and Mutual.
Legislature of Del. Meets in Blue Law Row

DOVER, Del., Aug. 24.—The Delaware General Assembly reconvened here today for a three-day session to consider steps toward revising the 144-year-old blue laws, but prospects of any action by the present legislature in revising the ancient statutes seem slim.

A proposal to put through a joint resolution naming Speaker Frank R. Zezuley of the House and President Pro Temp David W. Steele of the Senate to appoint a committee to study the blue law question and make recommendations to the 1941 session is probable during the present session.

Offers Cooperation Governor Richard C. McMullen, Lieutenant Governor Edward Couch and Speaker Zezuley have received letters from Attorney General James R. Morford of Wilmington, offering to cooperate in his preparation of proposed Sunday legislation. Republican members will hold a caucus to decide what action if any they will take toward the blue laws. Morford opposes any plan to defer action on repeal or modification.

Elie H. Chandler, chairman of the Republican State Committee, disclosed a plan whereby a commission of seven would be named to study the law and submit a recommendation to the 1941 legislature.

The House last week read a communication from Caleb Wright of Georgetown, attorney for Charles S. Horn, owners of the Scholar Theatre at Rehoboth Beach, whose arrest and fine on Sabbath breaking charges several weeks ago brought about the legal agitation advocating modification.

Blumberg Buys Stock

WASHINGTON, Aug. 24.—Acquisition in June of 300 Universal Corp. voting trust certificates by Nathan J. Blumberg, president, bringing his holdings to 500 certificates, was reported tonight by the Securities and Exchange Commission, the only transaction in film securities shown in its semi-monthly summary.

Purpose of the December, 1942, acquisition was to prevent the sale of the certificates. Blumberg is at present without a home after the demolition of his residence by the U.S. government.

Pass Brokers' New Broadway 'Business'

Flourishing Broadway "business" of selling passes to legitimate stage plays has been described as a threat to the legitimate theatres of New York, and the League is taking steps to end this practice. It is to obtain passes in the names of newspapermen, from managers, and from some of the theatre's theatrical advertising and to re-sell them at reduced rates. The League has uncovered evidence that some managers are working in cahoots with the pass "brokers."

Purely Personal

W. R. ROTHACKER, vice-president of Quigley Publications, resident in Hollywood, will entrain for New York on Saturday prior to embarking for Europe Sept. 2 on the Conte Di Savoia.

GEORGE J. SCHAEFFER, RKO president, will arrive in New York from the coast by train today after three weeks at the company's studio.

NEILSON H. MORAN, Vitaphone sales manager, returns from Philadelphi today after conferring with branch personnel there yesterday.

SAM MORRIS, Warner vice-president, has postponed his departure from Rio de Janeiro for Buenos Aires in order to attend the Brazilian premiere of "Journey" in Rio at the Sao Luis on Aug. 31.

SUSAN HAYWARD, Paramount player, will leave Hollywood by air Saturday for Der Moines, where she will select the most beautiful redhead in a competition at the Iowa State Fair.

HERBERT WILCOX, British producer, and ANNA NEAGLE, star, are due in New York today from the opening of "Nurse Edith Cavell" in London last night. Tomorrow, Miss Neagle will be guest of honor at a luncheon in the Merrie England Restaurant at the World's Fair, celebrating Women's World War Veterans' Day there.

OSCAR SHANEN of the Dixwell Playhouse, New Haven, was seeded third in the New Haven Municipal tennis championships.

WALTER A. VOLGER, former U. S. Army drill sergeant, has been signed by M-G-M as a technical adviser on the filming of British military sequences in "Northwest Passage."

KARL LAMB, HOWARD ESTABROOK, COMMANDER HARVEY HADLEY, CHARLES BRACKETT and BILLY WILDER have been signed to writing contracts by M-G-M.


Jurisdiction Over Ticket Sellers Up

Theater group of Theatrical Managers, Agents, and Treasurers Union met yesterday with William Collins, A.F. of L. organizer here, to discuss extent of the T.M.A.T jurisdiction over ticket sellers. There is some confusion over whether the L.A.T.S.E. or the T.M.A.T. has this jurisdiction.

At a membership meeting which ended early yesterday morning, the treasurers appeared split on the question of an I.A. tieup. Several spoke openly of joining the I.A. If this group decides to affiliate with the I.A. it may do so with the Motion Picture Division.

Projectionists' Day at World Fair Sept. 7

A special ticket has been issued for Projectionists' Day, Sept. 7, at the New York World's Fair, which will admit the holder to a meeting in the theatres special in the Event Building.

The tickets are sold at the regular price of admission and can be purchased at the Westside, South Midtown, Eastern, Logan Avenue, C. B. N. O. nell, manager of the Event Building.

BOONE MacNALL, manager, William R. Martin, secretary, and E. L. Alcorn, office manager, of the Event Building, have arranged the arrangements committee.

"Women" Opens Tuesday

Hollywood, Aug. 22.—The world premiere of M-G-M's film, "The Women," will be held at Grauman's Chinese here on Tuesday.

English Film Trade Ready For Hostilities

(Continued from page 1)

has been dinned. Some employees, film directors and executives already have been called to reserve duty. Some exhibitors are considering moving to Los Angeles, the city of Hollywood's sibling, where 25,000 seat theaters are available.

The next move is expected to take place this month and the industry is prepared to make the move.

Meanwhile, the industry continues normal operations without alarm or panic. Theatres are open and studios are at work.

As the event of an emergency, the Cinematograph Exhibitors Association will move to Reading and the Kinematograph Renters Society (distributors) to Slough from London.

Following conversations between the film trade and the War Office today it has been determined that no special film houses will be built for militia camps. Investigation has revealed that troops prefer to patronize local film theatres where they are available.

To facilitate the access of the militia to special shows, the film office will be increased now, investigate, and where it is necessary, will improve the transportation facilities to theatres. Smaller theatres may be reserved to be taken over by the military services. Mobile film theatres, exhibitors in appropriate districts also will be increased as the War Office will see that theatres are available. The C.E.A. and K.R.S. were represented at today's meeting.

Ben Judell Awards Eastern Franchises

Hollywood, Aug. 24.—Ben Judell, president of Producers Distributing Corp., has awarded a Philadelphia franchise to Edward Boreth of Masterpiece Film Attractions and a Washington franchise to George J. Gill of Trio Productions. With B. N. Judell, Inc., exchanges to be opened in Kansas City, Atlanta, Charlotte, Memphis, New Orleans, Dallas, Oklahoma City and Los Angeles, all territories will have been opened.

Plan Film on Pastor

Hollywood, Aug. 23.—Warner's have announced plans to make a picture based on the life of Tony Pastor.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

Published daily except Sunday and holidays by Quigley Publishing Company, Inc., at 645 West 57th Street, New York, N. Y. Telephone Circle 7-2100. Cable address "Quipub, New York." Martin Quigley, President; T. J. Healy, Vice-President; W. F. Blumberg, Secretary-Treasurer; George J. Blumberg, assistant manager; Sam Shain, Editor; James A. Cron, Advertising Manager; Max L. Grossman, Assistant Manager. mic in the Motion Picture Industry. Copyright, 1939, by Quincy Publishing Company, Inc. Entered as second class matter Sept. 26, 1938, at the post office at New York, N. Y., under the Act of March 3, 1879. Subscription rates per year in the Americas $13 foreign. Single copies 10c. \n
2 Friday, August 25, 1939
Gloria Jean Welcomed by All Scranton

(Continued from page 1)

sisters and a number of her former schoolmates came on here from New York. Ol' Saturday afternoon parade included a contingent of 2,000 miners from the local anthracite mines, city officials, American Legion delegations, the Veterans of Foreign Wars drum and bugle corps, hundreds of costumed children and an automobile section of several hundred cars. The parade ended at Court House Square where Gloria Jean, in a robe of silk presented by Scranton's silk industry, was crowned "Queen of Anthracite" by Mayor Huester.

A Gala Gala

The picture's opening was made as nearly like a Hollywood or Broadway premiere as was possible under the circumstances. When the program was broadcast over a national hookup, arc lights illuminated the scene and celebrities paraded before the "mills" on their way into the theatre. A musical program featuring Gloria Jean and the Scranton Symphony Orchestra preceded the screening of the picture.

On Friday, Gloria Jean will divest her time between autographing sessions at local department stores and playing hostess at the ball park to an estimated 10,000 boys and girls at an ice cream social. A party, at which a circus will perform. Sunday has been declared "Gloria Jean Day" in the New York World's Fair and she will return there to participate in special activities.

Conselman Declares S.P. Were Minority

HOLLYWOOD, Aug. 24.—William Conselman, member of the Screen Playwrights, Inc., when the group was signed a bargaining agreement with the producers, today testified that as far as he knew the Playwrights never had a majority of film writers as members.

Other testimony at the hearing of the N.L.R.B. charge that the Wagner Act's violation against eight major producers was given by Robert Tasker, Horace McCoy, Ferdinand Reyher, Sidney Buchman, Shirley Paterson, Henry Myers, Gertrude Purcell, Dudley Nichols, Michael Simmons, and J. Lauren.

McCoy told of distribution by studio executives of Screen Writers Guild resignation blanks to writers at Universal Studio.

Mendel Silberberg, producer attorney active in resumption of negotiations early this year, said the studios and SWG told of failure of conferences which ended in stalemate.

McGinley Welcomed

HOLLYWOOD, Aug. 24.—Welcoming banners were draped over Universal City streets today to greet L. J. McGinley, former Seattle branch manager who recently was appointed assistant to William J. Heineman, western sales manager.

New York Previews

The Under-Pup

(Continued from page 6)

The Under-Pup is eminently suited for, and deserves, the family trade. It is a picture which can be shared by young and old together, and with satisfying enjoyment to both. It progresses smoothly from beginning to end under Richard Wallace's knowing direction. The entire cast, obviously enjoying its work, communicates that enthusiasm to the audience, and in so doing augments the tempo of the entire picture. Gloria Jean, as a daughter of a city family of limited means but sunny lives, wins a trip to an exclusive girls' camp by writing an essay. Among her more privileged hostesses, Gloria suffers immediate disadvantage from petty snobbishness and jealousy, but escapes resentment when she realizes the lack of family love in the lives of her new acquaintances. She sets out to remedy things with the aid of "Grandpa," who is what is known as a "character," and is played with considerable convincing animation by C. Aubrey Smith. It seems that they successfully convince the parents of Gloria's best camp friend, Virginia Weidler, and help that young lady herself to win the swimming race and become president of the girls' secret society, thereby deservedly punishing Shirley Mills as the most offensive and belligerent snob in the camp. More than this, they bring Shirley's father, played by Raymond Walburn, to realization of his daughter's shortcomings, which helps to bring about her "reformation"; they bring sunlight and love into the empty life of the camp superintendent, Beulah Bondi; they give encouragement to the romance of Robert Cummings and Nan Grey, camp instructors, and ultimately win the camp for a full house, with delightful results. The roles are uniformly well handled and the work of the many juveniles in the cast is particularly praiseworthy.

Virginia Weidler's work as Gloria's best friend is deserving of special mention, and that of Shirley Mills and Ann Gillis, as the "campers" of Gloria's group, are outstanding also. Margaret Lindsay and Paul Cavanough contribute good characterizations in the roles of Gloria's mother and father. Billy Gilbert adds some amusing touches to the role of the Italian caretaker at the camp. Hal Mohr's camera work is of its usual excellence.

Running time, 89 minutes. "G"*

Sherwin A. Kane

Song of the Streets

(Mayer-Burstryn)

The title clearly indicates the theme of this French picture, imported by Arthur Mann and Joseph Burstryn. It tells the story of a younger of two sons of a World War widow, who, lacking a guiding hand, falls in with the wrong kind of gang, ends in jail after a too daring escapade, and is brought to his senses by the enormity of his wrongdoing.

It pertains largely of the French tradition of the photoplay, relying much on the camera, angled shots and a heavily accented musical score, which is, however, appropriate and effective. The performances are for the most part of good quality, by players who are uniformly skilled on this side of the water.

Ample subtitle translations of the dialogue make for ready understanding, and the use of French, and, as a matter of fact, not subtitles and a lack of knowledge of French would be a hindrance to clear understanding. Victor Trivas directed from a screenplay by himself and Alexander Arnoxs, based on the novel by J. H. Rosny. Hanns Eisler composed the music.

The film should have a ready market in those houses which cater to audiences interested in the better things from abroad.

Running time, 72 minutes. "G"**

Charles S. Aaronson

*"G" denotes general classification.

Majors Vary On Terms of Sales Plans

(Continued from page 7)

years past Universal has not had a score charge, the company does not force shorters or newsreels, it has granted a chance of privilege and welcome discussions of conditions arising from its contracts with customers. If our sales policy can be further defined it will be done, "Mr. Rodgers said.

No statements were forthcoming from either 20th Century-Fox or M-G-M due to the absence from the list of other companies. RKO, which signed an agreement in January, will continue to make agreements on the coast and Rodgers is en route to the East to find the firm business. An M-G-M sales executive said the company for two years has incorporated fair trade practices in contracts.

RKO Move Expected

RKO, indications are, will make some move to salvage some of the features of the defunct code for its customers by including them in sales contracts. There is no indication that United Artists' sales policy will undergo any change because of the discarding of the code. Individual sales policy revisions by companies, A United Artists' spokesman said the company believes its contracts already make the provisions of the exhibitor that it can possibly afford, and that the new situation does not affect the executives. However, no official statement was issued because of the absence in Hollywood of Murray Silverstone, company head, and his assistant.

United Artists took no part in the code negotiations of the past 14 months.

Prosecution Feared

Back of the apparent hesitancy of individual companies in making their decisions is believed to be the fear of the law, which the influence that may arise from the Department of Justice in the event, that there may be a trial. The Department of Justice was apparently not afraid to trial the companies involved in the distributors were acting in concert.

Even if the concessions granted would differ in individual company contracts, some similarities would be insuperable and sufficient, in all likehood, to earn of Department of Justice intervention, it was said.

"There are only a certain number of evils in the business," one official put it, "and the remedies for them are not at present available. There is no reason why the industry should be made to suffer for the sins of the few distributors now acting in concert."

In any event, the new move to effect reforms by means of the license agreement rather than a code of trade practices furnishes conclusive evidence that the proposed code is dead as an industry proposition.
Edited by
TERRY RAMSAYE

COVERING EVERY
PHASE OF
PRODUCTION
DISTRIBUTION
EXHIBITION
FOR 1939-40

INTERNATIONAL MOTION
ROCKEFELLER CENTER
THE NEW 1939-40 MOTION PICTURE ALMANAC IS OFF THE PRESS.

OVER 1100 PAGES OF VITAL INFORMATION FOR THE ALERT SHOWMAN'S EVERY-DAY USE!

$3.25 POSTPAID

PICTURE ALMANAC NEW YORK
Tough on Salesmen
Ohio City, Aug. 24.—T. B. Noble, Jr., president of State Theatres, Inc., here, has added a new item to his "list of do's and don'ts for his employees.

The placard which stands on his desk neatly lettered by the local poster artist now reads:

"I dont want to buy any:
1. Air conditioning.
2. Streamlined insurance.
3. Advertising space."

Defendants Served
In Nashville Case
Individual and corporate defendants here in the Government anti-trust suit against Crescent Circuit of Nashville and major distribution companies were served in the action yesterday.

The action was filed against the Tony Sudakum circuit of 38 houses on Aug. 12 in Federal court at Nash- ville. The suit was brought against an independent circuit which the Government has filed as a corollary of its New York suit against the principal distributing companies.

Suits were filed earlier against Griffith Amusement Co. of Oklahoma City and the Scheine Circuit of Giv- er, N. Y.

Sunday Films Win
Under NY State Law
SALEM, N. Y., Aug. 24.—First ap- plication of the new Owens law, passed by the state legislature this year, re- sulted in a victory for Sunday motion pictures when the voters turned out to pass the measure, the result of a petition, by a 2-104 count.

The Owens law, sponsored by Assemblyman James E. Owens of Westchester County after a similar bill which reached the order of pas- sage in the Assembly had been with- drawn, is a compromise of the clergy- persons 20 cent per week of the members voting in any township to present a petition to the Board of Trustees for a special election.

New 'Intermezzo' Title
HOLLYWOOD, Aug. 24.—David O. Selznick decided the third title for his next one, "A Love Story," as the final title of the film starring Leslie Howard, which has been known simply as "Inter- mezzo." Artists under United will release the film.

Indianapolis Gives
'Stanley' Big $11,000
INDIANAPOLIS, Aug. 24.—"Stanley and Livingstone," paired with "Quick Millions" was powerful at the Circle, with $11,000. "New Feather," and "A Woman Is the Judge" grossed $7,500 at Loevy's.

Estimates of the week for the end- ing Aug. 18:
"I Stole a Million" (Parn.)
"The Girl and the Gambler" (RKO)
"Quick Millions" (Bu.)
"A Woman Is the Judge" (Col.)

Theatre and Personnel Changes

Takes Washington House

SEATTLE, Aug. 24.—O. M. Durham, formerly of Tennessee, has taken over the Mission in Mount Vernon, Wash. The house, formerly operated by L. K. Brin, the opening is scheduled for Aug. 31.

Manages Canadian House
TOKYO, Aug. 24.—H. B. Nett, formerly manager of the Royal at Westminster, which is the principal Play- ers circuit, has been placed in charge of the Granada, Chatham.

Reopen Ohio Theatre
MANSFIELD, O., Aug. 24.—Warners' Majestic, closed for the summer, re- opens Sept. 3. Wayne Williams resumes as house manager.

Takes House in Conn.
GLASTONBURY, CON., Aug. 24.—M. I. St. John, manager of the Kenmar theatre, has taken over operation of the 550-seat Glastonbury, now under the charge of Maurice Kemper as manager. Previously operated by the Lappert circuit.

Ketchin Joins Warners
SEATTLE, Aug. 24.—Sheldon Retchin has added to the sales staff of the local Warner exchange. He is the son of Lester Retchin, operator of a string of houses in Chicago and surrounding areas.

Reopen in Indianapolis
INDIANAPOLIS, Aug. 24.—The Oliver, 600-seat neighborhood operated by Nathan Tamler, has reopened. It was closed two weeks for remodeling.

To Install New Seats
WELTON, Aug. 24.—Al Piskas, new manager of the Avon here recently purchased 250 chairs for in- stallation in that house.

Resume Cleveland Shows
CLEVELAND, Aug. 24.—Stage shows, discontinued for the summer, will be resumed at the RKO Palace here on Sept. 8, Nat Holt, RKO Great Lakes division manager, reports.

Forester Quits Omaha
OMAHA, Aug. 24.—Edward Forester, Omea theatre manager, has resigned, effective Sept. 1. Forester will move to California to free lance as a magazine writer.

Pioneer Shifts Men
DE MORGAN, Aug. 24.—The Pioneer Theatre Corp. has moved Marion Parkinson, manager of the Iowa, Jefferson, has been placed in charge of the Spencer and Fraser, Millard Gatter, formerly at Spencer, has been named manager of the Webster, 1st Ave., and Percy Lind, formerly manager of the Webster, has gone to Jefferson to manage the Iowa and Howard.

Takes Home Moine Post
DE MORGAN, Aug. 24.—William Watkins, former poster clerk at the Warner exchange, has been named assistant salesman, replacing Glen Folsom, who left to become booker at Monogram. Hall has been assistant formerly with the Film Transportation Co., has been appoint- ed poster clerk at Warners.

Named N.T.S. Manager
DE MORGAN, Aug. 24.—Al Schuy- ler, salesman for National Theatre Supply, has been appointed manager, succeeding W. V. Torey, who is going to Tri-States maintenance depart- ment.

Lee Williams Buys House
OHUDA, Aug. 24.—K. Lee Williams, president of the theatre company bearing his name, has purchased the American Theatre at Williburt, Okla., from John McGinley, who sold the theatre to engage in the oil busi- ness. Williams also is building a new theatre at Fordyce, Ark., which will be opened after the present Williams' Theatre, operated there, has been re- modeled.

Building Oklahoma House
PUSHING, Okla., Aug. 24.—Mrs. Pearl Dooley is constructing a new $20,000 theatre here in addition to one theatre now operating.

Scott Ballantyne Cashier
OMAHA, Aug. 24.—Maud Carville, Patie cashier in Omaha and Kansas City, has joined the staff as cashier by Scott Ballantyne Co., equipment house. She replaces Ray- mond Kopcey.

Reopen Ada, Okla., House
ADA, Okla., Aug. 24.—Mr. and Mrs. I. G. Kilgough, operators of the Rita here, have reopened the house after remodeling.

Business Men Open House
OMAHA, Aug. 24.—The Diers at Gresham, Neb., will be opened Sept. 1 by the town's business men. House formerly was operated by H. K. Diers, member of the Nebraska legislature.

Finish South Carolina House
UPTON, S.C., Aug. 24.—The Ritch, which has been under construction for the past several weeks, is now completed. The All-State theatres circuit owns the theatre.

Plan Wisconsin Theatre
BRILLON, Wis., Aug. 24.—Plans have been announced for the remodel- ing of the local auditorium into a theatre, with completion scheduled for some time in September.
of war. Aided by Stagehands Union, Local 1, the A.F.A. secured a check against OL contract. The A.F.A. also made a complaint against the state in the court provisions from Ripley’s Odditorium. A.F.A. also scored when N. Y. Supreme Court of State last night today at the theatre tonight before a large crowd on the ground of the Canadian National Exhibition. Both Wilcox and Miss Neagle attended.

Following press interviews, a luncheon and a tea at the Woman’s Press Club, the star was guest of honor, together with Miss Gerald and Lady Campbell, at the Royal York Hotel. From the Band Shell of the Canadian National Exhibition, grounds, she delivered an address, which was broadcast, after which “Nurse Edith Cavell” was screened. Among the notable present were Lord Tweedsmuir, Governor-General of Canada, and Lady Tweedsmuir; W. L. McKenzie King, Prime Minister of Canada; Albert Mathews, Lieutenant-Governor of Ontario, and Mrs. Mathews; Mitchell Hepburn, Prime Minister of Ontario, and Mrs. Hepburn; Sir Louis Beade, and representatives of the Dominion’s Governments and Industry.

**NRB Approves Election at Studios**

(Continued from page 1)

employees. Promptly upon receipt of the notice of election, each studio will prepare as prescribed by the regulations of the Labor Board a list of names of those made eligible by the action of the board to participate. It is the hope of the producers that the election will lead to a solution of the present dispute regarding the rights of representation between the contending groups.

**Monogram Deals Closed**

Monogram has closed deals for the following 1939-40 product with Pal Amusement Co., covering Georgia; Interstate Circuit in New England and O. K. Theatres Circuit, Dallas, according to George W. Weeks, general sales manager.

---

**‘Wizard’ Is Denver Lead With $13,000**

Denver, Aug. 24.—“Wizard of Oz,” reeled with “Five Times Five,” drew a big hill and dale crowd in the Egyptian. Estimated takings for the week ending Aug. 23:

- **“Each Down I Die” (W.B.)** Denver—325, 9,000; Other—475, 8,100; Average, $600.
- **“They All Come Out” (M-G-M)** BROADWAY—(1,750) 7 days. Gross: $15,000. Average, $2,143.
- **“Heritage of the Desert” (P-A.)** LAFAYETTE—7, (3,000-5,000) 7 days. Gross: $5,000. Average, $714.
- **“Wizard of Oz” (M-G-M)** DELVYER—(7,500) 7 days. Gross: $2,500. Average, $357.
- **“Five Times Five” (RKO)** ORPHEUM—(2,500-3,500) 7 days. Gross: $1,000. Average, $143.
- **“Oil Field” (2nd-T-Fax)** DENVER—(2,500-4,000) 7 days. Gross: $1,500. Average, $214.
- **“Waste of 3 (M-G-M)** DENVER—(1,600) 7 days. Gross: $5,000. Average, $2,941.
- **“Battle of the Saddle” (U.P.)** LAFAYETTE—7, (2,500-5,000) 7 days. Gross: $3,500. Average, $500.
- **“Sixth Floor” (2nd-T-Fax)** DENVER—(1,500) 7 days. Gross: $2,000. Average, $286.
- **“Battle of the Saddle” (U.P.)** PORTLAND—(8,000) 7 days. Gross: $14,000. Average, $1,929.
- **“The Battle of the Saddle” (U.P.)** LAFAYETTE—(4,000-6,000) 7 days. Gross: $7,500. Average, $1,071.
- **“The Battle of the Saddle” (U.P.)** DENVER—(2,500-4,000) 7 days. Gross: $2,500. Average, $357.

**‘Chips’ Is Buffalo Smash With $17,000**

BUFFALO, Aug. 24.—“Goodbye, Mr. Chips,” boomed locally with the selection by newspaper poll of “Buffalo’s Mr. Chips,” brought Shet’s Buffalo World in with a song and a dance, “Jive Fever,” a return engagement, took $5,000 at the Hippodrome.

Estimated takings for the week ending Aug. 19:

- **“Goodbye Mr. Chips” (M-G-M)** BUFFALO—(5,000-7,500) 7 days. Gross: $15,000. Average, $2,143.
- **“Four Feathers” (U. A.)** (25c-55c) (2,500-3,500) 7 days. Gross: $5,000. Average, $714.
- **“This Woman Is Married” (M-G-M)** HIPPODROME—(2,500-4,000) 7 days. Gross: $5,000. Average, $714.
- **“Oklahoma” (M-G-M)** WASHINGTON—(1,750-2,500) 7 days. Gross: $5,000. Average, $714.
- **“The Battle of the Saddle” (U.P.)** (25c-55c) (2,500-3,500) 7 days. Gross: $5,000. Average, $714.

**‘Calv’r’ Premire Is Held in Toronto**

TORONTO, Aug. 24.—The world premiere of RKO’s “Nurse Edith Cavell,” produced by Herbert Wilcox and starring Anna Neagle, was held here Tuesday night at the Canadian National Exhibition. Both Wilcox and Miss Neagle attended.

**Roscro Williams**

vice-president, was postponed to Sept. 25 because he has out-of-town engagements until then. Richman appeared Tuesday to plead for peace, he was not present yesterday.

Charges against Miss Tucker included the acceptance of an L.A. charter for the A.F.A. and stating all aid to be given the A.F.A. was into a conspiracy to make charges against the A.F.A. Ruth Richmond, American Federation of Chorus Girls, declared that her union endorsed Equity’s action. Equity is expected to render a decision in the matter shortly after Labor Day.

Meanwhile, Justice Pecora, in denying the injunction sought by Edwin W. Kay, Kayta Komer and Byron B. Kay, a dance team known as Kay, Kayta & Kay, stated that the plaintiffs might sue for damages but that an injunction was unwarranted. The team was playing at La Conga, a night club, and was compelled to stop the act because the A.F.A. threatened to picket if closed shop contract was violated, it was alleged.

Whitehead Wires AFA Chapters

Hollywood, Aug. 24.—Sending of telegrams to all L.A.T.S.E. locals by George E. Brown, president, ordering all aid to be given the A.F.A. was followed today by wire to all AFA chapters by Ralph Whitehead, the group executive secretary.

Whilehead, after quoting Brown’s wire, ordered local officers: "Draft every local member and friend for the duration of an intensive organizing campaign. Full steam ahead. Contact your local LTA.T.S.E. officials.

Tacitly behind the I.A. will be the A.F.A. amendment which has a 25-year mutual aid agreement with the Alliance.

Murray Larson, business representative of the AFA local here, declared he and Jack Kramer, president of the unit, would immediately contact the National Board in the event of a widespread campaign in Southern California. One of the first steps, he said, would be to seek an AFA shop agreement with the Orpheum Theatre, Los Angeles vaudeville film house.
AFRA Now Has 8,600 Roster, Meeting Told

CHICAGO, Aug. 24.—American Fed-
eration of Radio Artists has increased
its affiliated membership from 8,600 from 3,500
last year, Emily Holt, executive se-
cretary, reported to the organization's
second annual convention which opened
at the Sherman Hotel here today.
Miss Holt read the annual report and
urged AFRA to join with other
artist groups, SAG, AFA, Equity, AMA
and others, in one big union for
greater strength.

Discussion of the actors' jurisdic-
tional fight between the 4-A and
L.A.T.S., in which AFRA is in-
volved, was postponed until Atlantic
City today. Miss Holt said more harmony would result if union
executives would give more considera-
tion to the rank and file of the
members.

Miss Holt recommended revising the sickness and unemployment bene-
fits setup under one group for more ef-
ficient handling.

RKO Asks Dismissal
Of Kentucky Action

Federal Judge Samuel Mandelbaum
yesterday authorized the Irving Trust Co.,
as trustee of RKO, to retain Wil-
liam Green and other lawyers of the
Federal law firm of Cleveland as
attorney to apply to the U. S. District
Court in Kentucky for dismissal of the
suit for $75,000 treble damages filed
there in July by Harry Schwartz and
George Myers, trading as the New Theatre.

In addition to RKO, Loew's Inc.,
United Artists Corp., 20th Century-
Fox Distributing Corp., and M-G-M
Distributing Corp., of Texas are named
defendants on charges of monopolizing
industry in restraint of trade. RKO in
its application will contend the court has no jurisdiction of it
in Kentucky.

Order Zanuck Quiz
In 'Lincoln' Suit

New York Supreme Court Justice
Thomas F. Noonan yesterday directed
Darryl F. Zanuck to submit to exami-
nation before trial in Los Angeles in
connection with the suit of Robert E.
Sherwood and The Playwrights
Producing Co., against 20th Cen-
tury-Fox Film Corp. Plaintiffs must pay costs of the examination un-
der the California law in the suit charges competition with the Sherwood play
"Abe Lincoln in Illinois" in the film "Young Mr. Lincoln."

Alperson Directed To File Details

Edward L. Alperson was directed yesterday by Federal Judge Samuel
Mandelbaum to file a bill of par- ticu-
lars to his suit for $135,000 damages
and 50 per cent of Grand National
stock for alleged breach of a con-
tract of employment. Grand National
Pictures, Inc., Educational Pictures,
Inc., and Earle W. Hammons are
named defendants in the suit.

CAUSE FOR WORRY...

In a Radio City corridor yesterday after-
noon, John Royal paused to relay the
following vital information:

Activity in the network's stations relation department was at fever
pitch because of the European situation when a phone call arrived from
the stations relations department. A voice in high dudgeon inquired why in blank-
ety blank special events were scheduled with clearance from
Headquarters. This was a long planned program of a potato picking contest originating in Idaho! What
special events told stations relations may be learned by calling Royal.

So fast is this department that yesterday at CBS a must order was put
through advising all departments save the executive department not to call
special events by phone no matter how urgent the mission. At NBC, Abe
Schechter, head of the department, was attending the war maneuvers at
Pittsburgh, while Bill Kostka, head of the network's publicity department, wired staff members attending the
maneuvers to "forget sham war." Rush back immediately for one.

Also badly overworked these days and nights are the telephone operators
at the networks. Listeners by the hundreds are calling the webs each hour
to check rumors that have alarmed them. The reports vary from declarations
of war to assassinations of the leading political figures of the day.

SIX TO GO...

When it was announced that Mutual had sewed up the Schenley-Wang
contract, voices off the network were expressed that Mutual could only
be able to deliver the 150 stations it had guaranteed to deliver to the sponsor,
for despite the size of the Mutual network, many of its stations are also iden-
tified with CBS and NBC. All doubts have been dissipated, however, for
as of yesterday, all but six stations of the 150 had been lined up.

PRYOR SIGNED...

Roger Pryor has been chosen master of ceremonies for the Screen Actors
was selected for the role which George Murphy had last season by a joint
vote of the Motion Picture Relief Fund, Screen Actors, Directors and
Screen Writers Guilds, and the Association of Motion Picture Producers,
all of which are contributing organizations to the guild radio series.

BAUHAGE TO EUROPE...

Bauhage, NBC's Washington commen-
tator, flew to Europe yesterday on the Dixie Clipper to join the network's
staff in covering the European crisis. He will work in Europe with Fred
Bate, Max Jordan and John Gunther. Incidentally, Frank Mason, NBC
vice-president, arrived in Berlin yesterday on the last leg of his vacation and
there is every likelihood that he may remain in Europe as acting head of
NBC's foreign corps. Mason is former head of the International News
Bureau, on the Continent, and opened the Bureau's INS office in Berlin.

ROAD SHOWING FOR HOLLYWOOD SERIES...

which stars John Conti and Martha Mears, has decided to roadshow the program.
Starts Sept. 4, the show will take to the roadshowing en route until
the unit arrives in New York City late in the Fall.

EDDA HOPPER ON AIR...

Sunset Oranges has signed Hedda Hop-
er to headline a new radio series which will originate in Hollywood,
starting sometime in October. Network, time and starting date remain to
be decided.

EUROPE AT PLAY CANCELLED...

For tonight, NBC had sched-
uled a program titled "Europe at Play,"
"Emanating from Paris, London and
Berlin, the program's purpose was to show that Europe, even in the
brink of war, is capable of enjoying itself at folk games, in night clubs, etc.
The program has been cancelled, for the Governments of England, France
and Germany yesterday notified Radio City that the radio engineers
designated to handle the program had been recruited for their respective armies.

"Golden Boy" to Be Dramatized on Air

A radio dramatization of "Golden
Boy" will be presented on the "Magic
Key" hour, Monday from 9 to 10
over the NBC Blue. Barbara
Stamwycy, Adolphe Menjou and Will-
liam Holden, stars of the film, and
Lee J. Cobb, featured player, will
appear in the roles they portray in
the film.

Lowell Thomas will introduce the program and will do his best to
find a new personality for the title role.

To Represent WHN

Harl R. Makelin has been appointed
Chicago representative of WHN. Up
to this time, the station has been rep-
resented in Chicago by Edward Petry
& Co.

Newsreel Parade

Europe may be like the brink of war, but film history, according to the
newsreels, is always newsworthy, and the camera record light moments as
distinctly as the newsreels. Here are their contents follow:

MOVIETONE NEWS, No. 10—See
post office in the Bahamas. President
Roosevelt made a trip to Africa. Eightieth birthday of famous gold mine
owner, Ernest Lawrence, in South Af-
rica. Tyros and orchestra join to perfor-
me at Paris, France. Macdonald
makes a trip to the North Pole. Hub-
Long-distance swim in California. Stacked fists at Daytona Beach. Lee Lehr.
NEWS OF THE DAY, No. 26—War
eruption in Europe. Uncle Sam's new pistols. Story on Jews. Tennis doubles. Swim
derby in Pacific.

THE MOUNT NEWS, No. 11—Euro-
pean situation analyzed. Lawrence Titter-
ett concert. Tango and jitterbug dance con-
tests. Dixie Clipper flies latest fashions and new styles. District Attorney Dewey
vists birthday.

RKO FATHE NEWS, No. 2—Troops on
the move in New York. New auto
glass for vision. Rough water on the
Connecticut tributaries.

UNIVERSAL NEWSREEL, No. 80—
New army colonel in Europe. New
glass introduced. New and old fashions, and new pictures through glasses. Cobb breaks
speed record. National doubles champi-

Rules on Non-Flam To Appear in Fall

LONDON, Aug. 24.—New instruc-
tions, stemming from the ad-
ministration of the Cinematograph
Act in regard to non-flam films will be
published in Fall by the Home Of-
lice. The regulations will follow rec-
ommendations of the Advisory Com-
mittee. The regulations will deal almost en-
tirely with safety precautions on the
lines of those laid down by the com-
mittee and will be in the form of a
leaflet suggesting the most practicable
manner of obtaining the cooperation of organizers of non-flam film shows.

Precautions recommended by the
committee include secondary lighting in
halls, provision of doors that either open or close, supervision by an
attendant, and the clearance of a space around the projector.

Claim Color television

Ronald Lorenzen has obtained a
patent on a method of producing natural
color in television. It is claimed that the primary colors, in combination with
a cathode ray tube, will reproduce
the screen the televised pictures in natural color. George H. Ballenger, associate of
Lorenzen, will market the product.

Cone to U. S. Record

William Cone of Boston has been
named a vice-president for New York State and New England for the United States
Record Corp. Cone was recently sales manager of the company for Columbia Phonog-
raph Co.

Gets News Spot

Kirkland Beverage Co. has signed a
52-week contract with United Press
News from 10:45 to 11 P.M. Saturdays, starting immediately. Gussow-Kahn & Co. handles the account.
New Theatre Construction Exceeds 1938

July Work Is $2,278,000 In Eastern States

Contracts for theatre construction awarded in July pushed the level for the first seven months of this year over the corresponding record for 1938. Total valuation of contracts awarded for new or alteration work in the theatre field during July was $2,278,000, in the 37 states east of the Rocky Mountains, according to F. W. Dodge Corp. In 1938 the July figure was $1,514,000.

In addition to July, May was also ahead of last year, the comparative figures being $1,581,000 in 1939 and $1,514,000 in 1938. May so far has been the best month for projects reported.

At the close of the seven-month period, the 1939 contract level was at $13,916,000. The corresponding valuation in 1938 was $13,041,000. The Dodge summary reveals that the number of projects and their total floor area has paralleled the contract valuation rise. A total of 474 projects was recorded during the seven months, made up of 1,749,000 square feet of floor space. For the same period in 1938, 472 projects including 1,725,000 square feet had been contracted for.

Dodge emphasizes the significance of the July increase by pointing out that after a general lag behind last year, a gain can be regarded as encouraging.

Producers Meet With Unions Here

Representatives of the four international unions which are signatories of the studio basic agreement met with producers' representatives at the Robert Treat Hotel, Newark, on Friday. Pat Casey, producers' labor representative, came from Hollywood to attend the meeting.

Business tidied upon was described (Continued on page 6)

N.L.R.B. to Hear Producers Tuesday

Hollywood, Aug. 27.—Producers on Tuesday will file charges with the N.L.R.B. on charges of Wagner Act violation involving writers filed against eight major production companies.

Alexander Wilson, Jr., N.L.R.B. attorney, closed his side of the case (Continued on page 6)

WARNERS TO HELP SOLVE CLEARANCE

A.F.L. Moves For Peace In Actor Dispute

Hollywood, Aug. 27.—American Federation of Labor officials here moved in secret conferences over the weekend to bring about settlement of the actors' dispute with the I.A.T.S.E.

One long session has already been held between J. Franklyn Haggerty, executive secretary of the Screen Actors Guild and vice-president of the Associated Artists and Artists of America, and John Gatelee and Frank Sticking, I.A. representatives.

Additional conferences are scheduled this week. J. W. Bazzell, executive secretary of the Central Labor Council of Los Angeles, and C. J. Spiegel, president of the California State Federation of Labor, are expected to sit in.

None of the conferences will close the basis on which the discussions are being conducted.

Strike Action Off Until October 9

Jurisdictional strikes between Associated Actors and Artists of America and the I.A.T.S.E. are expected to be postponed until Oct. 9.

Meanwhile, actors working in night clubs and vaudeville houses who at times also work in other acting fields, are protecting themselves from becoming involved in union warfare by paying dues both to the American Federation of Actors, I.A. affiliate, and... (Continued on page 3)

Key Grosses Show Sharp Upturn, Total $1,276,750

THEATRE grosses for the week ending Aug. 10-11, from 137 first run houses in key cities across the country, showed a marked upturn. The aggregate gross reached $1,276,750.

The total shows a gain of $100,900 over the previous week, ending Aug. 3-4, when 140 theatres reported a total gross of $1,175,850. The aggregate for the week ending May 18-19, when 134 theatres reported a total gross of $1,318,300.

The upswing may be attributed to a marked extent to a group of outstanding pictures hitting the first runs during the week. They include: "Four Feathers," "The Great Waltz," "A Saintly Sin," "The Bride," "The Devil's Matchmaker," "Ulysses," "The Big Banker," and... (Continued on page 6)
DOVER, Del., Aug. 27.—The Senate's Judiciary Committee here Friday refused to report out a resolution adopted last night by a nine-member commission to study Delaware Sunday Blu law revision for submission to the 1941 legislature.

Senator Paul Rinard of Wilmington, chairman of the committee, who has come through a severe illness preceding the commission's meeting, is designing the question over until tomorrow. Rinard said the committee probably will amend the resolution so that the commission will be required to make a report within 90 days instead of two years.

Nikkel Ameer Commission

The House resolution provides that the commission shall include four members from each branch of the legislature with a ninth member being elected by the eight others. Of four members from each House one will be from Wilmington and the other three from the other counties.

The resolution provides for the appropriation of $500 to defray expenses. The blue laws prohibit Sunday films but amusement park and beach resort concessions have been operating on the Sabbath unmolested.

Monogram Board Meets Here Today

Monogram board of directors will meet at the company's home office here today. Scott Dunlap, vice-president in charge of production, and Tom Carr, board member, will arrive from the coast this morning to attend the meeting.

W. J. Johnson, Monogram president, will accompany Dunlap to the coast in a few days and will remain there for the extended Studio Relief fund.

Cavalcade' Sept. 29

Hollywood, Aug. 27.—The 20th Century-Fox preview of "Hollywood Cavalcade," at 811 per seat, will be held on Sept. 29 at the 4 Star Theatre in Los Angeles. The entire proceed will be turned over to the Motion Picture Relief Fund.

N. Y. Labor Press For Eastern Films

George Meany, president of the N. Y. State Federation of Labor, says he has decided to put the entire pressure of his organization behind a drive to "counsel" film companies to produce at least 10 per cent of their product in the East.

This is in line with a resolution introduced by Sol Scaggs, head of the Studio Mechanics Union, Local 52, which was adopted at the recent Federation convention. Meany plans to start the campaign after Labor Day.

Purely Personal

Y. FRANK FREEMAN, in charge of Paramount studio operations on the West Coast, will arrive in New York today, accompanied by Mrs. Freeman. He will spend about two weeks here in the general concern of the Freeman, after a few days here, will proceed to the Freeman home in Atlanta.

JOSEPH A. McConville, Columbia foreign manager, will arrive in New York from Europe on the Norman- dian. He has been abroad on company business for the past two months.

WILLIAM HOLDEN, who has the title role in Columbia's "Golden Boy," will go to Philadelphia today for a luncheon to be given him at the Mayfair Theatre, Absbury Park, where the picture opened Friday.

BARBARA PATT, editor of Filmsindia, and a member of the Central Board of Governors of the World Motion Picture Congress, arrives today on the Normandian. He is making a five-month tour of leading world film studios to study production methods.

GEORGE RAFT is due today on the Normandian from a European vacation and will leave immediately for the Warner studio for work in "Invisible Stripes," in which he will be co-starred with James Cagney.

JOSEPH SEIDL, Universal vice-president and foreign manager, posted a projected trip to the coast last weekend because of the European situation. He may leave within a few days.

ROBERT SANDERS of the MGM foreign department, will arrive today for a three-week trip, accompanied by his wife and Robert, Jr. Sanders is the son of Eddie Saunders, Warner sales manager.

GEORGE J. SCHAEFFER, RKO president, returned from New York from the coast on Friday.

O. C. DORING, Jr., of the RKO foreign office, has recovered from a mild attack of pneumonia and is vacationing in Wisconsin.

MONA RILEY, secretary to MATTHEW J. Fox, Universal vice-president, is dubious about this modern age. She blames the office cooling system for an obstinate summer cold.

ANTONIO A. ROMANO, general manager of Associated Houses in Providence, has been moved to the Newport Naval Hospital, where he will be under treatment for several weeks.

AMBROSE CROM, of the RKO trustee's legal staff participated in the Army maneuvers at Plattsburg.

EDWARD MCBRIDE, manager of the State, Providence, is driving around in a new car.

J. D. Tole left for the coast Saturday night and plans to remain there indefinitely.

SAM SHAIN returns today from To- wanda, Pa.

MITCHELL AVEIZER of the Republic exchange here is vacationing upstate.

C. P. PETTITJOHNS, general coun- sel of the M.P.P.D.A., arrives on the Normandian after a visit to Italy, France and England. Other passengers are JOSEPH VON SPRIN- BURG and JAMES SMART.

DAVID ROSS, head of Paramount production in England, will sail next Sunday on the Olympic, scheduled to arrive in New York on Sept. 4, for conferences on Paramount British production. He is expected bringing with him a print of the recently released film, "French Without Tears."

GUY P. MORGAN, United Artists' manager for Argentina, sailed Friday on the U.S.S. Argentina for Buenos Aires. He is expected arriving at the Olympic, which is scheduled to arrive in New Orleans, for conferences with the U.A. officials here and in Hollywood. He is accompanied by CLEMENTE HVACO, Buenos Aires circuit operator, and Spanish language film producer, who was a visitor here and on the coast.

WILLIAM HIFNESS, operator of the Academy Theatre, Lebanon, Pa., and his family; BOLIVAR HYDE, Jr., city manager for the J. Sparky Clark Co., in St. Petersburg, Fla., and A. HIG- GINOTHAM, associated with the Saenger Circuit in New Orleans, are visiting the World's Fair.

FLORENCE BATES, who is a Pascwa daughter, has been signed by DAVID O. SELZNICK (U. A.) for a role in "Rebecca." She had never been before a camera prior to a recent screen test by Alfred Hitch- cock, who is directing the picture.

WERNER JANSSENS and WOLFGANG GELDEN are in this country for several months, conferring with U. A. officials here and in Hollywood. He is accompanied by YILLODUCO, Buenos Aires circuit operator, and Spanish language film producer, who was a visitor here and on the coast.

L. J. McGINLEY, recently appointed assistant to E. H. HEINEMAN, Uni- versal foreign manager, is expected to arrive from the studio Friday to continue his air tour of branches. He was in Detroit Sat- urday.

ANNA NAGL, who plays the title role in "Nurse Edith Cavel," was elected an honorary member of the Women's World War Veterans at a luncheon at the Women's Fair on Saturday.

OSCAR A. DODGE and ART SCHMIDT of Loew's were guests at JACK MOP- FITT and BOYD MARTIN, Kansas City Motion Picture News, at a dinner given by the Kansas City Daily Mail.

DAME MAY WHITTY, English actress, flew to the coast Saturday via American Airlines to appear in Sam- uel Goldwyn's production, "Raffles," to be released by United Artists.

EDNA BEST has been signed by GENE TOWNE for the role of wife in "Gentleman's Agreement" in RKO's "Swiss Family Robinson."

MARI WAXON, Warner player, has been awarded a new contract.

GUSTAV MACHATY, director, and ROBERT LEVY, writer, have been given new contracts by M.G.M.

WARNERS AID IS PROMISED IN CLEARANCE

(Continued from page 1)

for independents in upstate New York cities.

E. Kuykendall, president of the M.P.P.A., over whose signature was issued a statement praising Sears & Ro- manic action and declaring that "this abuse of the copyright issue is probably the most serious development in this country since the end of World War II." Mr. Kuykendall's statement follows:

The trademark clearance of Warners through Grad Sears is very encouraging and while it does not cover all the angles M. P. T. O. A. feels should prevail, it is a definite step forward in bringing about a happier relationship between distribution and exhibition.

E. Kuykendall Hopeful

"Mr. Sears shows the courage of his convictions in making this announcement without the entangling restraint of the code."

"M. P. T. O. A. has insisted from the beginning that distributors could and should do their part in clearing titles without putting them into effect. It is forward looking policies like this that will turn the sting out of that pitiful minority in this industry that want to keep dissemination and hatred going to keep their own jobs. I am hopeful other distributors will follow Warners' lead. My congratulations to Grad Sears."

I. T. O. of California Favors Negotiation

LOS ANGELES, Aug. 27.—Board of directors of I.T.O. of Southern California has gone on record as seeking better relations with distributors looking to solution of industry problems.

The board did not take a stand on the bill of Justice rejection of the proposed code, but declared it in the best interests of the industry to seek to solve problems by conference.

Annual membership meeting is scheduled for Sept. 8, with officers to be elected.

A.F.L. Moves For Peace In Actor Dispute

(Continued from page 1)

and the American Guild of Variety Artists, the 4-A branch.

After a long conference Friday, Vinton Palmer, chairman of "Leave Me," won permission from Frank Keenan to postpone his show until Oct. 9. He pointed out that the L.A. had announced its intention of not permitting stagehands to work if Miss Tucker was performing. Freeman had caught between warring factions, asked that he be permitted to close the show and re-}

First Move by L.A.

It was apparent that Equity was attempting to force the stagehands into a situation where they would be compelled to make the initial step in the union war. As soon as they do, the Screen Actors Guild is expected to declare a strike on the coast in retaliation.

Both groups appear to be preparing for eventualities. The 4-A announced that it was starting a weekly newspaper which will go out to its entire 30,000 members. The A.F.A., on the other hand, is scheduled to move into considerably larger head quarters today.

Vaudeville and night club performers who also work in Equity, S.A.G. or the American Federation of Radio Artists, have been caught between conflicting demands, particularly on the part of managers who demand that they join A.G.V.A. under threat of expulsion. On the other hand, the A.F.A. has closed shop agreements with many night clubs and will refuse them to work unless they are in good standing with the A.F.A.

In order to insure their good standing with both groups, many performers are paying dues to both. Ordinarily, any association with a dual union operating in the same jurisdiction would be grounds for expulsion, said Ralph Whitehead, A.F.A. executive secretary, and Maida Reade, A.G.V.A. executive secretary, have declared that they will make a stand against rank and file members who join the opposition group. However, disciplinary measures against leaders is somewhat in the case of Miss Tucker.

The 4-A steering committee on Friday approved the adjournment of the Equity trial of Harry Richman, A.F.A. vice president, until Sept. 26, but ruled there must be no further postponements.

Depositions Taken In B. & K. Action

CHICAGO, Aug. 27—Further depositions will be taken this week from Sam Myers, independent exhibitor, in the anti-trust suit of Frank Ford against B. & K. and the major companies.

Myers on Friday was questioned by Attorney Lewis Jacobson regarding the competition he has encountered from B. & K. while operating in the Cleveland area.

Major company lawyers are conferring in preparation for reopening of the Government trial here Sept. 5.

Metro ' s Buys Original

Hollywood, Aug. 27—M-G-M has acquired motion picture rights to the screen original "Life Begins Tomorrow," by Margaret LeVino and Katrin Holland.

See New Italy Openings For English Producers

By AUBREY FLANAGAN

LONDON, Aug. 22—New opportunities for British films in Italy are forecast in more optimistic producer circles, as a result of the conversations which have been going on in Rome between Neville Keeney and the Italian authorities.

Keeney has returned back to England satisfactorily on negotiations which concern the releasing of British films throughout Italy, and a shared financial arrangement made between both sides of the bargain.

British producers have long been dissatisfied with the flat rate terms made for their films and would prefer to have them distributed in Italy on a percentage basis.

The absence of American distributors from the Italian market is spurring British producers to take action on the Italian front, in the belief that the Italian hand will be forced by a considerable film shortage.

This attitude of commercial appeasement is, of course, responsible for the limited support British producers have given to the Venice Festival.

Following the Home Office Advisory Committee's report on non-flm, with the suggestion that control is made over the business, the Institute of Amateur Cinematographers may launch a test case to challenge any such move.

The Surrey County Council also will consider the position of non-flm films at a meeting to be held in October.

The Colonial Empire Marketing Board is planning a series of films to tell the world about the British Empire. Already one film is in production for the advertising and social welfare services in British dependencies. A series of shorter films will be made later.

A drop in film imports for July this year over the same period in 1938 is recorded in figures issued by the Board of Trade. The drop amounts to 44 per cent.

Exports of exposed cinematograph film decreased by 200,000 feet last month as against July last year. Footage in July was 1,650,454 against 1,797,485.

Imports of exposed film last month were lower than the same month in 1938. Only 913,403 feet were imported against 1,324,840 feet in July last year.

A report on the first few months' work of the Workers' Film Association, blessed by the Trade Union Congress is issued in the T.U.C.'s annual report to be submitted to the Briddington Congress next month.

It is stated that thousands of films have been arranged, manufactured, equipment sold and contributions received for the production of documentary films on behalf of trade unions and other organizations.

Warner Promises Big English Films

LONDON, Aug. 27—Harry Warner, president of Warner Bros., has reported a picture at the Tędington Studio, where Warner British product is produced. The picture will be made more or less on an experimental basis, the executive said, but he would indicate no numerical program.

A major picture at the moment is considering a new treatment for "Disraeli," with special reference to the Suez Canal and the position of contemporary England. Warner indicated that he hoped to persuade Claude Rains to play the title role, perhaps with Edmund Gwladys as director. Alternatively, the company may make a film on the life of Baron Reuter, and also is considering a picture on the life of Cunard.

Warner frankly referred to the losses on previous films made at Ted- fington but expressed satisfaction with the current output, which is ready for exhibition. Warner has given the picture an Italian title which sells from England on Wednesday and is due in New York Sept. 4.

Howard Funeral Held

TYRINGHAM, Mass., Aug. 27—Sidney Howard, playwright, who died after an accident on his farm Wednesday, was buried here yesterday after funeral services at the Union Church.

Seattle Dull, But 'Stanley' Does $7,600

SEATTLE, Aug. 27—"Stanley and Livingston'" in its second week at the Paramount took $7,600 to lead the city in a week of low grosses, for which circus competition and hot weather are responsible. No other house but the Paramount even reached average business.

Estimated takings for the week ending Aug. 25:

"When Tomorrow Comes" (Univ.)
"Journey's End" (25c-35c-50c) BLUE MOUSE—$950 (25c-30c-55c) 7 days. Gross $3,500. (Average, $4,950)
"Bachelor Mother" (RKO) "On Borrowed Time" (M-G-M) Fifth Avenue—$2,500 (50c-30c-55c) 7 days. Gross $3,700. (Average, $5,300)
"Man They Could Not Hang" (Col.) "Parents on Trial" (Col.) National—$4,000 (50c-30c-55c) 7 days. Gross $3,500. (Average, $5,000)
"The Magnificent Fraud" (Para.) "Shanghai Speedway" (W. B.) ORPHEUM—$4,900 (25c-35c-40c) 6 days. Gross $4,000. (Average, $6,700)
"Heritage of the Desert" (Para.) "Manhattan Transfer" PALOMAR—$1,500 (35c-35c-40c) 7 days. Gross $3,700. (Average, $5,000)
"Quick Millions" (20th-Fox) VANESSA—$2,300 (35c-30c-50c) 7 days. Gross $7,600. (Average, $6,600)
"Oz" is Providence Winner at $14,000

PROVIDENCE, Aug. 27—Strong features brought a general upswing in business, with "The Wizard of Oz" at Loew's State taking $14,000 and "Bachelor Mother," paired with "The Sash in London," reopening the RKO-Peabody for $4,700. Estimated takings for the week ending Aug. 22:

"Ivanhoe" (20th-Fox) Lockwood's—$2,100 (25c-30c-50c) 6 days. Gross $2,200. (Average for 7 days, $6,700)
"Winter Carnival" (G. A.) "Merrily We Roll Along" (M-G-M) CARLTON—$1,320 (25c-30c-50c) 7 days. Gross $3,600. (Average, $5,100)
"The Magnificent Fraud" (Para.) "Second Fiddle" (20th-Fox) (Para.) "Racket Time" (M-G-M) (4 days)
"Oz" (25c-30c-50c) STRAND—$1,550 (25c-35c-40c-55c) 7 days. Gross $3,400. (Average, $5,100)
"The Last of the Mohicans" (Para.) "Second Fiddle" (20th-Fox) (4 days)
" embed_response_id=6518977 

Action on 'Juarez' Is Pressed by Diaz

MEXICO CITY, Aug. 27—Although Warners won a point in the controversy involving "Juarez," in which President Lázaro Cárdenas, the late president of Mexico, claimed the film defames his father, the plaintiff has asked for a trial by the highest district court, to upset the Federal Prosecutor's rejection of Diaz' complaint.

The plaintiff claims his charges are justified and that he has an abundance of proof to substantiate them.
"IN NAME ONLY" now opening to the same kind of business in pre-release key runs Coast to Coast!

THAT'S THE KIND WE MEAN WHEN WE SAY BIG ONES FROM RKO RADIO!
OPENING DAY AT RADIO CITY MUSIC HALL $1,000 BETTER THAN FIRST DAY OF "IN NAME ONLY"... WHICH HIT THE THREE-YEAR TOP FOR ANY RKO RADIO PICTURE!

SECOND DAY AND WEEKEND POINT TO ANOTHER RKO RADIO ATTRACTION IN THAT SENSATIONAL $100,000-A-WEEK CLASS!

Ginger Rogers

"FIFTH AVENUE GIRL"

WALTER CONNOLLY • VERREE TEASDALE • JAMES ELLISON
TIM HOLT • KATHRYN ADAMS • FRANKLIN PANGBORN

PRODUCED AND DIRECTED BY PANDRO S. BERMAN IN CHARGE OF PRODUCTION • SCREEN PLAY BY ALLAN SCOTT • GREGORY LA CAVA
War to Close All British Film Houses

(Continued from page 1)

been called out themselves or have had their sales and distribution staffs depleted by the war preparations. In addition, the Paris operations of many companies have been similarly affected and, in lesser degree, so have those in London.

The replacement of this manpower is one of the most immediate problems confronting American companies as a result of the European situation. At the moment, all that can be done is to await developments to determine whether or not replacement will have to be made and on what basis.

Most serious effect of the war preparations, if they continue, will be felt in the London and Paris studios. New York executives believe that American production activities in London will be halted first if the situation does not improve and that, subsequently, virtually all production in both capitals would come to a standstill.

Big Films in Work
McCormick Reports

Several of RKO’s most important productions of the new season are now before cameras in preparation and a steady succession of new releases for the fall will be ready in the near future, S. Barret McCormick, RKO advertising and publicity director, said yesterday on his arrival in New York from a three-week visit at the studios.

Following the company’s release of “Fifth Avenue Girl,” “Nurse Edith Cavell,” “Full Confession” and “Flying Deuces,” which are now completed, RKO will have “Allegheny Frontier” and “Hunchback of Notre Dame” for fall release. The latter two are in work now and the studio is watching progress on them with keen enthusiasm, McCormick said. This is particularly true of “Hunchback,” which stars Charles Laughton. The work of a newcomer, Maureen O’Hara, in a supporting role in the picture, is responsible for considerable excitement about the studio, he reported.

Production on “Vigil in the Night,” interrupted recently by the illness of Carole Lombard, will be resumed in the near future, and “Spoo’s Family Robinson,” now in preparation, will go before the cameras soon.

It’s Dangerous

Albany, Aug. 27.—Sunday night an armed robbery occurred at the National Hotel, independent operator of the Paramount here, and police say that the swagman gave a large butcher knife to every lady attending the matinee and evening performances.

Key Grosses Show Sharp
Upturn, Total $1,276,750

(Continued from page 1)

“Andy Hardy Gets Spring Fever,” “Hotel for Women,” “Bachelors Mother,” “Each Dawn I Die,” “They Shall Have Music,” “Goodbye, Mr. Chips” and “The Man in the Iron Mask.”

Following is MOTION PICTURE DAILY’s tabulation of weekly key city grosses since last September:

<table>
<thead>
<tr>
<th>No. Theatres</th>
<th>Gross</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sept. 8-19, 1939</td>
<td>138</td>
</tr>
<tr>
<td>Sept. 22-23</td>
<td>138</td>
</tr>
<tr>
<td>Sept. 29-30</td>
<td>137</td>
</tr>
<tr>
<td>Oct. 6-7</td>
<td>137</td>
</tr>
<tr>
<td>Oct. 13-14</td>
<td>138</td>
</tr>
<tr>
<td>Oct. 20-21</td>
<td>140</td>
</tr>
<tr>
<td>Nov. 3-4</td>
<td>142</td>
</tr>
<tr>
<td>Nov. 10-11</td>
<td>141</td>
</tr>
<tr>
<td>Nov. 17-18</td>
<td>137</td>
</tr>
<tr>
<td>Nov. 24-25</td>
<td>136</td>
</tr>
<tr>
<td>Dec. 1-2</td>
<td>135</td>
</tr>
<tr>
<td>Dec. 8-9</td>
<td>140</td>
</tr>
<tr>
<td>Dec. 15-16</td>
<td>147</td>
</tr>
<tr>
<td>Dec. 22-23</td>
<td>139</td>
</tr>
<tr>
<td>Jan. 5-6, 1939</td>
<td>151</td>
</tr>
<tr>
<td>Jan. 12-13</td>
<td>145</td>
</tr>
<tr>
<td>Jan. 19-20</td>
<td>151</td>
</tr>
<tr>
<td>Jan. 26-27</td>
<td>147</td>
</tr>
<tr>
<td>Feb. 2-3</td>
<td>149</td>
</tr>
<tr>
<td>Feb. 9-10</td>
<td>149</td>
</tr>
<tr>
<td>Feb. 16-17</td>
<td>147</td>
</tr>
<tr>
<td>Feb. 23-24</td>
<td>146</td>
</tr>
<tr>
<td>March 2-3</td>
<td>146</td>
</tr>
<tr>
<td>March 9-10</td>
<td>146</td>
</tr>
<tr>
<td>March 16-17</td>
<td>155</td>
</tr>
<tr>
<td>March 23-24</td>
<td>154</td>
</tr>
<tr>
<td>March 30-31</td>
<td>154</td>
</tr>
<tr>
<td>April 6-7</td>
<td>154</td>
</tr>
<tr>
<td>April 13-14</td>
<td>154</td>
</tr>
<tr>
<td>April 20-21</td>
<td>149</td>
</tr>
<tr>
<td>April 27-28</td>
<td>154</td>
</tr>
<tr>
<td>May 4-5</td>
<td>152</td>
</tr>
<tr>
<td>May 11-12</td>
<td>154</td>
</tr>
<tr>
<td>May 18-19</td>
<td>155</td>
</tr>
<tr>
<td>May 25-26</td>
<td>155</td>
</tr>
<tr>
<td>June 1-2</td>
<td>153</td>
</tr>
<tr>
<td>June 8-9</td>
<td>143</td>
</tr>
<tr>
<td>June 15-16</td>
<td>137</td>
</tr>
<tr>
<td>June 22-23</td>
<td>138</td>
</tr>
<tr>
<td>June 29-30</td>
<td>138</td>
</tr>
<tr>
<td>July 6-7</td>
<td>125</td>
</tr>
<tr>
<td>July 13-14</td>
<td>136</td>
</tr>
<tr>
<td>July 20-21</td>
<td>136</td>
</tr>
<tr>
<td>July 27-28</td>
<td>136</td>
</tr>
<tr>
<td>Aug. 3-4</td>
<td>137</td>
</tr>
</tbody>
</table>

(Continued from page 1)

Producers Meet With Unions Here

as of no significance. Wage and hour terms were not discussed, it was said, nor was an extension of the basic agreement considered. The I.A.T.S.E. was not represented at the session, having withdrawn from the agreement some time ago.

Representatives of the American Federation of Musicians, I. B. of Teamsters & Chauffeurs, I. B. of Carpenters, I. B. of Painters, and I. B. of Electrical Workers attended, also the following company representatives: Austin Keough, Paramount; Matthew J. Fox, Universal; Eugene Picker, Columbia; W. C. Michel, 20th Century-Fox; George J. Schaefer, RKO; Nicholas J. Schenck, M-G-M, and Harry Buckley, United Artists.

A second meeting will be held in a few weeks, a definite date not having been set yet.

N.L.R.B. to Hear Producers Tuesday

(Continued from page 1)

on Friday before Trial Examiner J. J. Fitzpatrick.

The producers asked for a recess until Tuesday to prepare their case that film production is not in interstate commerce and therefore not subject to the Wagner Act in this instance.

Details of unsuccessful negotiations between the Screen Writers Guild and the producers were detailed from the witness stand by Charles Brackett, SWG president, and Phil Dunning, chairman of the Guild’s negotiating committee.

Anthony Veiller, writer and now an associate producer, told of a legendary blacklist threat by B. B. Kahane should theSWG affiliate with the Authors League. Others testifying were Morrie Ryskind, Francis Farago, Saul Elkins, Sam Duncan, Frank Partos and Robert R. Presnell.

Mexico Asks Pictures Free Of Distortion

By JAMES LOCKHART

Mexico City, Aug. 27.—That pictures produced in the Americas shall not distort history is the gist of a resolution favored by Manuel Arocena, Venezuelan Minister of Culture, for Mexico, who was unanimously adopted by the 27th annual international convention of Americanists, students of all phases of Latin American problems, who were Mexican delegates to the session, which was attended by about 400 other representatives of the United States, Mexico, other American and some European countries.

"Efforts must be made to prevent motion pictures from making ridiculous caricatures of outstanding figures in public life of American countries as this is the only way to influence the opinion of this and other generations regarding history, besides serving to discredit the people who shaped our nations and our nationalities," the resolution read.

Mexico, with the aid of the government of California, is planning to present her side of the oil question in the form of a picture, says an official Mexico Government announcement. Charles L. Page, private secretary of the California Governor, is here making arrangements for the picture, which, says the announcement, will involve Paul Muni, Ralph Bates and George Stevens. The statement asserts that a $30,000 fund has been gathered to finance the picture which is intended to “counteract the malicious and pernicious campaign against Mexico that some American oil companies are waging.”

Roosevelt Accepts With Reservations

(Continued from page 1)

Roosevelt was free to contact any and all the members of the industry during the course of the studies. That no stipulations of secrecy should be attached to the investigation or its results.

Roosevelt stressed to Joseph M. Schenck, A.M.P.P. president, that he fully realized the vastness of the problems involved and that such study due to its unfamiliarity with many aspects of the industry would require considerable time.

Plans Portable Circuit

Denver, Aug. 27.—A circuit of five towns, operated with portable equipment, is being reopened for the Autumn and Winter by Rev. O. Martorell of San Luis, Col. Besides San Luis, Martorell operates in Chama, Ft. Garland, San Pedro and Capulin, all in Colorado.

Has Chatterton Film

The service of MOTION PICTURE HERALD is as broad as the map of the whole world of the screen.

The Editor
Motion Picture Herald
1270 Sixth Avenue
New York, N.Y.

Dear Sir,

As exhibitors in some or our cinemas of films in the French and other foreign languages, may we suggest that it would be a great help to the exhibitors of such films if in your reviews of pictures of the nature stated above you would give the original title of the film in addition to the English title.

As instances we would quote the following:

"Abused Confidence" (Abus de Confiance) reviewed in your issue of 10.12.38.

"The Human Beast" (La Bete Humaine) reviewed in your issue of 1.4.39.

We believe that it would greatly facilitate the exhibitors' tracing of foreign film reviews in your publication by having the original title in addition to the English title given, and it would also make the indexing of these much easier.

Yours faithfully,

QUIGLEY PUBLICATIONS
Rockefeller Center
New York City
Deals for 8 Programs Are Closed at CBS

A peak in Fall business, new and renewal, was achieved at CBS Fri., when contracts were delivered for eight programs.

General Foods signed two renewal orders and one for a new series, beginning Oct. 1. The contracts are for the first two weeks of the Kate Smith noonday commentary series, monthly through Friday, over 63 stations, under sponsorship of Calumet & Swanson Baking Powder and Diamond Crystal Salt, the former placed through the Frank Sherman agency, latter through Benton & Bowles; "Joyce Jordan, Girl Interne," script series, which, beginning Oct. 1, will be presented at a new time, 3 to 3:15 P.M., over 60 stations, Mondays through Fridays with Calumet and Swanson sponsored series for General Foods is "My Son and I," a script serial, to be heard from 2:45 to 3 P.M., also starting Oct. 1. "The Sixo of St. Louis" was placed through Young & Ru- bian, as was the "Joyce Jordan" pact.

Orson Welles Continues

Campbell's Soup Co. will open Sept. 10. The contract is for 39 weeks, through the Ward Wheelock agency, and Orson Welles continues in the series.

Colgate-Palmolive-Peet, intensifying its campaign for its CBS sign, sends for its other hour similar to the Thursday night 8 to 9 period occupied by "Ask It Basket" and "Strange as it Seems." Beginning Oct. 21, from 8 to 9:30 P.M., the company will present the "Gangbuster" series, and from 8:30 to 9 P.M., Wayne King in a new series of musical programs. Benton & Bowles placed both orders.

Procter & Gamble will be the new sponsor for "Fibroc," which program is to begin Sept. 8, 7:30 to 8 P.M. over a network of 33 stations. Kaufman & Son, Chicago, is the agency.

California Fruit Growers will present Hedda Hopper in a new series of films posted and interviewed over CBS, beginning Nov. 6. Program will have a Monday, Wednesday and Friday schedule from 5:30 to 6:30 P.M., and originate from KNX, Hollywood, Lord & Thomas placed the business.

The Museum of Modern Art has scheduled another group of early films to be shown daily during the current week in its cycle of Seveney Films. The various types of pictures to be shown are as follows:

Today—second series of comedies, including: Ghosts (1924), directed by Peter Senett subject and a Harold Lloyd comedy.

The Talkies, arrive, with scenes from "The Jazz Singer." Sunday—The musical comedy film. Monday—The second group in the gangster film showings.

BANNER RADIO LINES

BY BACK BANNER

ELEEN HAYES BACK ON AIR . . . A peak Sunday audience for the "Eileen Hayes on the Radio" series on which Miss Kerns' daughter, Helen, has been featured, when the program was broadcast, and prior to the recent vacation she had achieved, to the wave of Columbia at the John F. Kostom from the World's Fair, where she is featured. Miss Hayes will be heard in one of the 39 broadcasts, or two appearances in each of the 39 broadcast cycles during the 1938-39 season. There is no hint of how much money Miss Hayes will be paid for her microphonic acting, but a safe guess is about $4,000 a night.

The stars will open the series with a performance of "Dorothy Ibbetson," in the New York studios. The first four broadcasts are to originate in Manhattan, with the remainder to come from Hollywood to enable Welles to fulfill his acting-writing-contract for RKO.

STROMBERG-CARLSON TO TRY PROGRAM . . . Stromberg-Carlson will sponsor a new series of recorded music over WQXR, three evenings a week, with WQRX selected because their high fidelity transmission is particularly suited to the selling of high fidelity radio receivers.

DOROTHY THOMPSON SIGNED AS COMMENTATOR . . . NBC has signed Dorothy Thompson to do a special series of nightly commentaries on the European-podger-kits situation.

PERSONALS . . . John Churchill, chief statistician for CBS, will be mar- ried today, while the marriage of NBC’s chief statistician, John Bevill, is also expected momentarily. . . Frank Roerden, general manager of WBT, will return from his recent fishing trip today. . . Alton Cook, the "New York Telegraph" radio, editor, will resume his three-week vacation tomorrow. . . Oscar Bradley has just signed a contract renewal for his second season as bandleader on the Screen Actors Guild series.

FREE IF SOMEONE WANTS IT . . . At CBS there is a half a bale of alfalfa which the network will gladly give away free to anyone who wants to accept it. The alfalfa was bought as a promotion stunt for artist "Uncle Jonathan," who conducts a new mythical network he calls the "Alfalfa network." Strands of alfalfa have been sent by CBS to all editorial editors and writers and now CBS is anxious to dispose of what remains of it, particularly as the network’s hay fever sufferers are beginning to complain about its presence.

WEB WAR WATCH . . . CBS, NBC and Mutual kept 24-hour vigil through the week-end days as European events swiftly headed toward conflict. The effects were kept on coffee, sandwiches and cooca-cola, with some sacrifice for good measure.

Gives Asks New Trial in the S. District Court by the Commerce Club; the suit will be held Sept. 3 for a new trial in his suit against Warners, Radhele Paton Corpora, Albert A. Radhele, Unione Corpora, and Leonard Day, which charged infringement of his patented called "method and means for reproducing a Federal Judge Mortimer W. Byers in July after trial dismissed the suit.

Cincinnati Golf Tourney

CINCINNATI, Aug. 27.—Approximately 300 divot diggers participated in the fourth annual Varsity golf tournament at Summit Hills Country Club. Dwight Jones, operator of the Markay, at Jackson, Ohio, turned in an 83 as the lowest score among the mem- bers. Proceedings will be turned over to the St. Mary's Hospital Milk Fund.

To Quiz Katherine Moog

Warners filed notice on Friday in the U. S. District Court that it will take the testimony of Katherine Moog, the official Miss Moog is plaintiff in a suit for $75,000 damages against Warn- ers, charging libel in the picture, "Confessions of a Nazi Spy.

Yiddish Film at Waldorf


French Film to Open

Transatlantic Distributors, Inc., will open the French film, "Conflict," starring Corine Luciher, at the Little Carnegie Playhouse next month.

Big Army Contract

WASHINGTON, Aug. 27.—The War Department has award- ed two contracts totaling $2,678,852 to the General Elec- tric Co., Schenectady, N. Y., for 16 transmitting equip- ment, with spare parts and accessories, for installation in army planes.

CFC Head Denies BBC Tieup in War

MONTEREY, Aug. 27.—Reports that the Canadian Broadcasting Corp. would come under British Broadcast- ing Co. jurisdiction in event of war are denied by Leonard W. Brock- ington, CBC board of governors chairman, who returned Friday from England. He said there would be no question of a tieup.

"There is no plan to correlate the English and Canadian policies in event of war," he said. Brockington admitted that during his visit in London he was given detailed confidential information regarding the BBC functions should war break out. He said he discussed a wider range of exchange programs with BBC, adding that also CBC planned taking control of all private Canadian stations. "We plan merely supervision of the networks," he said. "The matter has been grossly exagger- ated."

He reiterated the suggestion that Canada establish a national short- wave station for publicity and propa- ganda purposes.

AFRA Convention Discusses Relief

CHICAGO, Aug. 27.—American Fed- eration of Radio Artists adjourned its second annual convention here today after delegates voted to support the World Federation of Art Workers, sup- port the Fair Theatre Project. elimination of the 130-hour provision in the Taft-Hartley Act, and to support Federal relief for only 18 months.

Emily Holt, executive secretary, and George Heather, associate secretary, instituted a policy of support for I. E. C. from the Bunting regarding radio writers’ problems. Transcription problems were discussed.

The convention has been harmoni- ous throughout. A party was held Friday night.

Melton CBC Guest

TORONTO, Aug. 27.—James Melton, the guest artist on the CBS network national with the Toronto Parnassus Symphony Orchestra under the direction of Reginal Stew- art, on Aug. 31, one hour of the concert to be broadcast as an ex- clusive feature over the Blue Network of NBC.

KDKA Plans Television

PITTSBURGH, Aug. 27.—KDKA will conduct television demonstrations at McKeesport Community Fair at South Park, Aug. 29 to Sept. 4. One of the Fair buildings will be designated as a "One-Color Television" demonstration and receiving will be demonstrated.
British Issue War Orders
For Theatres

SHOWS MAY BE PERMITTED DURING DAYLIGHT

LONDON, Aug. 28.—The British Government House Office today issued details and regulations governing the opening, lighting and staffing of places of entertainment, with regard to the safety of audiences and the training of personnel for operation in case an emergency arises.

As was indicated yesterday, all places will be compelled to close for an indefinite, elastic period, and reopenings will be permitted in certain less vulnerable areas, subject to the local authorities and the police in those areas.

The possibility has been suggested of theatres opening for the daylight hours only, with restricted audiences, and taking into account the facilities by which the audiences may reach bombproof shelters.

Film houses are required on reopening to provide screens against splinters and blasts and to provide adequate shelter for personnel. A member of the theatre staff must be on hand to advise on the alert for warnings signals. The audience must be advised to quit the theatre at the warning or signal, but no performance should continue during the attack for those who are unable to reach home.

Fire fighting equipment is required, with a fire party constantly on the premises. Also the entire theatre staff must be trained in first aid and gas treatment, at the theatre's expense.

ARMED FORCES

Alaska's ASCAP Bill Recommended

BERKELEY, Calif., Aug. 28.—The Senate Judiciary Committee of the Alaska legislature has reported favorably on the Stakely bill aimed at Ascap.

The bill was urged by Alaska radio stations, many hotels and other businesses which the committee was told have suffered heavily because of music charges.

The Stakely measure would require the association to pay a three per cent annual state gross receipts tax and would prevent the association from charging broadcasters and others a flat fee of $500 to $1,000 a year, plus five per cent of the gross revenues of any company playing the copyrighted music.

Paramount Issues War Crisis Special

Paramount News yesterday morning shipped all to account a newsreel special, 36 hours ahead of the usual time, and beating by that margin all other reels. It is of unusual length, running about 1,300 feet.

The special, of course, is devoted wholly to the European crisis, and is made up largely of material flown here by Clipper plane, which arrived Sunday. The Paramount News staff worked all day and night Sunday, in order to prepare the reel for shipment by yesterday morning.

Scenes are included from France, Danzig, Germany, Gibraltar and England, plus reactions in this country. Frank Gallop was the announcer.

UA Files Answer
In Trust Action, Seeks Dismissal

United Artists Corp. filed answer yesterday in the U. S. District Court to the Government's anti-trust suit against the majors, in which it asked for a dismissal in behalf of itself, James Roosevelt, Harry D. Buckley, Arthur W. Kelly, Harry J. Millar, Dennis F. O'Brien, Edward C. Baffery, Emanuel Silverstein and Theodore Caruso, United Artists officers and directors.

The answer, last to be filed by a major company, disclaimed knowledge (Continued on page 6).

Paramount Issues War Crisis Special

Paramount News yesterday morning shipped all to account a newsreel special, 36 hours ahead of the usual time, and beating by that margin all other reels. It is of unusual length, running about 1,300 feet.

The special, of course, is devoted wholly to the European crisis, and is made up largely of material flown here by Clipper plane, which arrived Sunday. The Paramount News staff worked all day and night Sunday, in order to prepare the reel for shipment by yesterday morning.

Scenes are included from France, Danzig, Germany, Gibraltar and England, plus reactions in this country. Frank Gallop was the announcer.

War Clouds Speed Return of Film People from Abroad

War clouds over Europe are speeding American film folk to home and safety.

The Norwegian, which arrived yesterday seven hours ahead of schedule, brought a score of persons in films, among them C. C. Pettitjohn, general counsel of the M.F.P.D.A., Harry Cohn, president of Columbia, and Joseph A. McCowen, general foreign sales manager; Russell Muth, general European chief for Movietone News; J. J. Milstein, Edward Smull's eastern representative; Sonja Henie and Constance Bennett.

Others Rushing Back

Others are curtailing business trips or vacations to take the first available ship out of England or France. H. J. Yates, president of Consolidated Film Industries, who is in England with his family and Gene Autry, informed his office yesterday by cable that he had planned to sail Sept. 7 but instead is making an effort to secure passage on the Queen Mary, which is due to leave tomorrow and arrive here next week.

Bill Saal of Republic, who is with the Yates-Autry party, may take the clipper back.

Also due on the Queen Mary, if it sails, are Mr. and Mrs. Harry Warner, David Rose, Paramount's British chief, and Dan Carroll, Australian circuit head.

Jack Warner is booked to sail on the Norwegian tomorrow, but latest word from the coast is that he has deferred a trip to England in connection with British production. The Nile Amsterdam will dock here Thursday with Mr. Douglas Fairbanks, Mona Barrie and Edna

“THE WOMEN”

[Metro-Goldwyn-Mayer]

Hollywood, Aug. 28.—Roll out that barrel the world's been singing about, Showmen, and get ready to need it to hold money when the first houseful in to see "The Women" get to a phone to tell their friends the news. (The news, for your advance information, is that “The Women” is one of those terrific box-office attractions M-G-M starts the industry with just about everything number.)

News about “The Women” has been hot copy ever since the play took Broadway to town. Everybody knows it was a hot show, full of hot dialogue and venomously disposed toward the sex it's named for, for this or that reason, such as the Dietz-Straubing propagandist machine, the syndicated columnists and magazine writers and radio

(Continued on page 6)

Actor Peace Upto Browne
Says Four A

Fight Will Be on Unless I. A. Head Negotiates

Final peace moves in the jurisdictional dispute in the Associated Actors and Artists of America and I.A.T.S.E. were left in the hands of George E. Browne, LA. president, yesterday after a six-hour session of the international board of the 4-A.

Although Kenneth Thomson, Screen and Stage secretary, Ralph Morgan, S.A.G. president, and Laurence Bellenson, S.A.G. attorney, arrived here yesterday after extensive representations on the coast, they plan no future peace overtures unless Browne invites them to confer with him.

Yesterday, the 4-A designated Thomson and Paul Dullizell, executive secretary of Actors Equity, as a committee to meet with Browne if the latter is willing to confer with them. The coast meetings between S.A.G. and B.B.F. were initiated by C. J. Haggerty, president of California State Federation of Labor, and J. W. Barne.

Rogers Predicts
Business Upsurge

Hollywood, Aug. 28.—William F. Rodgers, general sales manager at M-G-M, arrived today from Chicago for conferences at the studio with Al Lichtman, assistant to Nicholas M. Schenk, president.

Before leaving for New York on Wednesday, Rodgers will see completed and semi-completed product, the list being headed by “Gone With the Wind.” Rodgers predicted a surge of business.

Time Planning Reel
On Catholic Church

March of Time is planning a subject on the Catholic Church, especially concerning its functioning in the United States. Camera crews have been at work for some little time at the Vatican shooting general material for use in the subject.

It is stated that a large portion of the footage will be shot in the country. At the present time the subject is expected to be ready for release in about six months, although it is possible it will be released earlier.
Circuit Levy Is Possible In Wisconsin

MADISON, Wis., Aug. 28 — Likelihood of a circuit theatre tax in the state is increased by a special introduction of the Murray bill in the Senate, which would require chains of all types having from two to four stores; chains of five to eight stores, $30; chains of nine to fifteen stores, $75; of sixteen to twenty-four stores, $20.

The administration’s tax program for the bennium remains a riddle with nothing definite yet drafted or agreed upon by administration forces.

With the Paulson bills in the Senate, which would prohibit theatre games and giveaways, laid aside temporarily, indications are that the measures will not be pushed. They may be advanced to passage by the Senate, but opposition against the measures has arisen among independent exhibitors who feel they would prohibit them from offering giveaways in the form of dish nights to patrons.

BUFFALO HOUSE SUIT TESTIMONY TAKEN

BUFFALO, Aug. 28 — Gross receipts of the Century Theatre here, while it was under management of the Marcus Loew booking agency from 1919 to 1925, were squandered, William M. Yellen, former member of the Buffalo Board of Education, continued his testimony yesterday at the Lavy Reference Thomas H. Noonan in a stockholders’ suit brought by William P. Eckhardt and Joseph C. Henaff.

The suit was brought against Yellen and other past and present officers and directors of Midland Properties, Inc., owner of the theatre. Plaintiffs allege that corporation funds were squandered, and that Loew operated the house, Yellen was president and vice-president at various times.

Gross receipts of the theatre in 1924, according to Yellen, were $666,652.97 and the net receipts were $297,316.80. In 1925, he testified, gross receipts were $725,540.50 and net receipts, $321,251.16. Net receipts in 1926 were listed at $321,251.16 and for 1926, $210,272.28. Decision was reserved and the referee ordered that briefs be filed.

U.S. COMPLIES WITH SPANISH IMPORT RULES

BARCELONA, Aug. 28 — American producers and distributors operating in Spain are preparing to comply with the proposed regulations to film, which Universal, for instance, has shown its willingness to accept the proposed regulations by purchasing a Spanish film.” La Hermosa Beatriz” (“Beautiful Beatriz”).

RKO is advertising for Spanish technicians and talent to start local production of immediately, while Lacy W. Kastner, Continental sales manager for United Artists, at present visiting Spain, says that his company is ready to go to work to produce Spanish pictures, since United Artists is urgently in need of Spanish language material.

HEARINGS ON RKO AGREEMENT DELAYED

Hearings before Special Master George W. Alger on the proposed underwriting agreement of Atlas Corporation and the New RKO stock, were postponed until shortly after Labor Day, Alger stated yesterday.

Delay in starting the hearings has been caused by the request of the S.E.C., which is studying the agreement, for an extension until Tuesday or Wednesday of next week, Alger added.

An RKO hearing scheduled before Federal Judge Samuel Mandelbaum yesterday was adjourned on application of the Atlas Corp., proponent of the plan, to Sept. 20. Further RKO developments are marking time until Federal Judge William Bondy, who is on vacation, sits again.

FREEMAN IS HERE FOR PRODUCT TALKS

Y. Frank Freeman, vice-president of Paramount, is here for home office product and negotiations relative to the Lucas & Jenkins theatre operating deal which expired in July. Freeman will be in town for several days.

Motion Picture Daily

Tuesday, August 29, 1939
Cohn Says War Will Not Halt English Production

European hostilities, if any, will not stop production in England and the industry there will attempt to continue operations, Harry Cohn, president, returning yesterday on the Normandie, he said that Irving Asher plans to start a picture for Columbia next week.

Cohn said he would go for a vacation but worked instead. On the same boat was Joseph A. McConville, Columbia's general foreign sales manager, who was aboard 10 weeks.

The plan for Wesley Ruggles to make a film in England with Cary Grant has been halted, it was possible, Cohn said. This will be under Asher, at London Films studios. The story is not set.

Asher Part Revived

Asher's commitment to produce for Columbia continues for a second year, calling for four pictures.

Cohn declared that Columbia's production plans in France have been halted by the crisis and will not be resumed until further clearance is made. The world wide releasing arrangement.

Frank Capra may make a film on the life of Chopin, depending on a new deal with Columbia.

McConville covered England, France, Belgium and Holland and reported the company's business as good in those countries. The Fox drew $19,000 with "When Tomorrow Comes" and "They Made Her Pay," $10,000 with "Each Dawn I Die" and "Night Work" in the second week.

Estimated takings for the week ending Aug. 24:

- *Stanley & Livingston (28th-Fox)*
  - ADAMS (35c-6c): 7 days: Gross: $7,900, (Average: $1,128)
  - "Each Dawn I Die" (W. B.): 5 days: Gross: $9,100, (Average: $1,820)
  - "Light Work" (Para.): Micigan (4c-6c): 7 days: Gross: $7,600, (Average: $1,086)
  - "They Made Her Pay" (RKO): 2 days: Gross: $7,000, (Average: $3,500)
  - "El Dorado" (M-G-M): 3 days: Gross: $7,500, (Average: $2,500)
  - PALMS: (3.000) 7 days: Gross: $5,000, (Average: $714)

-Livingstone Gets Big $9,300 Omaha

OMAHA, Aug. 26—"Stanley and Livingston," dulling with "It Could Happen to You," were the town's best by far with $9,300 at the Orpheum. "Lady of the Tropics" drew $7,000 at the Omaha.

Estimated takings for the week ending Aug. 24:

- *Mimi (6-M-G)*
  - "Bachelors" (25c-35c): 7 days: Gross: $7,600, (Average: $1,086)
  - "El Dorado" (M-G-M): 3 days: Gross: $7,500, (Average: $2,500)
  - "It Could Happen to You" (28th-Fox): ORPHEUM (3.000): 7 days: Gross: $9,000, (Average: $1,286)
  - "First Nighter Reopened"

Campagna Sales Co., Batavia, Ill., has renewed the "First Nighter" program over 50 CBS stations, effective Sept. 1. The show is heard each Friday, 9:30 to 10 P. M.

Actor Peace

Says Browne

(Continued from page 1)

Says Browne (Continued)

Says Browne

(Continued from page 1)
The "FRANKENSTEIN" MONSTER
DEFIES EVEN THE GALLOWS TO TEMPER THE SAVAGERY OF HIS SOUL-CONSUMING BLOOD-LUST!

THE MAN THEY COULD NOT HANG

LORNA GRAY • ROBERT WILCOX • ROGER PRYOR
Screen play by KARL BROWN • Directed by NICK GRINDE
A COLUMBIA PICTURE
Film Editors
Plan National Organization

Information for the organization of a national film critics and editors, formed Saturday by the 100-old film critics here as guests of Universal for the premiere of "The Under-Pup," was a spontaneous thought, but one carefully planned and discussed on other previous occasions. The organization, called "The Under-Pup," is a group of film critics, editors, and friends of the film industry, who plan to form a national organization to promote the interests of the film industry.

To Draft Constitution

As secretary-treasurer of the Newspaper Film Critics of America, Herzog said the organization already boasted moderate financial means through voluntary contributions from the members. The money will be expended by the organization committee when the next few weeks are spent in preparation for meetings at which will be outlined and drafted a constitution and bylaws which will be submitted for approval at a special meeting to be held probably in February or earlier if possible.

A letter explaining the purpose of the next group will be prepared and given a nationwide and Canadian film mailing within the next two weeks, together with application blanks for joining the organization. Herzog said.

Form Planning Committee

On the planning committee are: Keith Wilson of the Omaha World-Herald, Merle Potter of the Minneapolis Tribune, H. G. Martin of the Chicago Daily News, and Herzog, chairman. Purpose of the organization is to elevate standards of criticism and commentary on motion pictures and to better in whatever way possible the American film industry.

Majority of the critics brought here for the Scranton, Pa., premiere of "The Under-Pup" have left for their respective homes, and all those still remaining will be en route home by today.

Club Presents Flag

PITTSBURGH, Aug. 28.—Variety post of the American Legion, has presented a large colored flag to Camp O'Connell, boys' outing site, at Americanization ceremonies. Commander Harry Kalmine made the presentation. Dr. A. J. White, color bearer, Rev. James Garrahan, chaplain, and Adjutant C. C. Kellenberg was in charge of a luncheon served to 150 guests.

Griffith to Produce

D. W. Griffith will return to production after an absence of eight years, to make Hal Roach's forthcoming "1,000,000 B.C." which will be released by United Artists.

"The Women" [Metro-Goldwyn-Mayer]

(Continued from page 1)

chatter-boxes have kept the citizenry keenly aware of M-G-M's progress screenwise with a name-laden picturization of the plot. An expectancy such as few studios would care to attempt to live up to has been created for the film. The film calls that expectancy and rakes in the chips.

Look at this cast, you shownmen with maximum marquee displacement: Norma Shearer, Joan Crawford, Rosalind Russell, Paulette Goddard, Joan Fontaine, Virginia Weidler, Mary Boland, Cora Witherspoon, Marjorie Main, Hedda Hopper, to name 10 of 21 ladies who act their heads off in the first all-feminine cast ever loosed upon a set. (And when you've seen the picture, choose for yourself the best acting job in it—your reporter calls it a dead heat.)

What to do with a picture like this, but wisely shownmen did with "Dinner at Eight" the first time out and all shownmen did the second time around. How to sell it is the way shownmen learned to sell "Grand Hotel" when they found out how saleable it was. This is like neither of those, specifically, but it is like both of them in that it is, as they were, unlike any picture before it. Don't keep that a secret from the competition.

The dialogue that was hot in the play has been cooled off enough for picture purposes, but that part of its heat which derived from humor and viewpoint is still intact; only the vulgar was stricken. The situations that were pungently diverting in the play are in the picture, plus others just as much so that weren't. The picturization of the female of the species engaged in attack and counter-attack and this is still a most diverting and amusing presentation. It is, of course, a picture for the very young of either gender.

The film is feminine in more than on-screen personnel. A woman, Claire Booth, at one time the voice of Anita Loos and Jane Murfin did it over, so to speak, for the screen. Let it be shouted at this point, however, and loudly, that Hunt Stromberg, a man, produced it, and George Cukor, another, directed it, saving the situation for the troubous perception of the population and earning, for doing so and supplying a tremendous comedown, the gratitude of men and women ("Children Not Admitted") on both sides of the ticket wicket.

Running time, 135 minutes. "A.**

WILLIAM R. WEAVER

Film Rejected But
Nets Big $16,500

MEXICO CITY, Aug. 28.—Sign of the times:

"Los Enredos de Papa" ("Papa's Intrigues"), conceded to be the best Mexican picture comedy, which set a Mexican box office record, will be a gross of $16,500 in three weeks in Mexico City, was rejected by four exhibitors before the Cine Teatro Alameda gave it a debut.

The Cine Regla, a select local theatre that has functioned for years, has quit pictures for stage shows. A Spanish musical comedy company is playing the house for a limited period. Too much picture competition is said to have prompted the management to put in stage entertainment.

Federico Gamboa, dean of Mexican novelists and author of "Santa" ("Saintess"), the novel that was the basis of Mexico's first talking film, died at his home here at the age of 74.

The film censors viewed 118 films during July—August American, eight German, six Mexican, six French, three Spanish, two Russians, two Argentines, one Italian, and one Czechoslovakian. Only one film, French, was banned, on the grounds of immorality, and changes were ordered in only 15 others.

U. A. Answers
Government Trust Action

(Continued from page 1)

or information concerning over 100 allegations of the complaint covering, to a large extent, the history of the motion picture industry. The complaint charges monopolistic practices in the production and exhibition field. United Artists also denied knowledge of Government contentions that the motion picture and circuit theatre owners resorted to coercive methods in acquiring theatres from owners.

In addition, parts of the complaint which had charged harsh and coercive selling practices, and all allegations which had charged the motion pictures were denied completely. In respect to selling methods, the answer conceded that United Artists "acting separately and independently," made some contracts with exhibitors in which it reserved the right to decline to sell pictures and erect pictures for clearance, prohibit the showing of pictures as part of a double bill, and require exhibitors to sign an agreement to avoid minimum admission charges.

United Artists also, on occasion, made advertising allowances, reduced film rentals where, e.g., when an Exhibitor has an agreement with United Artists such reductions were warranted, and made agreements for the presentation of new pictures on a pre-release basis. As to these it would mean more revenue, the answer stated.

Return of Theatre
Property Is Asked

SALISBURY, Md., Aug. 28.—Robert W. Dallas, trustee in bankruptcy of George L. Hoppes & Sons, has filed two suits in chancery here today, asking the return of the Wticomico Theatre and its equipment to the trustees in bankruptcy.

The suits charge the theatre building and equipment were transferred "to hinder, delay and defeat creditors in the collection of debts. Debtors are Milton R. Hopper, his wife, Rose Hopper, as chairman of a company whose name the building is held; J. C. Smith and May D. Hastings, holders of a mortgage, and Wticomico Theatre Corporation, which holds a 10-year lease on the building. It is charged that the theatre was transferred to L. Edwin Hoppes, of Springfield, O., less than a month before George L. Hoppes & Sons filed a petition in bankruptcy.

Club in Member Drive

OKLAHOMA CITY, Aug. 28.—A Variety Club Bowling League has been formed here with the following officers elected: Berlin Parks, National Theatre Supply Co., president; R. R. "Buddy" Moran, booker for the Republic exchange, vice-president, and George K. Friedel, head booker, 22th-Century, secretary-treasurer. The season will begin Sept. 8 and will continue for 35 weeks.

Remodel Two in So. Car.

ROCK HILL, S. C., Aug. 28.—The Capitol here, managed by Robert A. Strozier, has been closed shortly for a short time to permit a new, bright and modern theatre may be remodelled. The Stevens, according to Ben L. Strozier, manager, also will close for renovation.

East in Brooklyn Houses

Ed East is appearing in 40 Brooklyn motion picture theatres, on behalf of Cel-Ray, his radio sponsor, duplicating the role that "Tales of the Wal" made, in 1929. He is awarding prizes which are given away at children's matinees at the theatres.
**Feature Previews**

**“Stop, Look and Love”**

**(20th Century-Fox)**

Hollywood, Aug. 28.—Here’s a family picture in the very groove, a humorous telling of a tale about a middle-class group of commonplace people who do the plain things plain people do and make a lark of it for the customers. There’s no pathos in this setup, no calamities to deal with and no villains to thwart, but there’s the comedy of contrast and of character conflict and the romance of a young lady and her gentle- man friend. These things are left for Roscoe Williams.

William Frawley is the particular star of the film, making of the father a sound, unvarnished citizen of the kind so many fathers are. It’s a triumph for an actor long kicked around in the background of melodramas about murderers and smart-aleck detectives. Minna Gombell as his prattling wife and Jay Ward as the lazy son take next honors, and there are enough left for Jean Rogers, Corea Sue Collins, Robert Keller and the others.


---

**‘Million’ Hits $20,300 with Loop Revue**

**Chicago, Aug. 28.—Folles Berger Revue on the stage, plus “I Stole A Million” on the screen, did big business in the last week, $20,300. “Maisie” and “Tarzan” at the Oriental took $15,000. “Five Came Back” at the State-Lake drew $13,100. The weather was fair and warm. For concerts and night baseball,

Estimated takings for the week ending Aug. 25:

**Our Leading Citizen** (Para.)

APOLLO—$2,600 (20c-55c-75c) 7 days. Gross: $18,200. Average, $2,585.

**Down in the Valley** (B.)

GARRICK—$3,000 (20c-40c-60c) 7 days. Gross: $21,000. Average, $3,000.

**Maidie** (M-G-M)


**‘I Stole a Million** (Univ.)

PALACE—$4,500 (30c-45c-60c) 7 days. Gross: $31,500. Average, $4,500.

**‘Summer Vacation** (Paramount)

CHRUCH—$5,000 (20c-55c-75c) 7 days. Gross: $35,000. Average, $5,000.

**‘Lady of the Tropics** (M-G-M)

RIVIERA—$4,000 (25c-35c-40c) 7 days. Gross: $28,000. Average, $4,000.

**‘Courageous’ Leads In Montreal, $8,900**

MONTREAL, Aug. 28.—J. H. ‘Courageous’ took the lead with $8,900 at the Palace. Fifth week of “Good- bye, Mr. Chips” made $4,400 at the Palace. Slightly cooler weather prevailed.

Estimated takings for the week ending Aug. 25:

**“Elsa Maxwell’s Hotel For Women** (Sidney Fox)

**“Mr. Mike Takes A Vacation**” (12th-Fox)

**“Goodbye, Mr. Chips”** (M-G-M)

**“Four Feathers**” (Paramount)

**“Hello, My Sister**” (W. B.)

**“Nancy Drew Trouble Shooter**” (W. B.)

**“Alfred of Oklahoma Will Meet Sept. 26**

OKLAHOMA CITY, Aug. 28.—The organizing board of Allied Theatre Owners of Oklahoma has made arrangements for the first annual convention of the organization Sept. 26 and 27 at the Biltmore Hotel here, according to Von Voll Guker, chairman.

Discussion will center around legislation, modern color and the problems of the small independent exhibitor. The convention delegates are expected to have a buying pool for Oklahoma independent and on a constitution for Allied in Oklahoma. Organization is under the laws of the state of Oklahoma.
First Crisis Newsreels Reach Here in 31 1/2 Hrs.

Paramount Films, Flown, Show London, Berlin, Paris Scenes

Part of a golf course in London, Berlin, Paris and Paris, being transformed into an anti-aircraft artillery base and sections of Danzig bedecked with Nazi bann and pictures of Adolf Hitler are included in the first newsreel film to arrive by Paramount News ship. The pictures were reviewed yesterday and special showing in the firm's rooms at 544 West Forty-third Street.

The films, more than 2,000 feet covering London, Berlin, Paris and Paris, are being shipped by Imperial Airways flying boat at 2:30 p.m. Saturday (9:30 a.m., New York time), reached Montreal early yesterday afternoon and were rushed by plane from Newark Airport to the test run at 5 a.m. ahead of time in New York. A very large audience of pressmen, general and Camera operators, as well as marine pressmen, were present, and all were charmed by the manner of the shows.


Films Showing Crisis
Brought in by Plane
News Record Makes Trip From
Southampton in 32 Hours

Although his first job was watch stage appearance.

Newsreels Arrive to Show
War Tension in Europe

By Hettie Cattell

The first European newsreel to reach here since the war crisis developed arrived at Paramount yesterday, 32 hours after leaving Southampton, Eng., in the British flying boat Cabot. It will be displayed in all theaters beginning at noon today.

The pictures show scenes in Danzig, Berlin, London and Paris, the first two groups being the first two groups being the first two groups. The pictures show scenes in Danzig, Berlin, London and Paris, the first two groups being the first two groups. The pictures show scenes in Danzig, Berlin, London and Paris, the first two groups being the first two groups.

The pictures show scenes in Danzig, Berlin, London and Paris, the first two groups being the first two groups. The pictures show scenes in Danzig, Berlin, London and Paris, the first two groups being the first two groups. The pictures show scenes in Danzig, Berlin, London and Paris, the first two groups being the first two groups.

CRISIS NEWS FILMS
HERE IN 32 HOURS

A clean shot on the European crisis was scored by Paramount News, whose films are being distributed. The news was put aboard an Imperial Airways flying boat for Montreal, transferred to American Airlines and unloaded at 3:32 p.m.
Paramount News scoops the world—flashing the earth-shaking events of the European crisis on the screens of the nation's theatres 48 hours after they have happened.

Hundreds of thousands of people yesterday flocked to the nation's theatres to see the Paramount Newsreel that hours ahead of its competitors had these exciting events:

1. Emergency defense preparations of Britain, France and Poland.
2. The arrival of Foreign Minister Joachim von Ribbentrop in Berlin after the signing of the Russo-German pact.
3. The first pictures of Chancellor Hitler's private plane—a German version of the new Douglas DC-4.
4. The epochal emergency session of Parliament.
5. The hurried mobilization of French reservists.
6. The fortification of the suburbs of London.
7. The itinerary of emergency evacuation of children.
8. The Nazis taking over the free city of Danzig.
10. The exciting events from the world's great capitals.

...It is coverage and service like this that make Paramount the No. 1 NEWSREEL and the EYES AND EARS OF THE WORLD. Play the Paramount News and be days and hours ahead of your competitor.
**Theatre, Personnel Notes**

Williams Shifts Managers

**Oklahoma City,** Aug. 28.—K. Lee Williams, Theatres, Inc., have made the following promotions: Bill Ford, city manager at Ashdown, Ark., has been placed in charge of Broken Bow, Okla., houses. Joe Lawes, the assistant city manager at Broken Bow, has been made city manager in Ashdown. Jerry Doig, city manager at Ashdown, Okla., for the Griffith Amusement Co., has been promoted to city manager of Nashville, Ark., theatres.

Open Wisconsin House

**Stratford, Wis.,** Aug. 28.—Ralez & Zoellner have opened the Stratford here and are operating on weekends.

Detroit House Ready

**Detroit,** Aug. 28.—Work is nearing completion of several Detroit theatres Corp. manager changes include the following: Don Kuhn of the Riviera was named manager of the Palacio-Stake. Don Cooper, formerly of the Varisty, has been appointed manager of the Riviera. Hyman Bloom was transferred from the War- ner’s annex to replace Thompson at the Varsity. Gil Green was promoted from the Rent to take over the management of the Annex. Frank Perry takes over Green’s former detail at the Regent.

Acquires Three in Buffalo

**Buffalo,** Aug. 28.—George J. Gammel, owner of the USA Theatres, has acquired three more neighborhood houses, bringing the total to six. He has taken the Stadium, Columbia and Colonial.

Building at Jet, Okla.

**Jet, Okla.,** Aug. 28.—Nelson Smith and John Jordan are erecting a new theatre here to seat 600 and rebuilding a store building to be used as a theatre.

Basil Remodeling Two

**Buffalo,** Aug. 28.—Nicholas Basil, of the Dipson-Basil enterprises, plans to remodel the Twentieth Century here and the Hollywood in Lackawanna.

Danz reopening Uptown

**Seattle,** Aug. 28.—John Danz will reopen the Uptown on Sept. 2 under his former film policy. He has appointed Frank Jenkins as manager.

Jess Cooper Plan House

**Antioch, Ill.,** Aug. 28.—Jess Cooper is remodeling an old theatre building here which will open for operation again soon.

Open in Union, S. C.

**Union, S. C.,** Aug. 28.—The Ritz, Union, S. C., has reopened after on-again, off-again under the management of J. D. Luker. The new house, seating 850, will be operated under the direction of All States Theatres, Inc.

Poli Remodeling Three

**New Haven,** Aug. 28.—Poli New England Theatres will reset and replace the 1,750-seat house at Hartford, at once, Harry F. Shaw, division manager, reports. The 1,907-seat Globe, Bridgeport, and the 850-seat Fox of the Biju here also will be reseted.

Building Iowa House

**Oskaloosa,** Aug. 28.—A 300-seat theatre is being completed at Whiting, Ia., to be called the Whiting Theatre, operated by E. K. Hopkins, banker and general store owner.

Remodel Warner Office

**New Haven,** Aug. 28.—Warner Theatre offices in the Roger Sherman Building will be completely remodeled to occupy the entire second floor.

Plans House in Sloan, Ia.

**Sloan, Ia.,** Aug. 28.—A. J. Anderson, and others, will open a 280-seat theatre here about Sept. 15.

Fishman Reopens Lyric

**New Haven,** Aug. 28.—Fishman Theatres have reopened the Lyric after keeping this and other houses dark during the summer.

Stage Shows for Shubert

**Cincinnati,** Aug. 28.—The 2,150-seat RKO Shubert Theatre, which reopened two weeks ago with straight films, after the usual summer shutdown, is ready to re-open its family picture policy Sept. 15, for a 25-week season, opening with Jan Garber and his band as the headline attraction.

Resume Duals in Columbus

**Columbus,** O., Aug. 28.—Loew’s Ohio, after playing "The Wizard of Oz" on a single bill, has returned to its double feature policy.

Reopen Soon in Cincinnati

**Cincinnati,** Aug. 28.—The Gayety, playing burlesque and pictures, which has been dark for the summer, reopens Sept. 8. Morris Zaiden remains as manager.

Resume Dayton Stage Shows

**Dayton, O.,** Aug. 28.—The RKO Colonial, which recently reopened under their new manager, will resume its combination stage and picture policy September 15, with Bert Wheeler as the initial stage headline.

Williams Remodels Two

**Oklahoma City,** Aug. 28.—K. Lee Williams Theatres, Inc., are spending $5,000 remodeling the Palace at Fort- dale, Ark. The circuit also is remodeling the American at Wilburton, Okla.

Rader Plans Theatre

**Eaton, O.,** Aug. 28.—Clark C. Rader, Wilmington, O., has purchased a site here for a new 525-seat theatre. When the building is constructed, scheduled to begin immediately. The house will be a unit of the Rader Brothers, Inc., circuit.

Ricketson Shifts Men

**Denver,** Aug. 28.—Rickey, division manager for Fox Intermountain, has announced several management changes in the territory. Robert Seigl, manager of the Hiawatha, Denver, has been promoted to manager of exploitation for the division, under a newly created position. succeeding Selig at the Hiawatha is Charles Lowen, assistant manager at the Fox. Lloyd Ralston has gone to Pocatello, Idaho, as assistant manager, and is succeeded by Charles Lawless. Ned, Robert Bothwell, from Pocatello, has gone to Helena, Mont., as assistant manager. Laramie, Wyo., has been relinquished by McGilvery, replacing Rob Penner who has taken over the city managership at Alliance, Neb.

Sells New Mexico House

**Denver,** Aug. 28.—W. J. Sturgis has sold the Real Theatre at Roy, N. M., to Harley H. Butler.

Remodel Missouri House

**Oklahoma City,** Aug. 28.—Griffith-Dickinson Theatres, Inc., have started remodeling the Peoples, Pleasant Hill, Mo. New booth equipment and air conditioning will be installed.
IMPORTANT NOTICE!

To All Radio Executives: Agency, Station or Sponsors:

All Radio and television broadcasting rights to Paramount's "Gulliver's Travels," the full-length feature cartoon in Technicolor now being produced by the Fleischer Studios for December release are the exclusive property of Paramount Pictures, Inc. No one other than Paramount Pictures, Inc. has the right to sell or agree to sell or to make any commitments concerning any radio or television adaptation of Paramount's "Gulliver's Travels," or any radio or television extracts from Paramount's "Gulliver's Travels." Any inquiries concerning the use of this important entertainment property for radio or television broadcasting should be addressed to Paramount Pictures, Inc., 1501 Broadway, New York City.
Three people trapped in a snare of crimson lies!—a ruthless killer, the girl he loved, and the friend who knew, but whose lips were sealed ...

...Hot, stinging, emotional electricity crackling in throbbing human hearts!

...A high-tension story boldly treated, powerfully told, and magnificently acted!...THE PERFECT ATTRACTION FOR THRILL-HUNGRY FANS!

"FULL CONFESSION"

VICTOR McLAGLEN • SALLY EILERS
JOSEPH CALLEIA•BARRY FITZGERALD

Produced by Robert Sisk • Directed by John Farrow • Screen play by Jerry Cady
WASHINGTON, Aug. 28.—Construction permits for two new stations have been asked of the Federal Communications Commission. Applications were filed with the commission by E. W. Williams, Corbin, Ky., for a new 1,500-kilocycle, 100-watt station, and V. O. Stamps, Dallas, Tex., for another 1,500-kilocycle station using facilities to be relinquished by Station KFJZ. Applications were also filed by Station WSLR, Boston, asking for authority to move its transmitter from Boston to Scituate, Mass., and Station KRGV, Weslaco, Tex., asking for a change of frequency from 1,200 to 630 kilocycles.

The commission also announced that it tentatively had set Oct. 2 as the date for hearings on the applications of the Nevada Broadcasting Co. and the Las Vegas News Co., Inc., for new stations at Las Vegas, Nev., the former on 1,370 and the latter on 1,420 kilocycles, both with 100 watts night, 250 watts day, and Oct. 4 for a hearing on the application of the newly licensed Broadcasting Theatre, Inc., for a new 1,430-kilocycle, 1,000-watt station at Asheville, N. C.

CBS to Cooperate On Montreal Plays

MONTREAL, Aug. 28.—Canadian Broadcasting Corp. continues to cooperate with the Montreal Repertory Theatre, one of the largest little theatre groups in the Dominion, in developing radio dramatizations from the stage organization over the CBC network. The plan will get under way sometime early in September.

Martha Allen, head of the Repertory Theatre, is now negotiating for exclusive air rights to the plays of several well-known authors of Governor General Lord Tweedsmuir and John Buchan Bracket, and CBC is to lend producers for the broadcasts. In cooperation with the theatre, the Repertory theatre's in Montreal will be revamped to contain a broadcasting studio.

Hunter to Record Film

James H. Hunter has been appointed vice-president in charge of production of the Columbia Recording Corp., CBS subsidiary. Hunter will supervise all manufacturing operations of Columbia, Brunswick and Vocalion records. He was previously affiliated with RCA Manufacturing Corp.

Buy KCMO Interest

KANSAS CITY, Aug. 28.—Orville S. McPherson, publisher of the Kansas City Journal, has purchased an interest in Station KCMO. The transaction was negotiated by the offices of Governor General Lord Tweedsmuir and John Buchan Bracket, and CBS is to lend producers for the broadcasts. In cooperation with the theatre, the Repertory theatre's in Montreal will be revamped to contain a broadcasting studio.

Vancouver Houses Fight Union Demand

VICTORIA, B. C., Aug. 28.—Independent theatre owners of Vancouver have appealed to the Provincial Government for repeal of regulations forcing them to employ projectionists at all times during show hours. Otherwise, they said, they might be forced to close.

Attorney-General Gordon Wiemer suggested a round-table conference of theatre proprietors, the Government and members of the United Empire Loyalists Association. The independent theatres suggested that regulations be altered so that the larger theatres, representing the "suburbs" would not come within the scope of the act requiring the employment of two projectionists at all times, allowing the smaller shows to operate with one only.

Garrison Has Short Play


New Firm Chartered by Williams-Griffith

OKLAHOMA CITY, Aug. 28.—A Delaware charter for the Williams-Griffith Theatres, Inc., was obtained recently with capital stock listed at $250,000. Officers of the company are H. R. Williams, brother of K. Lee, president; K. Lee Williams, vice-president; H. J. Griffith, secretary-treasurer; Harry McKeena, assistant secretary-treasurer.

The Delaware corporation will sell the patents on the Williams-Griffith Theatre patents licensed to the United States and South Dakota. First operation is at Nebraska City, Neb., where the company has already acquired two theatres and one theatre at Folsom, Neb., both formerly operated by the Griggs-Dickinson circuit out of Kansas City.

M-G-M Buys Mothers

M-G-M has purchased rights to "40 Little Mothers," as a vehicle for Eddie Cantor, from Edwin Fadiman of National Pictures Corp., owners of the French scenario and film.

LOR Sells News Spot

WOR has sold its 33rd and last available quarter-hour of news broadcasts, to Bond Stores, Inc. Transradio News will be broadcast from 12:45 to 1 P. M. Monday, for 52 weeks.

BANNER RADIO LINES

BY JACK BANNER

The ever-growing list of activities which have been televised, add big league baseball, which made its debut in television Saturday when the double header between the Dodgers and Cincinnati was "caught" by NBC for the benefit of what ever television audience it has. Extent of that audience, by the way, is still a mystery.

The television camera gave a remarkably clear and easy-to-follow account of the games. The last time NBC televised a ball game, which was a college affair, results were discarded because the network had but one camera with which to catch the action. Now, however, NBC boasts two cameras, and the result was a remarkable improvement. Chiefly interesting, however, was the way in which play-by-play caller Red Barber handled the "commercial.

It provided an insight into the manner in which commercials will be given in television when the art sells itself as a sales medium. The Dogger games are sponsored by "Wheaties," and several times during ball in the games and between innings, Barber elaborately held up a carton of Wheaties, broke the seal, poured the contents into a bowl, spilled milk and cream over the flake tea and began to munch on the food. It really made mouths water to see Red, a husky lad, dig into the concoction. For another commercial, Red put on the cap of a Socony gas station attendant, and held up several packages of the company's product.

TEXACO interests have settled casting problems of their "Star Theatre" program, which returns to the air over CBS Sept. 13. As previously indicated, the hour will be split in half to accommodate two separate programs, one originating in Hollywood, and another in New York. First half, from 9 to 10, will have Frances Langford, Kenny Baker as vocalist, and David Broekman's orchestra and Ken Murray as M.C. Ed Gardner will produce. The remaining half-hour will present stars of the stage in dramatizations of their life stories, with adaptations by George Faulkner, and direction-production by Tony Stafford.

Some weeks ago, when the European situation appeared more or less tranquil, Hans V. Kaltenborn decided upon an European vacation, and as pinch-hitter for H. V. K., CBS selected Elmer Davis, well known newspaperman and author, formerly of the Times. Davis expects to do some calm, dispassionate commentaries about the European situation. Then suddenly the situation became so tense and critical that the projecting of Davis on the microphone for 24-hour stretches for the past week, doing a great job under terrific pressure. He has received little of the hallow-hoo that Kaltenborn was accorded during the Czech crisis, but he certainly rates a share of praise.

CBS is attributing the defeat of its soft ball team in Madison Square Gar- den yesterday, where the Hellmann team vanquished the network nine, to the European situation. Of the 16 CBS players who reported in the Garden, only five were able to remain for the duration of the contest. They were forced to return to the network for the crisis broadcasts.

Jack Knell of WEEI, Boston, who received an award from the Headliners Club for his scoop of describing the rise of the diving bell in its first ascent with survivors of the Siquiror submarine disaster, has just re- ceived $1,000 in prize money in being brought to New York to work in specialized events at CBS.

Bank Night Wins Mansfield, O., Test

MANSFIELD, O., Aug. 28.—Bank Night was given a clean bill of health Saturday as Martan Ward refused to issue an affidavit against Grattan Johnson, manager of the Banky, under threat of the Ohio lottery law, as requested by Police Chief Meade K. Bates. The request was based on the first award given to the bank for a pari-mutuel racing license. Wagering on men's wages are fished, families deprived of food, shelter and clothing, and not to prosecute gift awards operated solely for the purpose of promoting business was the written opinion handed down by the city solicitor.

Drive Halts Bingo At Milwaukee Party

MILWAUKEE, Aug. 28.—The drive against the Madision theatre by small business men and exhibitors has resulted in the Farmer-Labor Progressive Party of Wisconsin cancelling its sixth annual bazaar scheduled for Nov. 8 to 12 in the Auditorium.

Prime factor in cancelling the event was the circuit court injunction inuly restraining the games at the Midsummer Festival here. Hearing will be held Sept. 11 on the petition of Charles W. Tramp, head of Film Service, Inc., against the Bahn Frei Hal, to restrain the hall from holding Bingo games.

Cannon joins WSGN

BIRMINGHAM, Ala., Aug. 28.—Cannon and Yarborough, already connected with NBC in New York, has been appointed publicity and promotions manager of the Birmingham News-Age-Herald and Cannon was editor of the Transmitter, house organ for NBC.

Build WLWO Equipment

CINCINNATI, Aug. 28.—Work on the new 50,000-watt transmitter of WLWO, now under way, is scheduled for completion in the Fall. Use of a beam antenna will enable the station to concentrate its signal in a given area.
THE MOST SIMPLIFIED THEATRE BOOKKEEPING SYSTEM YET DEVISED

THEATRE MANAGEMENT RECORD AND ANNUAL TAX REGISTER

PROVIDES FOR ALL OPERATING FACTS AND FIGURES, TICKET AND SOCIAL SECURITY LEVIES AND ANNUAL STATEMENTS AND INCOME TAX RETURNS

This Record and Accounting System has been compiled to meet the urgent need for an up-to-date and easy method of theatre bookkeeping. It is a complete but simplified record of fiscal facts . . . a repository of operating data that is a miracle of convenience.

Individual sections include: (1) Holiday and Important Date Record, (2) Film Clearance Chart, (3) Insurance Record, (4) Equipment Purchase Record, (5) Annual Charges, (6) Weekly Operating Facts, (7) Summary, (8) Contract Records.

Compiled by
THEODORE J. SULLIVAN
$2.00 POSTPAID

Book is 13 x 10 in size, printed on a special green stock that is particularly easy on the eyes. Covers are sturdy, with bronze "wire-o" binding, holding ledger sheets firmly and keeping them absolutely flat. Designed so that a flip of the sheet gives the exact page wanted.

TEAR OUT AND MAIL COUPON TODAY

QUIGLEY BOOKSHOP, ROCKEFELLER CENTER, NEW YORK

Here is my check for $2.00. Send me "Theatre Management Record."

Name ____________________________
Address ____________________________
City and State ____________________________
Theatre ____________________________
The even color balance of high intensity projection light gives natural and pleasing screen reproduction of color features.

Lack of blue and excess of red in low intensity projection light distort the natural hues and beauty of color features.

Simplified High Intensity projection provides 2.7 times the volume of screen illumination obtained from low intensity lamps. This gives a clear screen image at a comfortable level of general illumination.

Simplified High Intensity lamps provide 2.5 times as much screen light per watt as low intensity. You cannot afford to retain low intensity projection when a few cents more per day will give you snow white projection light in more than twice the volume.
$42,000 Profit
By Monogram In Six Months

Stockholders Vote Oct. 5
Upon Directors

Monogram Pictures Corporation's profit for the first six months, this year, ending June 30, will amount to $42,000, according to Wall Street authorities.

These earnings exceed normal expectations.

The company's annual stockholders' meeting is scheduled for Oct. 5, when a revised slate of directors will be presented by W. Ray Johnston, president of the company, for approval by stockholders.

In addition to Johnston, the revised slate of directors which is to be presented for stockholder action will include Henry Briggs, president of Pathe; Thomas Loach, vice-president of Pathe; Trem Carr and William Jaffe of the law firm of Rosenblatt and Jaffe, counsel to the company.

Others slated for the board are Scott R. Delaney, vice-president for production; Steve Brody, representing important Boston shareholders; Norton V. Ritchey and Joseph Sisto.


elections in Studios
By Sept. 21 Ordered

Washington, Aug. 29.—The National Labor Relations Board today approved an agreement reached in Hollywood a week ago to settle the controversy over collective bargaining representation of studio employees, and ordered ten producing companies, acting as a unit, to hold a secret ballot election on or before Sept. 21.

The vote will determine whether the employees are to be represented by the I.A.F.S.E., the independent United Studio Technicians Guild, or by neither. Employees who have been employed 60 working days from Jan. 1 to July 15, last, and who are within stipulated categories of employment, will be permitted to participate in the election.

Companies which are to act jointly in providing for the ballot are Columbia Pictures, Loew's Inc., Paramount, RKO, Walter Wanger Productions, Twentieth Century-Fox, Universal, Warner Brothers, United Artists and Hal E. Roach Studios.

GROOM ROOSEVELT AS CHIEF OF AMPP

Study of Studio Situation To Fit President's Son for Post

Hollywood, Aug. 29.—The recently announced assignment of James Roosevelt, discussing production and showmanship as an initial step in the direction of establishing Roosevelt in the position of head of the producing association.

While no official word on the subject has been thus far made available it is acknowledged by persons in a position to know that the Roosevelt assignment is to conduct a survey of studio conditions and inter-studio relations in a noncommercial capacity intended eventually to lead to his retirement from the Goldwyn organization and his becoming chief executive of the Association of Motion Picture Producers, Hollywood.

The executive work of the association has long been in the hands of Fred Beeson as secretary-treasurer. The presidency of the association has been largely a chairmanship position, occupied by a leading production executive. The present incumbent is Joseph M. Schenck who, two years ago, succeeded Louis B. Mayer, who had been president for seven years.

On various occasions there has been (Continued on page 2)

Exhibitors Attend Columbia Parley

Columbia today inaugurates a series of conferences with prominent exhibitors designed to bring the theatre operator's viewpoint into production policy. The company hopes thereby to promote closer relations with exhibitors.

The first meeting will take place to-day with several exhibition leaders discussing with Mr. Roosevelt the question of the relationship problems with Harry Cohn, president; Jack Cohn, vice-president, and Abe Montagne, general sales manager.

Exhibitors attending will include Si Fabian, Fabian Theatres, New York; Harry Arthur, St. Louis; David Chatkin, Kinron Theatres; Izzy Rappaport, Hippodrome, Baltimore; and Charles N. Blanchard, Buffalo.

"The conference will bring to Columbia's production department first-hand views from an exhibitor's angle of what audiences want in screen entertainment," says a Columbia statement. Several similar sessions are planned from time to time.

'Battle is On!' 4-A Warns As Truce Parleys Fail

Last minute conferences to avert actor strikes which would tie up every phase of the entertainment field failed yesterday when a delegation from the Associated Actors and Artists of America was unable to agree on peace terms with George B. Brown, president of the I.A.F.S.E.

The failure of both sides to agree resulted in declarations of 'The fight is on!' from 4-A's international board members, although no comment was forthcoming from the I.A.

The opening gun is expected to be fired Monday morning at 2 o'clock when Sophie Tucker, president of American Federation of Actors, reports for a "run-through" rehearsal of "Leave It to Me!" which is scheduled to resume its run that night.

Equity members are under instructions not to work with her and stagemen have been ordered not to work without her. Retaliatory measures are then expected to be taken by the Screen Actors Guild and other 4-A unions although 4-A board members insisted last night that the exact nature of such measures had not been determined.

Aid in the form of moral encouragement and financial support will be given by the Guild to United Studio Technicians Guild to help the latter wrest control from the I.A. in the forthcoming N.L.R.B. collective bargaining agency election, it was said.

Additionally, the S.A.G. is pledged (Continued on page 5)
J. Roosevelt Seen as Next AMPP Chief

(Purely Personal)

Leonard Gavorn of Columbus leaves today with William Holden, playing the title role of "Golden Boy," for a personal appearance tour which starts at Washington, D.C., and includes appearances in Philadelphia, Saturday; next Wednesday, Pittsburgh, and concluding in Chicago.

Roy Benjamin, architect for the E. J. Sparks Circuit in Jacksonville, Fla.; Ethel Nelles, secretary to M. S. Hill, division manager for North Carolina Theatres in Greensboro, N. C.; Eugene J. Gilbert, assistant for the Saenger Circuit in New Orleans; Donald P. Cole and son Donald, Jr., and M. A. Lightman, Paramount partner in Memphis, among visitors to the World's Fair.


Mrs. Russell Muth, wife of the Movietone News director in Europe, and relatives were slightly injured Monday when the car in which they were riding was wrecked near Poughkeepsie. They were en route to New York to meet Muth, who arrived from Europe.

Charles Einfeld, director of advertising and publicity for Warners, was sighted for the first time after conference with G. L. Sears, Carl Leesman and Mort Blumenstock here.

Helen Tweedle will star in "You Can't Take It With You" at the Starlight Theatre, Pawling, N. Y., next week, the 15th and final bill of Starlight's summer season.

Ms. and Mrs. H. J. Yates and Mr. and Mrs. Gene Autry and party were sighted from El Rancho yesterday, heading tomorrow, arriving here Tuesday.

Ben Box, Movietone News sound man, is mourning the death of his sister, Mrs. Smithers, who was killed in an automobile accident in Brooklyn yesterday.

Luis Enrique Perez, Republic distributor in Venezuela, is due in New York on Caracas by Thursday. He expects to remain here for two weeks.

Jack Warner has canceled plans to sail to England and is remaining on the Coast until the crisis clears, if it does.

Walter J. Huston, 20th Century-Fox director of foreign distribution, is due today from Coast product conferences.

William F. Rodgers, general sales manager of M-G-M left the Coast last night and is due here Friday.

Roland Young has arrived from Europe.

Marlene Dietrich, following her recent arrival from abroad, conferred with her attorney, William Jaffe (Rosenblatt & Jaffe) and Rev. Father O'Connell against her, before leaving for the coast.

Donnieck Barbara, district manager of Loew theaters in the South Brooklyn area, is vacationing in Herkimer, N. Y., while Seymour Mayers, district manager in the Brownsville district, is substituting for him. Mayer is also filling in for district manager George Schicklewine of the Palace and downtown Brooklyn Loew houses, who is on the coast on vacation.

Anna Neagle, English actress and star of "Nurse Edith Cavell," has been made a life member of the Canadian Red Cross Society through the offices of Col. J. A. Cooper, president of the Motion Picture Distributors of Canada, and an official of the society.

Robert Eves, manager of the Oakwood, Toronto, and a champion golfer, was sighted flying home today for annual tournament of the St. Andrews Golf Club, held under the auspices of the Toronto Businessmen's Association.


Barrett C. Kiesling, Metro-Goldwyn-Mayer's traveling press representative, returned to the Coast studio yesterday after a tour of 80 cities which required five months.

Constance Bennett, who arrived Monday on the Normandie from Europe, will stay at the Waldorf Astoria for a week before returning to the coast.

Joseph Q. Kizlik, San Francisco magazine writer, has left the staff of the Call-Bulletin there to do the story and photography for Columbia's "March of Crime."

Broderick Crawford has been signed to a long-term contract with Walter Wanger (U.A.). He will appear next in "Send Anna Coffin.""..."

Francis J. A. McCarthy, eastern sales manager for Universal, left for New York on a circuit deal. He returns later this week.

Leo Abrams, Universal's short subject sales manager, left yesterday for one-day stops at Syracuse, Albany and Buffalo exchanges.

William F. Rodgers, general sales manager of M-G-M, is due in New York from the coast on Friday.

78% of Circuit Deals Signed By Warners

(Continued from page 1)

Redwood Theatres, California; Consolidated Amusement Co., Honolulu; Warner Bros. Theatres, Inc.; Frieking Amusement Co.; Thalheimer Theatres, Richmond, Va.; Manos Theatres, Western Pennsylvania; Robbins & Tennes, California; Sterling Theatres, Seattle; Fourth Ave. Amusement Co., Louis-

ville; New York Theatres, Cincinnati and Louisville.

Warners began early selling, starting immediately after the sales convention in George B. with a strong lineup of product, "was able to close hundreds of circuit deals by April 1," Sears said.

January, 1939-40 features are assured of far greater theatre coverage than ever before," he continued. "Hundreds of new contracts were received at the conference which have been approved, with only a few deals remaining to be signed before we will have achieved our maximum exhibition possibilities.

Sears said the company will start its new releasing season Friday with 77 simultaneous playdates on "The Old Maid," first release of the season. Among films to follow will be "Dust Be My Destiny," "A Child Is Born," "On Your Toes" and "The Roaring Twenties."

Holden, Raft to Star

Hollywood, Aug. 29 — Warners have signed William Holden to star in "The Invisible Stripes," with Holden taking the role originally scheduled for James Cagney. The story is by Warden Lewis E. Lavi, Philadelphia. It will be directed by Lloyd Bacon.

New Starrett Film

Hollywood, Aug. 29 — Charles Starrett, Columbia's western star, who has just completed "Riders of the Laramie," will work in a new outdoor drama entitled "The Men Trailer."

3 Flights Daily NEW YORK TO LOS ANGELES It's Cool All the Way! THE PLAINSMAN Lvs. 7:00 A.M. Ar. 12:29 A.M. THE MERCURY Lvs. 5:10 P.M. Ar. 10:45 P.M. THE SUN Lvs. 7:00 P.M. Ar. 11:45 P.M. Ask your travel agent or phone 6-3193 (Federated) 45 Vanderbilt Ave. and Rock-efeller Center at 12 W. 49th St. AMERICAN AIRLINES Inc.
THERE'S A FORTUNE IN YOUR PALM!

The Previews of M-G-M's "The Women" and "Babes in Arms" have been held!

When you see them for yourself you will understand the furore they have created.

No season has ever, thus early, yielded two such sensational attractions.

Previews of other early releases from M-G-M will be held shortly. What you have heard is true. M-G-M is racing far ahead of the entire field. The wise money is on Leo!
**Motion Picture Daily**

**London Trade Notes**

LONDON, Aug. 29.—A proposal to institute a special license fee where seven-day theatres are in operation, is likely to come before the London and Home Counties Councils this Autumn.

The proposed license would completely alter the system under which exhibitors are liable to pay for permission to open on Sundays and have to pay heavy contributions to charity and the Privy Council.

Proposals under the 1932 Act may be renewed. They were drafted last week by the London and Home Counties Council and the Home Counties licensing group, and were submitted to the Home Office.

President of A.B.P. and emergency work has delayed action, but it is possible that the matter will be renewed after the recess.

Flin (Wales) educational authorities are considering buying equipment in all secondary schools. Radio already has been provided for each one.

Last year a joint film committee representing the T.U.C., Labor Party and British Motion Picture Industry Association, worked out plans for the establishment of a film service for the Labor movement, including educational and film library. It is now reported that these plans have developed and are in operation.

The Lord's Day Observance Society of Great Britain plans a campaign in opposition to any new film opening for the nation's new militia.

The society admits it can do nothing to prevent the opening of the theatres in militia camps, but will oppose the opening of houses in towns nearby.

The Middlesex Entertainments Committee has banned throughout its area “Professor Manlock” and “I Was a Captive of Nazi Germany.” The films have been licensed for showing in London, Surrey and Essex.

“Professor Manlock” is to be shown at the Academy Cinema, London, for a season beginning Wednesday. A special licence has been granted by the London County Council although the film still remains uncertain.

**Seek Loop Theatre**

For Universal Films

CHICAGO, Aug. 29.—With RKO at present having enough films scheduled for 24 weeks of play in Chicago, the RKO Palace, the problem of another Loop theatre in which to show Universal pictures is immaterial. The RKO feels interest that they will have more product this year than ever before and they do not expect to go out of the Loop theatre of the RKO Palace with Universal for first run pictures. They will make it difficult for them to give their pictures the opening they deserve.

This situation may possibly result in the Jones, Linicke & Schaeffer Oriental, which is up in the market, having a loss of late, in the way of first run pictures. While no deal is pending at present it is thought possible that one may develop shortly.

New Women's Series

Allie Lovel Miles, now conducting a number of series, including “Falling in Love” and “Husbands and Wives,” has launched a new series over WMCA consisting of a daily group of programs featuring news and personalities of interest to women.

Following the Films Council Report and its reference to educational pictures, the Board of Education has been making the trade for appropriate statistics.

The Board of Education will, on receipt of this information, present the facts to Parliament for a view to doing something about it. It is not unlikely that a subsidy for charity films and for educational or library centers which distribute educational films. It is thought that an initial sum of $100,000 would be needed.

The Board of Education is willing to meet 50 per cent of the cost of projectors for schools. The new move would facilitate the issuing of films to schools and colleges.

Television plays the most prominent role in this year’s Radiolympia, annual trade exhibition of Britain’s radio manufacturers.

The show, which was opened by Sir Stephen Tallents by television from Alexandra Palace is notable for the fact that it has been installed and for the emphasis which is placed on television in all the entertainment stands.

Both Baird and E.M.I. are displaying large screen projectors, mostly for hotels and small halls. Baird, however, is departing from the usual practice of showing picture screen unit which is to go later into the Gaumont Palace, Hampstead.

**Theatres Realign In Connecticut Town**

MIDDLETOWN, Conn., Aug. 29.—The Middletown Theatre, acquired last Spring together with the Capitol and Palace by Morris Pouzner of Boston, is now the “A” house of the town, remaining open all year under the previous Lockwood-Ardorco operation, which has always darkened during the summer.

The Capitol schedule will be increased from four to six a week, and it is reported, operating weekends at a low admission. The Pouzner management has recently repaired sound and decoration in and out of the Capitol.

**Guldah to Try Films**

CHICAGO, Aug. 29.—Ralph Guldah, golf pro who appeared here in the Walter Hagen anniversary tournament last spring, plans to do out for film roles when he goes to Chicago this fall. The handsome Guldah has been asked to make a series of golf shorts.

**Newsmen's Series**

Allie Lovel Miles, now conducting a number of series, including “Falling in Love” and “Husbands and Wives,” has launched a new series over WMCA consisting of a daily group of programs featuring news and personalities of interest to women.

**Newsreel Parade**

The grave crisis facing Europe is due to its five-day week servile in the latest issues of all the reels, to which is devoted the greater portion of the footage of each reel. Para- noid fantasies, split, running about $1,500,000, to the cry and shipped it Monday morning, rumors of conquests follow.

MOVIETONE NEWS-


**PARMAFLON NEWS, No. 112.—Ricel de- vises a variety of scenes of European crisis, with scenes from Berlin, London, Paris, in place clipart, and reactions in the United States.**

**RKO NEWS, No. 12.—United States takes steps to meet war crisis, officials warning: "No man is a孤立 for the whole world." Africanders in war dance for "white chief," and the whole continent of America, has been lifted from the position of America's most高等 target practice in Virginia.**


**K. M. T. A. Planning Regional Meetings**

KANSAS CITY, Aug. 29.—A series of regional meetings for independent exhibitors is planned for September by the Kansas-Missouri Theatres Association, according to Frank Cas- il, St. Joseph, Mo., president.

Purpose of the meetings will be to discuss some of the practical problems we face, and, if possible, to work out some plan of campaign that will result in adoption by the exhibitors more satisfactory to exhibitors than the present. Turning down of the code by the U. S. Justice Department has cut the independent out of uncertainty. Exhibitors feel that some course of action should be outlined, said Cassil.

There will be six meetings in Kan- sas, four in Western Missouri, with dates and places to be set shortly.

**Name Cincinnati Club**

CINCINNATI, Aug. 29.—The Cinema Cincinnati Club of the Cincinnati is the name selected for the Cincinnati Motion Picture Management's Club, recently organized here, to promote closer relationship and cooperation among exhibitors and their所需 supply concerns and similar enterprises catering to the industry. Meeting will be held on a thursday, the Variety Club.

**Translates Play**

Dr. Saul C. Conin has commissioned Jane Hinton to translate and adapt Pirandello's play, "Trovarsi," on which Gilbert Miller had an option last season. Dr. Conin intends to produce it in the fall. Miss Hinton is a well-known Hollywood scenario writer.

**Hold Beauty Contest At Brooklyn House**

Loew's key Brooklyn theatre, the Metropolitan, hailed Ann Sheridan in "Winter Carnival" last week with a beauty contest to select the borough's "Glamour Girl of 1939." Miss Sheridan has been here 16 years and over participated, with George White, Broadway producer; Nils T. Granlund, Swedish plasterer; Zeldt Zeltner, Chestel Hale, Ben Jacobson, M-G-M talent scout, and Clifford Evans, Brooklyn Eagle columnist, acting as judges.

The contest, staged by Edward Dovden, Loew's Brooklyn advertising and publicity head, included Ann Sirak, the World's Fair's "Miss Greater New York," as a contestant. The winner received a 26-inch gold- plated trophy. Terry Shaud and the Bossert Hotel orchestra played.

**Charity Show for Club**

CINCINNATI, Aug. 29.—The Cincinnati Variety Club will sponsor an entertainment of music, dancing, athletics and vaudeville at the Music Hall Arena, Sept. 15, with proceeds to go to the St. Mary's Hospital Milk Fund. Benefactors include I. Theo. M. Mer- ton, Clifford Bax, Trolley Hale, Ben Jacobson, M-G-M talent scout, and Clifford Evans, Cincinnati Eagle columnist, acting as judges.

The contest, staged by Edward Dovden, Loew's Brooklyn advertising and publicity head, included Ann Sirak, the World's Fair's "Miss Greater New York," as a contestant. The winner received a 26-inch gold-plated trophy. Terry Shaud and the Bossert Hotel orchestra played.

**Tillee Changed**

"Scotland Yard," 22nd Century-Fox film, starring Warner Baxter, has been retitled "Unaccompanied."
Actors Peace Parley Fails; 'Fight Is On!'  

(Continued from page 1) to call a sympathy strike on the Coast, but exact details have not been disclosed.

The 4-A issued a cryptic statement yesterday forth that Trul Dullez and Kenneth Thomson, executive secretaries of Equity and S.A.G., respectively, who constituted the delegation to see Browne, had offered the following proposal:

1. The I.A.T.S.E. would withdraw from the Amalgamated Labor Congress.

2. The variety field to be administered by a non-partisan committee of 10 for 90 days.

3. A fair election by the performers in the variety field, to settle in all respects its final destiny.

The statement mentioned that forth that Browne had rejected this proposal and had insisted that the 4-A “take the discredited Whitehead ( Ralph Whitehead, A.F.A. executive secretary) or else.”

Clarification from the 4-A board could not be obtained. The three-pointed were included, in substance, in the original A.F. of L. executive council minutes where these recommendations were accepted in full by the I.A., although then rejected by the 4-A. The positions now appear reversed, a statement is to be taken at face value.

The issue of Whitehead has always been his special concern with the I.A. insisting that he be given this right and the 4-A refusing to grant this permission.

The present 4-A strategy appears to be the tactics of forcing the stagehands to make the first overt move. It is felt that public sympathy will be stronger if the fight appears to be forced upon the actors by the stagehands.

On the other side the stagehands are getting a little nervous after a lack of game. It is their intention to report for work Monday and be ready when Miss Tuckers return. It will thus be up to the Equity members to refuse to work with her.

Vinton Frewell, the producer, was expected to abandon all efforts to have Miss Tuckers in the show, but he has apparently upset Equity’s plans by refusing to seek a substitute.

A.F.A., meanwhile, has been compelling night club proprietors to hire only A.F.A. members and picketing when met with refusal. Some 4-A members believe that the fight may be precipitated before Monday by a night club situation where members of American Guild of Variety Artists, 4-A affiliate, refuse to join the A.F.A.

S.A.G. Awaits Leaders, Pushes Strike Pledges

Los Angeles, Aug. 29.—Screen Actors Guild leaders here, learning of the I.A.T.S.E. strike yesterday, offered their proposal to end the jurisdictional dispute over actors, today marked time until its officials return from New York.

The S.A.G. continued to push its tallying of strike pledges being taken among members.

Ken Thomson, executive secretary, and Ralph Morgan, president, are expected back in town today from their New York trip to confer with George Lit.
London Preview

"Discoveries"
(Grand National)

LONDON, Aug. 29.—Films which exploit the popularity of radio stars are de rigueur in Britain just now. Latest recruit from the ranks of Britain’s “Major Bowes,” whose ready-made public is thus assured the picture, irrespective of whatever other entertainment merits it might boast.

Though there is no pretense at production lavishness or directorial subtlety, the film should satisfy the fans’ curiously about this burly Lewis, and its missile is distinctly inclined towards potential and hitherto hidden talent, but outside that tailor made public, the market values are problematical.

The talent—of very variable quality—is amenable to a degree, and veers from imitators of Laurel and Hardy to minions of Zasu Pitts. In a somewhat disorderly way their performances are woven on to a flimsy framework which casts Lewis as a perturbed talent scout under whose bed feminine crooners cast themselves in hopes of an audition, and whose nobility sends him homeward with an eight-piece band to a hospital ward, where a Scotsman, bent also on an audition, has been cast by fate and a motor accident.

Levis, whose personality is pleasing and whose manner amusingly audacious, is the thread which holds it together, though such players as Afrique with a mischievous smile help to drive the dramatic sad. The cast otherwise is composed in the main of players whose names are familiar to the radio public, thus affording additional appeal. Technical qualities are adequate.

Running time, 66 minutes. —G."

AUBREY FLANAGAN

"G" denotes general classification.

Canada Film Board
Proposal Shelved

TORONTO, Aug. 29.—The proposed National Film Board in the Dominion has been shelved, it is understood, with no definite date of resumption, because of the uncertainty of the European situation and because of the early prospect of Federal elections in Canada unless war intervenes.

The proposed board has proved to be a disappointment to both the Dominion and the provincial authorities. The likelihood that the government plans to go on with the putting through of the plan, with its appointments, just prior to a general election.

In Toronto, the Canadian Gov-
ernment Motion Picture Bureau, which was established more than 20 years ago, continues to take care of the official film requirements.

Two Groups Seek
New Dallas Station

WASHINGTON, Aug. 29.—Chilton Radio Corp., Dallas, has submitted to the Federal Communications Commission an application for a construction permit for a new Dallas station, to be located 1,370 kilocycles with imitation of Tabor and a misfire condition.

Other applications received by the commission included the requests of Easters, Inc., to operate a station to be known as WACM, with a power of 500 to 1,000 watts; WADC, Village of Tallmadge, Ohio, for increase of night power from 1,000 to 5,000 watts, and WIBM, Jackson, Mich.; WHBC, Canton, O.; KNOW, Austin, Tex.; KTEM, Temple, Tex., and WFat, Miami Beach, Fla., for increase of night power from 100 to 250 watts.

Connecticut Houses
Starting New Games

BROOKLYN, Conn., Aug. 29.—This week marks the return of Honey, a variation of the Bingo game, to two Connecticut theatres, the New Brook-
brook, and the Capitol, East Haven.

In both instances the games will be operated under the auspices of charitable or civic organizations, with the permission of local authori-
ties. Theatremen fought the legal-
ization of Bingo for organizations only in the past session of the legislature as discriminatory, but if this new type of cooperation is successful, it is predicted that many houses which pre-
viously operated cash games, will follow.

In addition, there are now in the form of credits for merchandise as cash is not permitted under the new law.

To the local option probe has been exercised by many towns since July 1, and New Haven now seeks to make games legal for political organizations, as well as civic and charitable, East Haven, Waterbury, New Britain, Broadbrook and others have approved games.

Plan Variety Charity Ball
KANSAS CITY, Aug. 29.—The local Variety Club already is discussing the annual Charity Ball, which will be held this winter, and Chief Barker George Baker, con-vener of meetings yester-
day to discuss the affair. The club also is planning a golf tournament in September, Reuben Finkenstein, R. R. Birchbe and Finton Jones will pres-
ent their annual barbecue on Sept. 11.

World Releases ‘City
World Pictures Corp. will release “The City,” produced for the New York World’s Fair from a Pare Lorentz outline by American Docu-
mentary Films, Inc., and Civic Films.

To Reopen in Kansas City
KANSAS CITY, Aug. 29.—W. D. Fulton and John Wolfberg will re-open the old remodeled KSLM, formerly the Mofian, Sept. 1. The box has been practically rebuilt and re-equipped throughout.

Sells Kansas Theatre
HILLSBORO, Kan., Aug. 29.—E. C. Andrews has sold the Avon here to A. W. Heyl, exhibitor at Junction City, Kan.

Manages Ontario House
LEAMINGTON, Ont., Aug. 29.—G. Gott has been appointed manager of the Vogue here, which is managed by Stuart Tomber, has been sold to Walter Woodward of Benton Harbor, Mich., who will take over the house Sept. 5.

Stage Shows in Brooklyn
The Flatbush Theatre, Brooklyn, one of the houses on the Brandi Cir-
cuit, will revert to a combination film and stage show policy on Sept. 15, when a company of orchestral players will be used as the stage headliners. There will be several other vaudeville attractions on the featured film. A new band and accompanying bill is scheduled for each week.

Named Canada Manager
TORONTO, Aug. 29.—William Chil-
ton, former Toronto theatre manager, was named manager of the new Princess, seating 970, at Sault Ste. Marie, Ont., recently opened by E. E. Dadoo. The theatre was com-
pleted at an estimated cost of $150,000.

Famous Players Plans House
TORONTO, Aug. 29.—A new theatre is planned at Fort William, northern Ontario, by the Famous Players Canadian circuit.

"Tomorrow,” $11,300

Is Buffalo Winner
BUFFALO, Aug. 29.—“The Wizard of Oz” drew $14,900 at the Buffalo.

“When Tomorrow Comes” proved an excellent feature at the Lafayette and brought that house $11,500. “Stanley and Livingston” clipped a neat $11,- 500 at the Great Lakes.

Estimated takings for the week ending Aug. 26:

"The Wizard of Oz” (M-G-M) 7 days
BUFFALO—$14,900 (3c-5c)
Gross: $14,900. (Average, $2,128.57).

LAKEVIEW—$13,600 (6c-10c)
Gross: $11,550. (Average, $1,643.57).

"Miracle on 34th Street" (G-M-G)
BUFFALO—$6,100 (2c-4c)
Gross: $5,700. (Average, $835.00).

"The Kid From Brooklyn" (G-M-G)
BUFFALO—$6,200 (2c-4c)
Gross: $6,200. (Average, $871.43).

"The Little Colonel" (G-M-G)
BUFFALO—$6,000 (2c-4c)
Gross: $6,000. (Average, $857.14).

"When Tomorrow Comes” (Univ.)
BUFFALO—$5,700 (2c-4c)
Gross: $5,500. (Average, $833.33).

"Big Town Girl” (Univ.)
BUFFALO—$5,500 (2c-4c)
Gross: $5,100. (Average, $850.00).

Rodgers Due
To Set Loop
Circuit Deals

By WILLIAM F. CROUCH

CHICAGO, Aug. 29.—W. F. Rodgers, M-G-M sales chief, is expected here from Hollywood the middle of the week to complete the product deals now pending with the John Friedl theatre group in Minnesota and the Warner theatre circuit here and in Wisconsin. Rodgers is in Hollywood to see “Gone With the Wind” and makes plans for its release.

The Linden Theatre here billed "Bridal Suite" as follows the other day.

Today!
"Bridal Suite"
Starring
Amelina Power

Edward Mager, booker for a num-
ber of Allied theatres, is back from his vacation in Northern Michigan. This was Mager’s first vacation in 10 years.

Emile Montemurro, Fox Movietone News cameraman, returns this week from New York after a vacation trip.

Harry Richman, A.F.A. vice-presi-
dent, is in town to open the new show at the Chez Paree, which has been remodeled.

In the Loop this week finds the following pictures playing: "Unexpected Father," at the Oriental.

"Bachelors of Ardor," at the Palace.

"Unmarried," at the Woods.

Robert Hill, champion archer, will appear here next week in the Chicago Times archery tournament. His archery film shot made by Errol Flynn for Warners will be premiered here at the same time.

Ethel Lobdell, Chicago beauty, who won the "Miss Greater Chicago" title, will represent this city in the forthcoming national contest to choose the "Miss America."

A big stage show will augment "Golden Boy," which opens Friday at the Chicago Theatre. Heading the bill will be John Boles, Red Skelton and Zasu Pitts.

News Guild Members
Picket Loop Houses

CHICAGO, Aug. 29.—Picketing in front of Loop theatres by members of the CIO Newspaper Guild have caused theatremen considerable inconvenience of late. The pickets have appeared at the peak of business in the evening and have halted handbills protesting the advertising by theatres in the Hearst papers.

Last week several seats in the Chi-
icago Theatre were slashed. Handbills similar to those distributed by the pick-
ets were found in the slashed seats. Police patrolmen called to quiet the pickets have refused to make any move, saying that the pickets are with-
in their rights.

Theatre, Personnel
Notes

Wednesday, August 30, 1939
The new 1939-40 International Motion Picture Almanac has been received throughout the industry with unanimous acclaim. Revised, enlarged and brought up to the minute, it includes more than 1100 pages crammed with facts and figures covering every phase of the business.

The Who's Who section alone, records over 11,000 biographies of industry personnel. Statistical data includes "Corporate Structures," "Producing and Distributing," "Film Editors," "Equipment," "Abroad," "Radio" ... and countless other items of daily importance to every showman the world over.

SEND FOR YOUR COPY TODAY—$3.25 POSTPAID

INTERNATIONAL MOTION PICTURE ALMANAC

ROCKEFELLER CENTER NEW YORK
CBC to Rely Less on U.S. News Service

MONTREAL, Aug. 29.—Clarifying the policy of the Canadian Broadcasting Corp., the government announced today that it has decided to reduce its reliance on American news and will place greater emphasis on news supplied by Dominion news services.

The announcement was made in the first instance on Canadian Press News service," stated Glastadine. "It also takes news flashes which occur in exchange programs from Britain and the United States. For news commentaries, CBC depends primarily on its own staff in Canada and Great Britain supplemented by BBC and American commentators.

The aim is to bring a faithful picture to listeners avoiding sensationalism and rumor.

"While seeking to bring to listeners all authoritative news as rapidly as possible with the addition of the Corp. program with American chains to avoid unnecessary duplication.

Appointment of James S. Shaw as manager of the Canadian Marconi company's station CFCF here has been announced by R. M. Brophy, general manager. Shaw replaces V. F. Nelson who recently resigned to become general manager of the radio division of James Richardson & Son. Shaw has been with CFCF for a number of years as writer, special events man and program director.

New Sponsors Buy Show by Phil Cook

Phil Cook's "Morning Almanac" program on WABC has been purchased by two additional sponsors, Quaker Oats and J. W. Beardsley & Co. The contract calls for one year each, beginning Oct. 2 and Sept. 26, respectively.

With the addition of the new sponsors, 17 of the 18 periods handled each week by Cook are now commercial and all but five have already been assigned.

Because of the popularity of the Cook series, WABC is adding six more programs a week to his schedule. The periods are from 8:15 to 8:30 A.M. starting Sept. 4.

Another WABC contract just placed is by Thomas Leeming Co., for sponsorship of Richard Maxwell's program, beginning Oct. 2.

Set Exchange Program

TORONTO, Aug. 29.—"Make Mine Music," a sustaining feature of the Canadian Broadcasting Corp., network each week, has become an exchange program for United States listeners over the station.

The featured personnel is Percy Faith's orchestra and Pauline Reine and Alexander Morgen of Toronto, vocalists.

Votes Sunday Movies

WALTON, N. J., Aug. 29.—Having agency accounts of WJZ, WNET, 848 to 771 in a referendum, residents today eagerly awaited their first Sunday film show. The referendum aimed to clear the way for the station's first registration in the city's history.

New Palace Lobby Boasts Modernism

All glass doors separating the outer lobby from the main feature of the new palace have been erected and are in the process of decoration and repairs now being completed.

The outer lobby is made of granite with natural white for the walls and black for the base. The inner lobby walls are of zebra wood with a base of black marble Alpaca and bronze display frames and indirect lighting are other features. The marble has also been modernized.

2 WNEW Schedules Set

WNEW has closed deals with Community Opticians, for 25 weeks of "Strike Up the Band," six quar ters weekly; "Community Concert," six quarter hours weekly, and Make Believe Ballroom, 12 quarter hours weekly. The station also has closed with Federal Life and Casualty Co., for a 10-week schedule.

Leeming in WHN Deal

Thomas Leeming and Co., Inc., have closed with WHN for 24 quarter hour programs each week for 10 weeks.

Solons Study Delaware's Sunday Laws

DOVER, Del., Aug. 29.—The Delaware General Assembly adjourned sine die early today after all Sunday laws with the Senate's adoption of the House version of the current resolution, setting up a five member commission to study the next session. The laws will be recommendations to the 1941 legisla ture, and with the appointment of a commission.

The Senate adopted the resolution shortly after midnight by a vote of nine to seven with one not voting and selected Rev. Ralph L. Minker of Wilmington, superintendent of the Ferris Industrial School, as the ninth member and later concurred in selecting Minker.

Each branch of the legislature later adopted separate resolutions, each naming four members to the commission. The Senate named Senators George R. Clark, Harold W. T. Purcell, Benjamin F. Simmons and Paul P. Pinard, father of the Sunday bill which was vetoed by Gov. Richard M. Martin, who selected Rep. and representatives Henry C. Canby, George W. Rhoades, Edward Knight and John L. Barl.

It is known that all eight members of the commission are Republicans brought considerable criticism from the Democratic minority.

Attorney General James R. Mor ford, who last week delivered an ultimatum to the governor and the legislature that unless immediate action was taken toward the blue laws his office would enforce them as they stand, has requested the heads of the state police and the Wilmington Police Department to list the names and addresses of Sabbath law violators on the state registers, be sent to the city as an aid in enforcement of the law.

Two Blackett Air Shows Renewed

Two Blackett-Sample-Himbert programs on NBC were renewed yesterday by the agency. The programs are "Just Plain Bill," and "John's Other Wife," both long term programs.

"Just Plain Bill" is broadcast Mondays through Fridays from 10:15 to 10:30 A.M. on the Red network.

"John's Other Wife," is heard the 15 minutes following, also on a five-day-a-week basis. Both programs are renewed for 52 weeks, effective Sept. 25.

Change Call Letters

NBC's two international short-wave stations have been assigned new call letters by the Federal Communications Commission. WJSA will be known as WJSA and WBNR as WNBK.

The change is an indication that the two stations have been taken out of the experimental classification.

Returns to Groulbach

Chester H. Miller will return to Groulbach Productions to head direction of the company, Miller formerly worked with Groulbach for five years and has since been associated with Judson Radio Program Corp.

Operator's Union Under Attack

CHICAGO, Aug. 29.—Operators union executives will confer tomorrow morning with Balaban and Katz and in the afternoon with Allied leaders to arrange new contracts. John Smith, Union business agent, said a 10 percent increase will be demanded by the operators. The present scale, it is understood, runs from $75 to $135 weekly.

Texas Show Back Sept. 13

The Texas Co. will resume its "Texaco Star Theatre" on Sept. 13, on a coast-to-coast CBS network from 9 to 10 P.M. on the Red network. Leading players will be presented for a half hour from New York, the rest of the show being taken from Los Angeles. Kenny Baker will be starred in the coast portion of the show.

CBS Sells WKRC

CBS has sold WKRC, CBS owned and operated station in Cincinnati, to the Cincinnati Times-Star. The sale will become effective Sept. 24, subject to F.C.C. approval. CBS programs after that date will be heard over WCKY, recently affiliated with CBS.
Strikes Loom As Zero Hour Faces Actors

**Tucker Rehearsal to Set Off Fireworks Monday**

Actor unions will make last minute plans at noon today which start today and continue over the weekend, to meet all emergency situations which are expected to develop when the union war gets under way at 10 A.M. Monday.

Although official confirmation was lacking, it is virtually certain that present plans are to tie up all Broadway and Hollywood productions before the end of next week.

Both sides are anxious to avoid taking the initial step which will start the strikes, but it appears inevitable that some strike moves will be taken Monday.

Zero Hour on Monday

According to present indications in the fast-changing picture, Sophie Tucker, president of American Federation of Actors, will report for work at the Imperial Monday at 10 A.M. to rehearse "Leave It to Me!" Since she is under suspension by Actors Equity, the rest of the cast will refuse to work with her. Vinton Freedley, the producer, may ask an understanding to rehearse and then the stagehands will refuse.

Freedley will confer with both Equity officials and Miss Tucker yesterday but was unsuccessful in his attempt to get out of under. As soon as the show closes down, Equity will strike the remaining Broadway productions and the Screen Actors Guild is expected to take strike action on the Coast.

Wish to Punish Stagehands

Both moves are directed at forcing unemployment among stagehands for their interference in the actors' dispute.

From Hollywood came assurances that the SAG would back a strike vote solidly. A mass meeting will be held in New York Sunday at 8:30 P.M. at the Hotel Astor and another mass meeting will also be held on the Coast the same night. The American Federation of Radio Artists will meet today to take action on charges against Miss Tucker. She is already under temporary suspension by the radio union.

Meetings will be held also by the Equity council and American guild of Musical Artists to prepare for Sunday's meeting. The 4-A board will present its strike plans to

(Continued on page 2)

**N. J. Allied Seeks Ban on Dual Bills; Parley on Sept. 6**

A plan to abolish double features in New Jersey will be presented at the 20th annual convention of Allied Theatre Owners of New Jersey to be held at the Ritz-Carlton Hotel, Atlantic City, Sept. 6 to 8.

Duals are strongly entrenched in the northern part of the state. New Jersey Allied leaders feel that it is a detrimental trade policy and that with strong product, now coming in, the unions feel entitled to the property proportions for a switch to single bills.

**Members to Be Polled**

Members' sentiment in the matter will be obtained at the convention. If it is favorable, conferences will then be held with the circuits.

The annual Eastern regional conference of independent exhibitors will be held in conjunction with the convention, with delegations present from several Allied units.

Col. H.A. Cole, Allied States president; A. F. Myers, general counsel, and Nathan Yamin, Sidney Samuelson, Herman Blum and M. A. Rosenburg of Pittsburgh are among the national Allied leaders scheduled to address the meeting.

**Consider U.S. Trust Suits**

Convention agenda includes discussion of support of the needy bill in Congress, the Government's anti-trust suits, Allied's legislation and litigation campaign and distributors' sales policies.

Results of a survey of 1939-'40 film buying will be disclosed. According to the survey, that buying is down in New Jersey is slow, the organization attributes its (Continued on page 2)

**FOX WEST COAST ACCUSED BY U.S.**

Violation of Consent Decree Is Charged; 54 Film Executives Named

WASHINGTON, Aug. 30.—Initiation of the long-threatened Fox West Coast Theatres contempt charge, charging violation of the consent decree entered into in 1930, naming three Fox West Coast organizations, 10 film companies and 54 individuals officers and employees, was announced tonight by Assistant Attorney General J. R. M.

The department's action was the first definite move to get the motion picture situation before the California courts—war against the film industry.

The action will be a criminal contempt proceeding filed in the Federal Court for the Southern District of California. Corporate defendants will be Fox West Coast Theatres Corp., Fox West Coast Agency Corp., Fox West Coast Service Corp., Century-Tuck, Loew's, Metro-Goldwyn- Mayer Distributing Corp., Paramount Pictures, RKO-Radio Pictures, RKO Distributing Corp., Universal Film Exchanges, Warner Brothers Pictures, Vitagraph and United Artists.

U. S. Enforces Decrees

"These proceedings are brought in accordance with the Government's announced policy of this department vigorously to enforce decrees entered in anti-trust proceedings, whether enforced by consent or after litigation," Arnold asserted.

"If the evidence to be presented to the court establishes that the decree has been violated, the proceeding will serve not only to punish the defendants for disobeying the court's order, but also to recreate a situation in which the independent exhibitors may compete.

(Continued on page 2)

**Adopt Code Despite U. S. Ruling, Says ITOA Plea**

Demand that the major distributors put the proposed trade practice code into effect immediately regardless of the Government's attitude was made by resolution adopted at an I.T.O.A. meeting at the Hotel Astor yesterday.

The I.T.O.A. also went on record as requesting the distributors to institute arbitration of all business difficulties for the 1939-40 season, and where any of these distributing companies have other companies as their affiliates, such theatre affiliates should also enter into the agreement of arbitration.

The code resolution states:

"It would be a serious mistake on the part of the distributing companies not to make the code effective immediately, for the benefit of theatre owners in order that they may regulate themselves from within the industry."

It calls on Columbia, RKO, Universal, M-G-M, Paramount, 20th Century-Fox and United Artists to set up fair arbitration of all business difficulties for the 1939-40 season, and where any of these distributing companies have other companies as their affiliates, such theatre affiliates should also enter into the agreement of arbitration.

"Honest men conducting business affairs should not be afraid to arbitrate their difficulties and differences," the resolution states.

Britain Seeks Trade Policy in War Crisis

LONDON, Aug. 30.—First concrete efforts to formulate a new film trade policy, in the face of the present international emergency situation, are being taken here this week.

The council of the Kinoautomat Renters' Society (distributors) will meet tomorrow to examine all problems pertaining to the distribution of product to theatres in all parts of the country, the arrangement of bookings, the trade shows of new product, etc.

On Friday the K.R.S. will meet jointly with the Circassian Exhibitors' Association in an attempt to consolidate the industry's policy in the crisis.
Studios Busy With 42 Films Now Shooting

DAVID ROSE, Paramount’s managing director in Great Britain, is now visiting the Country Club on the Queen Mary as originally announced. He will depart on the Normandie next week if the war is alleviated. Otherwise he will remain in London.


SUZAN HAYWARD, Paramount player, is in Des Moines acting as judge in the "Queen of Iowa Redheads" at the Iowa State Fair. She is accompanied by her mother and Jack Dailly of Paramount.

EDNA BEST arrives from England today on the Niouo Amsterdam, and will go on the coast for “Swiss Family Robinson,” to be produced by The Play’s The Thing Productions for RKO release.

MARIAN TEMPLE, secretary to E. J. Tilton of Republic, Des Moines, is attending the annual convention of the Veterans of Foreign Wars, at Boston, during her two-week vacation.

D. 11. P. D. RYMAN of the M. P. D. P. A. returned yesterday from a golfing vacation at Lakes James, Ind., and reported his driving and putting much improved.

A. Powell, former Des Moines girl, will return there today to prepare for her marriage in New York, this Saturday, to Gilbert H. Doorky, Omaha newspaperman.

GRAYSON POATS, manager of the Ritz, Columbia, S. C., was a visitor in The World’s Fair headquarters yesterday.

CONSTANCE BENNETT has returned by air to the coast following her arrival from a European vacation earlier in the week.

MAX GENDEL, film publicity man, is handling publicity relations for Col. Theodore Roosevelt’s “Bowl of Rice” drive.

DOUGLAS YATES, son of H. J. YATES, is now at the Republic studio.

EDDIE DOZELL, director, has returned from a European vacation.

EMERSON Yorke, has returned from a business trip to the southeast.

For Lunch, Dinner or Supper
LaHiff’s Tavern
The Industry’s MEETING AND EATING PLACE 156 W. 48th St. Tel. Chic 4-4200

Purely Personal

LEONARD PALUMBO of Warner nerers qualified at the Wingfoot Country Club on Saturday for the National Amateur Golf Tournament to be held in Chicago in September.

ROBERT SHULTZER, Warner central district manager with headquarters in Washington branch manager, and Harry Seed, Pittsburgh branch manager, attended yesterday's conferences with Roy Haines, eastern and Canadian sales manager.

JOSZEPH BERNBAH, general manager of Warner Theatres, returned yesterday from a meeting with the entire staff of the Florida branch, where he discussed the policies for the new seas. He was accompanied by Harry Goldberg, advertising manager.

MORGAN KAUFMAN, Joe Bernhah, Sam Shan, John Byram, Sidney Phillips, Charles E. McCartney, Morris Kinzel, Gradwell Sears, Carl Lessman at Nick’s Hunting Room at the Astor for lunch.

SONJA HENIE and her mother boarded a TWA plane for the studio last night after appearing at the Harvest Moon Ball at Madelon Square Garden, Arthur Wirtz of Chicago was in the party.

SAM E. MORI. vice-president of Warners, sails from Rio de Janeiro tomorrow to attend a attending a premiere of “Jubilee” tonight. He returns to New York Oct. 2.

KENNETH THOMSON, RALPH MORGAN and LAURENCE BELLISDON, Screen Actors Guild officials, flew back to Hollywood yesterday.

WILLIAM C. Ghanding, central division sales manager of 20th Century-Fox, left last night for Monte Carlo to negotiate with United Amusement Theatres there for 1939-40 product.

MORRIS H. SIMPSON, of the comp. te department, at Paramount, returns today on the Washington after a year and a half in Europe.

TEX RITTER, Monogram’s cowboy star, who is making a personal appearance tour, will make an informal call at the home offices today.

VICTOR SCHERTZINGER, Paramount star, started his first assignment at the Paramount studio yesterday, “Road to Singapore.”

GEORGE ROGGE, president of Allied for New Jersey, is due back next weekend from a boat trip to California via Panaman Canal.

EDWARD G. ROBINSON, Warner star, arrives with his wife and son on the Washington today after a two-week trip abroad.

LARRY GELOR, of Warner’s home office publicity department, leaves tomorrow for a 10-day trip to the studio.

CECELIA GREENE of Better Theatres, has announced her engagement to GEORGE McCARTHY.

VICTOR ORSATTI, Hollywood agent, leaves for the Coast today.

(Continued from page 1)

the membership Sunday and will ask approval of its proposed action.

“All this talk that the 4-A people are afraid of 0-A, trying to put the blame on me, is just a lot of bunk,” said Miss Tucker in response. “You can put this down and bank on it—there will be no 0-A. It will be Tucker’s check book that is out, as usual. Equity won’t take care of the ones they’ve thrown out of work.”

J.A. officials, however, have maintained a policy of silence.

‘5th Ave. Girl’ Gets Music Hall $105,000

(Continued from page 1)

00 for its second week. Both films are still going at a terrific pace and the length of their runs is still indefinite.

At the Paramount, “Our Leading Citizen” grossed $24,500 last week, but “The Star Maker” opened big yesterday with an estimated $21,000. Goodby, “Mr. Chips” dropped off a bit in its 15th week, but was still good for an estimated $10,500. At the Globe, “Birch Brook Stars” grossed an estimated $5,000.

N. J. Allied Seeking Ban Upon Dual Bills

(Continued from page 1)

ing this to “increased film rentals, clearance situations and forcing of shorts to get feature contracts.”

Lee Newbury of Belmar is a general convention chairman and E. Thornton Kelly is convention manager.

The meeting coincides with Beauty Parade Week in New York, a feature of which is the pageant which will take place on the last day of the convention.

New York film men have been invited to the annual banquet which will be held Thursday, Sept. 7. The floor show will be presented by Frank Gravatt, operator of the Steel Pier.
OZIFIED!
for six weeks this summer

RADIO CITY MUSIC HALL
MORE THAN HALF A MILLION ON THREE RKO RATIONS

TWO WEEKS OF
BACHELOR MOTHER (June 29 - July 12) . . .
the picture that's now sweeping the subsequent runs to unprecedented business!

THREE WEEKS OF
IN NAME ONLY (August 3-23) . . . The attraction that's opening to such terrific business everywhere!

HOLDOVER WEEK OF
FIFTH AVENUE GIRL Just beginning . . . and it's all set for the pre-release key run smash in September!
C HALL GROSSED MILLION DOLLARS* RADIO SHOWS!

* A HOT-WEATHER AVERAGE OF ALMOST $90,000 A WEEK!... THAT'S what we mean when we say BIG ONES from RKO RADIO!
<table>
<thead>
<tr>
<th>Date</th>
<th>COLUMBIA</th>
<th>M-G-M</th>
<th>MONOGRAM</th>
<th>PARA.</th>
<th>REPUBLIC</th>
<th>RKO RADIO</th>
<th>20TH-FOX</th>
<th>U.A.</th>
<th>UNIVERSAL</th>
<th>WARNERS</th>
</tr>
</thead>
<tbody>
<tr>
<td>July 28</td>
<td>Behind Prison Gates</td>
<td>Brian Donlevy, Jacqueline Wells</td>
<td>Goodbye, Mr. Chips</td>
<td>Island of Lost Men</td>
<td>Should Husbands Work?</td>
<td>Frontier Marshal</td>
<td>Winter Carnival</td>
<td>Republic</td>
<td>M-G-M</td>
<td>20TH-FOX</td>
</tr>
<tr>
<td>Aug 4</td>
<td>Coast Guard</td>
<td>Randolph Scott, Ralph Bellamy, Frances Dee</td>
<td>Miracles for Sale</td>
<td>Night Work</td>
<td>Colorado Sunset</td>
<td>Bachelor Mother</td>
<td>Elsa Maxwell's Hotel for Women</td>
<td>Republic</td>
<td>COLUMBIA</td>
<td>WARNERS</td>
</tr>
<tr>
<td>Aug 18</td>
<td>The Man They Could Not Hang</td>
<td>Binnie Barnes</td>
<td>These Glamour Girls</td>
<td>This Man Is News</td>
<td>In Old Monterey</td>
<td>Stanley and Livingston</td>
<td>They Shall Have Music</td>
<td>Republic</td>
<td>M-G-M</td>
<td>WARNERS</td>
</tr>
<tr>
<td>Aug 25</td>
<td>Five Little Peppers and How They Grew</td>
<td>Riders of the Frontier</td>
<td>Wizard of Oz</td>
<td>Star Maker</td>
<td>Smuggled Cargo</td>
<td>Jones Family in Quick</td>
<td>The UnderP-Pup</td>
<td>Republic</td>
<td>M-G-M</td>
<td>20TH-FOX</td>
</tr>
<tr>
<td>Sept 1</td>
<td>Kong the Wild Stallion</td>
<td>Frederic M. Stone</td>
<td>The Women</td>
<td>Death of a Champion</td>
<td>Flight at Midnight</td>
<td>Adventures of Sherlock</td>
<td>The Old Maid</td>
<td>Republic</td>
<td>M-G-M</td>
<td>WARNERS</td>
</tr>
<tr>
<td>Sept 15</td>
<td>Outpost of the Mounties</td>
<td>Van Heflin</td>
<td>Henry Goes Arizona</td>
<td>Sky Patrol</td>
<td>Full Confession</td>
<td>The Rains Came</td>
<td>Hawaiian Destiny</td>
<td>Republic</td>
<td>M-G-M</td>
<td>WARNERS</td>
</tr>
<tr>
<td>Sept 22</td>
<td>Scandal Sheet</td>
<td>Walter Connolly, Iris Meredith</td>
<td>Thunder Afloat</td>
<td>Murder in the Big House</td>
<td>Honeymoon in Bali</td>
<td>Fifth Avenue Girl</td>
<td>Rio</td>
<td>Republic</td>
<td>M-G-M</td>
<td>20TH-FOX</td>
</tr>
<tr>
<td>Sept 29</td>
<td>Scandal Sheet</td>
<td>Otto Kruger, Ona Munson</td>
<td>Fast and Furious</td>
<td>Calling All Marines</td>
<td>Nurse Edith</td>
<td>Here I Am A Stranger</td>
<td>No Place to Go</td>
<td>Republic</td>
<td>M-G-M</td>
<td>WARNERS</td>
</tr>
</tbody>
</table>
‘Oz’ Is Smash Hit Grosser With $44,600

Boston, Aug. 30.—“The Wizard of Oz” dueling with “Blondie” at Loew’s Orpheum and VOtC took a total of $44,600, or $25,600 and $19,000 respectively. “Stanley and Livingston” drew $10,400 in the second week at the Keith Memorial.

Estimated takings for the week ending Aug. 25,

—Clara Owe Europe” (Col.) (4 days) $1,200,
—“Chasing Danger” (20th-Fox) (4 days) $1,000,
—“Susannah of the Mounties” (20th-Fox) (3 days) $1,500,
—“Five Came Back” (RKO) (3 days) $1,200,
—“Island of Lost Men” (Para.) (2 days) $1,000.

All cities.

Ross Federal Holds Managers’ Meeting

District managers of Ross Federal Research Corp., yesterday concluded a series of meetings at the home office which lasted a week. Fall and Winter plans and policies were discussed during the week by 15 city managers and execs. The men left for their respective headquarters last night.

The meetings were presided over by Harry H. Mitchell, New York, and J. A. Kraker, Mid-Atlantic district.

Drive-In Case Begins

Milford, Conn., Aug. 30.—The first hearing in the public nuisance case of 12 residents against the Milford Drive-In was begun in the Superior Court here today. Plaintiffs repeated their allegations that the noise is objectionable and detrimental to their health and property.

‘Bill of Rights’ Premiere

WILLIAMSTOWN, Mass., Aug. 30.—The world premiere of Warners’ historical drama “Bill of Rights” will be held here tomorrow night before 2,000 delegates to the national conference of Christians and Jews. There will be a coast-to-coast broadcast at 8 p.m.

‘Name’ Pulls $19,000 in 2 L. A. Houses

LOS ANGELES, Aug. 30.—“In Name Only” scored the best comparative gross at the Capitol and Million Theatre. In Los Angeles and San Francisco it grossed $18,000 and $15,000 respectively, with a total of $19,000 at two houses. Paired with “Missing Daughters” at the Million it did $2,000 better. “That Man They Called Not Hang” it drew $9,200 at the Pantages, “Four Feathers” accounted for $7,500 in its second week at the 4 Star.

Estimated takings for the week ending Aug. 30,

—“In Name Only” (20th-Fox) $12,000.
—“Metes Takes A Vacation” (20th-Fox) $12,000.
—“The Man They Called Not Hang” (Col.) $9,000.

Theatre Notes

Theatre 17 Years Old

BRIDGEPORT, Conn., Aug. 30.—The Majestic here will celebrate its 17th birthday on Labor Day. The manager Morris Rosenthal also celebrates his 15th as manager of the house. The Majestic is one of the few to have been in the same hands of S. Z. Poli, with a stage show policy, and is now part of the Loew’s circuit.

To Close Conn. House

WALNUT BEACH, Conn., Aug. 30.—A. L. Smith, operator of the Tower and Colonial, will close the Tower on Labor Day. The Colonicial will be partly resoled by Phil Furst, and new screens and drapes will be installed.

Takes Glastonbury Theatre

GLASTONBURY, Conn., Aug. 30.—Maurice Kemper is lessee and manager of the 500-seat Glastonbury Theatre, now owned by Mrs. Nathan Lampert, and formerly a part of the Lampert circuit.

Blank Plans New House

DAVENPORT, Ia., Aug. 30.—A. H. Blank of the Tri-States Theatre Corp., has signed lease preliminary to building a new theatre that housed the former Columbia Theatre, closed the past six years, and a new $17,500 building will be opened in November after the building has undergone complete remodeling and new seats and equipment installed.

Reopen Iowa Theatre

GARDEN GROVE, Ia., Aug. 30.—The Garden Theatre here, closed for some time, has reopened.
U. S. Accuses
Fox W. Coast of Contempt

(Continued from page 1)

Arnold Charges Monopoly

In conformity with the practice he initiated a year ago, upon the filing of the New York suit, Arnold issued a formal statement, explaining why the 1950 equity suit against Fox West Coast Theatres and certain major distributors alleged a conspiracy to restrain and monopolize trade in motion pictures, and was settled when the defendants consented to the entry of a decree maintaining the continuance of the alleged conspiracy.

In that suit, he said, it was charged that the distributors were granting to Fox West Coast Theatres over its competitors, the Independent exhibitors, various preferences, including the right to sell them pictures first or in competition with Fox West Coast Theatres, and adopting and enforcing zoning and booking policies that had permitted Fox West Coast Theatres arbitrary and unreasonable protection and clearance over independents.

Many Complaints Heard

“During the past several years the Fox theatres were subjected to numerous complaints that the parties named in the decree were violating its provisions,” the statement said. “As a result of these complaints, a comprehensive field investigation was launched.

“The course of the investigation considerable evidence has been developed indicating that seven major distributors, Fox West Coast Theatres Corp., prior rights to negotiate for and to exhibit pictures released by them; that Fox West Coast Theatres maintains more favorable terms than independent exhibitors and is not required to purchase all pictures released; that Fox West Coast Theatres Corp. demands and receives adherence to zoning and clearance schedules in favor of its theatres and to discrimination against independent theatres, and that such practices have resulted in the monopolization by Fox West Coast Theatres of first-run and other early run theatres in virtually every desirable location in southern California.

Defendants Announced

It was revealed at the Department that the representatives of the companies named in the West Coast case will be named as follows:


It was pointed out by the Department that the penalty for criminal contempt is fine or prison or both.

Gloria Jean to Chicago

Gloria Jean, Universal’s young star of “The Under-Pop,” leaves for Chicago tonight to make a personal appearance at the Roosevelt Theatre in connection with the opening of the film on Saturday.

BANNER RADIO LINES

By JACK BANNER

TWICE DURING past few days, WMCA has scored important beats over competing stations, including the networks, by broadcasting news of the issuance of secret instructions from the Admiralties at London and Washington to all English and German ships at sea. The station received added glory when the newspapers printed the stories, and on both occasions credited WMCA as the source.

Background of how WMCA was able to hang these stories on the opposition exists in its tight with The Herald-Tribune and the short-wave radio set which the newspaper maintains. Early during the crisis WMCA advised the newspaper to pay particular attention not to the "voice" channels, but to cabled wireless steam, a fact that was used both by Lew Larder of WLB and WMCA.

As a result, The Herald-Tribune engaged a naval code expert. This expert, whose name we are not permitted to use, can and does receive and decode 100 words a minute. He was be who decoded the message from Berlin to London that the British were intercepting the code from the British Admiralty instructing English shipping to immediately vacate waters in which there is likelihood of an engagement being fought.

TOPICAL SUBJECTS continue to attract television’s attention, presaging ultimate newsreels on the air. Arrival in New York City today of the mechanical caviar, the Moskow, and CBS are keeping Manhattan docks with the first loadout of American "refugees” frightened away from Europe, the television cameras will be alongside the newsreel cameras and the radio microphones.

THERE IS NO telling to what lengths an artist will go to achieve perfection. Orchestral copies of "The Quotplexy on Parade" for Phil Baker who wrote the song, Bandleader Lyn Murray desired to achieve a certain bell tone in a passage of the score. Trick effects with musical instruments were tried, but these were not satisfactory. Finally Murray determined that the little brass bells, of the type which are used in the new light for such transcriptions of 150 bells and divided into dozens or more before she was able to gather the right collection—B, B flat, A, A flat, G, F and D.

AS A SIGN of the times, the networks have added Polish to six other languages used in their television broadcasts. WMCA and WOR are keeping their short-wave stations on the air on a 24-hour basis, just as the networks now are operating to furnish listeners abroad with accurate news.

WICK CRIDER, in charge of radio publicity at J. Walter Thompson, has started on a trip to cover 15 key cities in connection with the Lux "Radio Theatre" program, returning to the air Sept. 11. He will contact radio editors and radio stations.

DESPITE the newness of the CBS studios in Hollywood, which are barely at the half-way stage of completion, the network is already adequate and the network is now applying for a building permit for the construction of a new building to house two studios, each holding 400.

Tri-State's Outing Draws Big Crowd

Des Moines, Aug. 30.—Tri-State and Central States theatre officials, headed by A. H. Blank, were hosts to approximately 150 men of the office force of both corporations, and managers, salesmen and bookers of the Des Moines and Omaha film exchanges, at a golf outing followed by a dinner and social evening at the Hygienon Club.

Mel Evoden, manager of the Des Moines Columbia exchange, won first prize in the golf contest; Lew Elman, manager of the RKO office in Des Moines, won the driving contest and the trophy of the senator, while another exchange in Des Moines, won the World’s Fair contest.

Speak on Theatre

"The Theatre in a Democracy" will be the subject of a discussion today at the University of Massachusetts. Speakers will be Alfred Harding, of Actors Equity; Brock Pemberton, the producer, Worthington Miner, director, of the Theatre Guild, and Irving Berlin, songwriter.

Van Schmus Vet "Golden Boy" Stars

Four members of the cast of Columbia’s "Golden Boy" were honored yesterday by receiving their foot in the concrete at Cal on Wednesday by G. Van Schmus, managing director of Radio Music Hall. These honored actors were Adolph Menjou, Lee J. Cobb and Sam Levene.

The reception in the Music Hall studio apartment was attended by Col. Darwin, Arthur Howard, Leonard Gaynor, Frank Nugent, Leo Miskin, Eileen Creelman, A-Mike Vogel, Margerie Ann, Jack Alecme, Sam Shain, Jack Harrower, Roy Chartier, Abe Bernstein, Cal Swanson and Sam Marx.

Exploitation Contest

M-G-M’s $10,000 exploitation contest for independent exhibitors in the United States and Canada starts officially today, for campaigns on films released between April 1, 1939, and March 31, 1940. "The Wizard of Oz," a current release, is eligible for the contest. The first 100 cash prizes are offered. Closing date of the contest is March 1, 1940.

Bernie Show Tops Newest Net Renewals

Ben Bernie has been renewed for another period of broadcasting over CBS by the American Tobacco Co. Program is handled by Young’s T. G. Publishing Corp. and is heard Sundays from 3:30 to 6 P.M., and returns to the air after a summer break. The weekly show has also been renewed to return in the fall.

Contracts for the return of the "Spiker Theatre" series was placed with CBS yesterday. Series is heard Sundays from 6 to 6:30 P.M. on a network of 31 stations. Conrad Nagle serves as narrator and master of ceremonies in the series, which consists of selections of plays from stage and screen.

Other CBS renewals are by the Associated Products for the dramatic series, "Bland Johnson’s Tomorrow" and for "Our Gal Sunday," also a dramatic serial. Renewals are effective Sept. 1.

Phillips Company Runs Star News

Charles H. Phillips Co. has renewed two of its current programs on NBC, "Young Widder Brown" and "Lorentzo Jones".

"Young Widder Brown" is broadcast Monday through Friday at 11:30 A.M. on the Red. "Lorentzo Jones" is heard Monday through Friday at 11:15 A.M. also on the Red. Both renewals are for one year. Blackett-Sample-Hummer is the agency.

Van Schmus Vet "Golden Boy" Stars

Four members of the cast of Col-umbia’s "golden Boy" were honored yesterday by receiving their foot in the concrete at the studio on Wednesday by G. Van Schmus, managing director of Radio Music Hall. These honored actors were Adolph Menjou, Lee J. Cobb and Sam Levene.

The reception in the Music Hall studio apartment was attended by Col. Darwin, Arthur Howard, Leonard Gaynor, Frank Nugent, Leo Miskin, Eileen Creelman, A-Mike Vogel, Margerie Ann, Jack Alecme, Sam Shain, Jack Harrower, Roy Chartier, Abe Bernstein, Cal Swanson and Sam Marx.

Exploitation Contest

M-G-M’s $10,000 exploitation contest for independent exhibitors in the United States and Canada starts officially today, for campaigns on films released between April 1, 1939, and March 31, 1940. "The Wizard of Oz," a current release, is eligible for the contest. The first 100 cash prizes are offered. Closing date of the contest is March 1, 1940.
**EQUITY IN STRIKE ACTION; INDUSTRY SITUATION GRAVE**

Unless some last-minute truce or peace is effected—which is deemed hardly probable—Monday and Tuesday will see the beginning of widespread strikes which may tie up the entire entertainment world.

Hollywood and New York yesterday reflected the grave seriousness of the labor controversy which has been raging for weeks between the A.A.A.A. and the I.A.T.S.E.

In New York the Council of Actors Equity, conferring behind closed doors yesterday, authorized its secretary, Paul H. Allen, to call an actor's strike in every New York theatre if the stagehands walk out on the opening of "Leave It to Me" at the Imperial Theatre Monday night.

Sophie Tucker, suspended by Equity and other A.A.A.A. unions, is scheduled to take her place in the cast of Vinton Freedley's play that evening. The stagehands have served notice that unless Sophie Tucker is allowed to remain in the show they will go on strike.

Strike resolutions were adopted yesterday also by the American Federation of Radio Artists and the American Guild of Musical Artists (concert and opera) to take effect Tuesday. A similar resolution is expected momentarily from the Screen Actors Guild and all other branches of the A.A.A.A.

In a swift counter-attack, the I.A.T.S.E. and the American Federation of Actors, its affiliate, moved to organize the hurlefield, a jurisdiction now held by the Brother Artists Association, a 4-A affiliate.

From Washington yesterday came reports that the Department of Labor is keeping close watch on the actors' labor war developments. Indications are that the Department intends to send a mediator to New York in an effort to forestall the threatened strikes.

**May Call Out Projectionists**

It appeared certain yesterday that stage and film productions will be stalled early next week. As the acrimonious controversy burned with new fervor, developments produced many new sensations, among them being:

- Equity, A.F.R.A. and A.G.M.A. ordered their memberships to withdraw from the A.F.P.A., before Sept. 6, and placed employers who contract with the A.F.P.A. an "unfair" list.
- The A.F.P.A. is considering calling out projectionists if the S.A.G. strikes.
- Ralph Whitehead, A.F.P.A. executive secretary, commented, "$100,000 lien against 4-A officials."
- League of New York Theatre officials spent a fruitless day attempting to settle a strike.

**No Paper Monday**

Motion Picture Daily will not be published on Monday, Sept. 4, which is Labor Day.
Equity Takes Strike Action; Others Follow

(Harry Warner, president of Warner Bros., and Mrs. Warner arrive Monday on the Queen Mary; also Mr. and Mrs. Bon Hope)

Dr. Vladimir K. Zvonrykin of Camden, RCA television scientist, is attending the council of the British Institute for the Advancement of Science at Dundee, Scotland.

Tom Ward, assistant manager at the State in Denver, and Mrs. Ward are the parents of a baby boy named Richard.

Linda Ware, 14-year-old Paramount star, will sing at the Hollywood Bowl with Leopold Stokowski conducting.

Louis Calhern, RKO player, begins a week's engagement Monday in "Susa and God" at the Adames Theatre, Newark.

N. H. Zook, building superintendent at Radio City Music Hall, is an enthusiastic camera fan, having taken 400 photos of the World's Fair.

Norma Shearer is due Wednesday on the Manhattan from a vacation on the Riviera.

Adolph Menjou has been signed by RKO to co-star with Kay Kyser in "That's Right, We're Wrong."

Barney McGill, 20th Century-Fox cameraman, is vacationing here.

Walton Ament, editor of RKO Pathe News, is vacationing.

Watterson Rothacker is in town.

SAG Activities Under U. S. Probe on Coast

Los Angeles, Aug. 31.—Included in the U. S. Attorney General's probe of alleged labor racketeering in Hollywood will be activities of the Screen Guild Pictures Daily learned exclusively today.

Several countries which are maintaining a strict neutrality stand have banned the film, however. The most fervent is the United Kingdom. The film has also been banned in Holland and all Scandinavian countries.

Great Britain and Nazi have prohibited the picture, allegedly due to Nazi pressure, but Warners is making representations and hopes to lift the ban soon. Several small South American republics are understood to have banned the picture.

Mrs. Crandall Dies

Washington, Aug. 31.—Mrs. Harry M. Crandall, widow of the late pioneer exhibitor of this territory died at her home here this morning, after an illness of six months. She is survived by a sister and three daughters, Mrs. Ethel Mathews and Mrs. John J. Payette, a former associate of Crandall and now general manager of NOCH-warner Theaters in the local area.

Judge Asby to Speak

Judge A. L. Asby, NBC vice-president and general counsel, will address the national convention of the American Society of Radio as an economic and social priest at Pocenoma Manor, Pa., on Sept. 6.

Zukor, Hooks Die

Los Angeles, Aug. 31.—Adolph Zukor and John W. Hile, president of United Artists, Monday aboard the S.S. Monterey from Australia where they spent six weeks confirming with Paramount sales and theatre executives.

Projectionists Schedule Big Fair Program

(Continued from page 1)

General to the Fair; Nate Golden, director of Allied Industry's Department of Commerce; Earl H. Rambo, projectionist; and Herbert Griffin, vice-president; E. W. Worfolk, production manager; Joseph E. Palmer, assistant manager and A. J. Palmer of International Projector; Dr. Alfred Goldman, past president of S.M.P.E., E. H. Evans, president, S.M.P.E.; P. F. Richards of Motion Picture Herald; Walter E. Green, president, National Theatre Supply Co.; James Frank and Will Smith of the New York branch of National Theatre Supply, and James J. Finn.

The talks and films which will be shown will trace the development of the industry during the past 40 years. Accompanied by William Reed, the first projectionist of which there is any authentic record, and showing films "operators" whose activity paralleled the start of the industry, the committee states.

Those active in making arrangements included H. Oppenheimer and Louis Kaufman of Local 244; Harry Rubin, director of projection for Paramount; Lester Isaac, Loew's director of projection and his associate, M. D. O'Brien; Thad Barrows and James Burke of Local 192, Boston; Victor Wellman of Local 160, Cleveland; Arthur Mantens and Dick Hayes, Local 650, Western Electric Company; Charles Thominings, W. Nanengast and J. Engle of Local 640, Long Island; P. A. McGuire, International Projector; G. Edwards, O. Kafka and C. Eichhorn.

'Golden Boy' Televised

The second of two television broadcastings of 'Golden Boy' for coming Music Hall production, "Golden Boy," will take place at 8:30 P.M. today. The first telecast was on Tuesday.
PREVIEW CRITICS HIT PINNACLE OF PRAISE FOR THE STORY THAT SHOCKED THE WORLD!

NURSE
EDITH
LAVELL
"A fine picture... amazing the way it holds interest... audience profoundly moved... Anna Neagle gives an inspired performance."
—Louella A. Parsons, International News Service

"Definitely on the 'must see' list... Holds you every minute of the way... Anna Neagle is certainly a living lesson to some of the better-known actresses."
—Erskine Johnson, King Features Syndicate

"It remains one of the finest pictures to come to the screen... No other actress could have achieved the role of Edith Cavell as perfectly as Anna Neagle."
—Paul Harrison, NEA Service

"Herbert Wilcox will be able to present with pride his first picture made in America... A film of quality, dignity and great interest... You feel as if you were viewing the actual happenings with real persons instead of actors... Anna Neagle's portrayal by all odds one of the finest of the year... worthy of consideration for Academy honors."
—Edwin Schallert, Los Angeles Times

"Miss Neagle's performance ranks her among the major film actresses."
—Meyer Levin, Esquire

"A beautiful picture with a powerful theme... Anna Neagle is one of the finest actresses of the screen."
—Whitney Bolton, N. Y. Morning Telegraph

"The drama of Cavell is powerful... Thought-provoking drama with a stellar performance of the highest calibre."
—Harrison Carrol, Hollywood Herald & Express

"Outstanding among the year's pictures... Anna Neagle reaches a new high in bringing dignity and grace to the screen."
—Hedda Hopper, Jones Syndicate

"One of the most imposing films to come out of Hollywood... Intensely moving in its subdued tones, ruthlessly violent in its brutal moments... Will prove itself a potent box-office factor."
—Hollywood Reporter

"Begets a sure suspense which holds audiences spellbound... Anna Neagle gives a superb conception of the Cavell role."
—Hollywood Variety

"Without question, the motion picture event of the year... Anna Neagle's portrayal is definitely an Academy award performance... Everyone must see 'Nurse Edith Cavell'."
—Alice Tildesley, Phila. Ledger Syndicate

"A powerful dramatic picturization... gripping, stirring production."
—Film Daily

"Intense drama... A tale of sacrifice and devotion, appealingly told."
—Motion Picture Daily

"One of the greatest productions ever to come from any studio... Should hold all audiences through every brilliant moment... The best that is Hollywood's and England's is here combined in a single glorious production."
—Elizabeth Wilson, Screenland and Silver Screen
"I have never been more moved by any motion picture . . . It is one of the truly great pictures of all time . . . The tender and poignant performance of Anna Neagle rates the highest honors filmdom can bestow."
—Ruth Waterbury, Photoplay

"Here is a picture so perfect that a most minute examination reveals not a single flaw . . . Will stand for years as the high water mark in Hollywood production . . . I join what certainly must be a chorus in declaring that Anna Neagle has turned in an Academy Award performance."
—Mayme Ober Peak, Boston Globe

"A film beautifully done . . . It has a suspense that is remarkable . . . There is a nobility about the picture which is almost above tears."
—Jessie Henderson, Philadelphia Bulletin, Baltimore Sun

"I loved it . . . Miss Neagle's performance and Herbert Wilcox, producer, made of the picture a triumphant occasion that will be long remembered."
—Harry Mines, Los Angeles Daily News

"A profoundly stirring picture . . . Don't miss it . . . and make a small bet that Anna Neagle will be up for an Academy Award."
—George Fisher, Mutual Broadcasting's Hollywood commentator

"'Nurse Edith Cavell' will go down in screen history as one of Hollywood's greatest productions."
—John Schwartzkopf, Fawcett Publications

"A strong dramatic picture with Anna Neagle seen in one of the finest dramatic performances to originate in Hollywood . . . Herbert Wilcox's production and direction is tops with Hollywood's own aces."
—Clarke Wales, Detroit Free Press

"An impressive picture that puts over a smashing message . . . Anna Neagle is terrific . . . She gives an inspired performance."
—Eric Ergenbright, McNaught Syndicate

"From the opening scene to the final one the audience was held spellbound . . . Outclasses everything I have seen in the way of a picture . . . Nothing else like it . . . It is superb . . . Comes nearer to being a masterpiece than anything I have seen for a long while . . . Anna Neagle gives a performance that places her beside Sarah Siddons and Ellen Terry."

"Superbly knit story . . . perfect character casting and pungent direction . . . Anna Neagle's performance places her beside Hollywood's greatest tragediennes in international screen importance . . . Nurse Edith Cavell impresses me as an all-around candidate for Academy honors."
—W. H. Mooring, London Daily Herald and Film Weekly

"A magnificent and impressive picture . . . Great page of history brought vividly to the screen."
—Harold Salemson, Paris Soir and Pour Vous

"In this opus Anna Neagle, beautiful, quiet-mannered English star, hits Hollywood like a bombshell."
—Ella Wickersham, Los Angeles Examiner

---

**NURSE EDITH CAVELL**
'Nurse Edith Cavell' is a picture which will live long in the memory of everyone who sees it.
—J. Maurice Ruddy, Daily Sketch, Sunday Graphic, London

'The most powerful film ever to reach the screen... In the title role Anna Neagle gives a superb conception of the martyred Nurse Cavell... A performance of Academy calibre... The picture is destined for universal triumph with every kind of audience.'
—Guy Austin, London Daily Express

"Herbert Wilcox has made a great film... Anna Neagle's 'Nurse Edith Cavell' is a masterpiece... No other screen artist save Charles Chaplin has such pantomimic genius."
—Ray Lewis, Canadian Motion Picture Digest

"This film is one of the screen's few authentically great and significant tragedies... The production is as nearly perfect as Hollywood ingenuity and British thoroughness could make it... I am willing to believe that Miss Neagle's conception of the role is as the martyred nurse would have wanted it." 
—Philip K. Scheuer, Los Angeles Sunday Times

ANNA Neagle as NURSE EDITH CAVELL

with
EDNA MAY OLIVER
GEORGE SANDERS
MAY ROBSON
ZASU PITTS
H. B. WARNER
SOPHIE STEWART
MARY HOWARD
ROBERT GOOTE

RKO RADIO PICTURES
IMPERADIO PICTURES, LTD.
A HERBERT WILCOX PRODUCTION
DISTRIBUTED BY RKO RADIO PICTURES, INC.
SCREEN PLAY BY MICHAEL HOGAN

PRODUCED AND DIRECTED BY
HERBERT WILCOX
Listen to those cash registers sing!
"THE STAR MAKER" neck and neck with "UNION PACIFIC."

"THE STAR MAKER" 20% ahead of "UNION PACIFIC."

"THE STAR MAKER" neck and neck with "UNION PACIFIC."

"THE STAR MAKER" 30% ahead of "UNION PACIFIC" — topping any Paramount Picture for the year.

"THE STAR MAKER" neck and neck with "UNION PACIFIC."

"THE STAR MAKER" 80% ahead of "UNION PACIFIC."

Paramount presents

"THE STAR MAKER"

BING CROSBY • LOUISE CAMPBELL
LINDA WARE • NED SPARKS
LAURA HOPE CREWS • JANET WALDO
WALTER DAMROSECH with the Philharmonic Orchestra of Los Angeles

Directed by Roy Del Ruth
Produced by CHARLES R. ROGERS

Screen Play by Frank Butler, Don Hartman and Arthur Caesar
Based on a story by Arthur Caesar and William A. Pierce
Suggested by the Career of Gus Edwards
Buffalo Houses Aid "Fight on Paralysis"

BUFFALO, Aug. 31.—Buffalo theatre owners have been called to a one-day conference designed to curb the city's recent infantile paralysis epidemic. Eight new cases of the disease have been reported in two days, bringing the total deaths within 24 hours, greatest since early in July, were reported to the Health Department yesterday. A "request" that theatre owners deny admission to children under the age of 12 has been taken under advisement by the Health Department; however, banishing of children would not have the desired effect unless all other films leave the house. "Blonde Takes a Vacation" (F). "Each Down I Die" (W.B.). "Inside Information" (Univ.). MIALITUS—(3,800) 7 days. "Each Down I Die." Second run. Gross: $2,550. (Average: $1,200."

Buffalo Housing the Metropolitan Theater Owners' Association.

Kodgers Acclaims " Gone With the Wind"

CHICAGO, Aug. 31.—W. F. Rodgers, enroute to New York from the Coast, stopped off here between trains to make a personal appearance and hailed "Gone With the Wind" as the picture that starts where all other films leave off. "Romeo and Juliet," "Wuthering Heights," "A Tale of Two Cities," which is termed anti-labor, have been taken in New Haven and in New York.

The executive board of the New Haven Central Labor Council passed a resolution condemning the film as unfair to the workers. A resolution of Local 16, United Office and Professional Workers of America also passed a resolution condemning the film. A letter was sent to Paramount by Peter Q. Hawley, union president.

Rodgers Acclaims "Gone With the Wind"

CHICAGO, Aug. 31.—W. F. Rodgers, enroute to New York from the Coast, stopped off here between trains to make a personal appearance and hailed "Gone With the Wind" as the picture that starts where all other films leave off. "Romeo and Juliet," "Wuthering Heights," "A Tale of Two Cities," which is termed anti-labor, have been taken in New Haven and in New York.

The executive board of the New Haven Central Labor Council passed a resolution condemning the film as unfair to the workers. A resolution of Local 16, United Office and Professional Workers of America also passed a resolution condemning the film. A letter was sent to Paramount by Peter Q. Hawley, union president.

Jubilee Dinner Tuesday

Variety Club Jubilee Dinner will be held at the Hotel Traymore, Atlantic City, on Tuesday evening with P. Mortimer Lewis and Frank R. Gravatt, president of the Atlantic City Steel Pier Co, acting as Kings-for-a-Day.

### Theatre, Personnel Notes

**'Tropics' Hits Good $18,000 in Pittsburgh**

PITTSBURGH, Aug. 31.—In a week of hot weather and favorable conditions, "Lady of the Tropics" has grossed $18,000 for a 14-day run. The film opened at the Warner Theatre with a $7,000 gross. For the week of "The Wizard of Oz" the theatre grossed $10,000 at Loew's. The following is the result of the week's estimates:

**'Tropics' Hits Good $18,000 in Pittsburgh**

PITTSBURGH, Aug. 31.—In a week of hot weather and favorable conditions, "Lady of the Tropics" has grossed $18,000 for a 14-day run. The film opened at the Warner Theatre with a $7,000 gross. For the week of "The Wizard of Oz" the theatre grossed $10,000 at Loew's. The following is the result of the week's estimates:

- **'When Tomorrow Comes'** (Univ.)
  - 1st week, Gross: $5,500. (Average: $7,000)
- **FULTON** (1,200)
  - 7 days, Gross: $4,800. (Average: $6,000)
- **'The Wizard of Oz'** (M-G-M)
  - 3rd week, Gross: $17,000. (Average: $22,000)

**Outdoor Activity Hurts Louisville**

LOUISVILLE, Aug. 31.—Summer business hasn't been up to the summer normal because of the many outdoor attractions. The summer season in Goose Pond Park has opened Aug. 12, which helped a little. However, the Louisville baseball club, playing its new ownership, up to Aug. 18 had drawn over 210,000, against $5,000 paid admissions all of last year, and with several games yet to go, the club is anticipated to break the 1926 record, which played to 237,171. In addition there is Fountain Park, the River excursion steamers to draw summer crowds.

**Signs Wisconsin Discrimination Bill**

MADISON, Wis., Aug. 31.—Gov. Julius P. Hurl has signed the Rubin bill which provides for stricter penalties for discrimination against persons in inns, hotels, places of amusement because of color or creed. The amendment to the state law increases the minimum damages which violators are liable from $5 to $25.

**WING Joins NBC**

WING, Dayton, O., has joined NBC as an optional station of the Basic Red or the Blue networks, but available only to sponsors not using W.L. Network rates. Thus the station will be $140 per evening hour. Station is owned by WSMK, Inc., and operates 900 watts daytime and 250 watts night.

**Warner Golf Sept. 19**

Warner's annual golf tournament will be held Sept. 19 at Glen Oaks Country Club at Little Neck. Mr. Keyser is chairman of the golf committee. Others on the committee are Louis Favorino, Harold Rodner, Gene Werner and Abe Kronenberg.
Newsreels Set
For War Duty;
Big Obstacles

(Continued from page 1)
even Clippers to fly the first pictures over. But it will all have to be done in an orderly way in accord with what the Governments will permit,” a newrews editor explained. “There can be no advance information as to what kind of transportation will be available. Shipping, of course, will be dislocated and even stopped by blockades. Clipper service may be discontinued entirely.”

Censorship Chief Worry
One of the major headaches will be Government censorship and military surveillance. “If we have 500 camcorders in the field it doesn’t mean anything,” said Tom Mead, editor of Universal Newsreel. “All they want is that you take out that count.”

And that may be very little, after the few messages that are cleared out of the film. Furthermore, all newreels will depend on the English newreels for material. In war they become virtually propaganda media.

Some of the newreel men agree that with virtually the identical official sources available to all, the newreels will show a difference not in material but in the editing and manner of presentation. In the United States alone, it is expected that about 200 camcorders, including the English and American staffs, will cover the expected war. The newsreels have no plans to send men from here unless an urgent lack of manpower arises.

Yesterday Universal Newsreel learned that one of its cameramen, Russell Wright, was detained at Danzig by the police. He was suspected of having taken motion pictures of the city.

Fools Officials, Saves Films
In some manner not yet explained he was able to conceal the film, and after a still camera and pictures were taken from him, he was put on a boat bound for Stockholm. The newsreel films are due today on the Clipper.

The films coming out of Germany are only what the Government permits. Pictures of the Siegfried Line which German theatres were compelled to show were received by the American newreelmen. Universal, for one, has not been able to secure them because of their propaganda nature.

All reels have affiliates in one or more of these countries—England, France, and Germany. There is an interchange also with newreels in Italy, Switzerland, Poland, Holland and England.

During the dark days preceding the

Stop Phone Service
Telephone service between the United States and London was suspended yesterday, thus handicapping motion picture companies in New York City. At the same time Great Britain imposed a censorship on all cables between America and England.

BANNER RADIO LINES
By Jack Banner

THE CRISIS IN EUROPE has taxed radio as never before, excepting of course the Czech-Munich episode. In the past ten days NBC has aired 102 special programs of European crisis material. CBS has aired 75 special programs to date, and Mutual approximately 100 broadcasts. They have come from every conceivable trouble spot on the map and from most of the diplomacy areas. Mutual’s schedule may very well serve as an example for all the networks. It has developed. Mutual has aired 50 programs from abroad; 15 from Washington, New York, or New York.

The local stations have not shirked, either. WOR, WMCA and WHN are the independents who are extending themselves to the utmost to keep their listeners abreast of the situation. As an example, take WOR’s schedule—16 individual programs on the war threat, 75 from abroad, 79 from New York, 13 from Washington. Raymond Gram Swing, WOR’s European analyst, has virtually slept beside the microphone on a cot for the past week and his work has been outstanding in a field crowded with brilliant performers. WMCA’s Johann Stell and WHN’s George Coombs have stayed at their microphone posts around the clock and they, too, have turned in admirable work. In these days when Hitler is creating world-wide ill will for himself and nation, our radio is earning the good-will of America and world population by more than living up to its mandate to operate in the “public convenience and necessity.”

CORRIDORS IN RADIO CITY are beginning to resemble Hollywood movie lots these days, what with performers trekking in and out of studios garbed in costumes suitable to the various plays being presented in television, and faces heavily made up.

T HE OTHER DAY George Coombs, WHN’s commentator, read in the newspapers a dispatch which related that in these nights of crisis, Herr Hitler was losing three hours of sleep. Moved by the story Coombs stepped himself in statistical effort and reported on the air: “1,000,000,000 radio listeners in America and approximately the same number of people abroad have lost three hours of sleep listening at their loudspeakers to war news, and 5,000,000 reservists have lost 500,000,000 hours. Since this has been going on for 10 days, the world has wasted 1,100,000,000 hours of time.”

Then Coombs added: “And Herr Hitler asks us to feel sorry for him because he is losing three hours of sleep.”

INS IS FUMING AT WMCA as a result of what occurred following the station’s scoop in presenting, ahead of any station and newspaper, INS Correspondent William Hilman’s story out of London which revealed the context of Hitler’s reply to Chamberlain, The Herald-Tribune, the News and the Post, none of which subscribe to the INS service, upstaged front pages and credited WMCA as the news agency which broke the story!

Munich pact, the French Government drew up a plan for joint coverage by the newreels. It is believed that this plan will go into effect in event of hostilities.

Russell Muth, general European director for Movietone News, and Ettore Villani, the newsreel’s chief in Italy, are now visiting in New York. If war breaks out, they will rush back.

Movietone News has zoned Europe in six sections, with a staff allotted to each to facilitate coverage of any possible theatre of war.

The entire Paris staff of the Paramount News was conscripted with one exception. He is Ned Buddy, Paris Bureau chief, now on leave in the States. Arthur Menten and Buddy are due to leave on the Clipper this morning as reinforcements.

Some of the European agencies have reported that there has been no newreel film shipped out of Italy for the past two weeks. There is no explanation for this. Whether this is due to censorship or other regulations is not known.
WAR SHUTS DOWN
THEATRE BUSINESS
IN BRITAIN, FRANCE

By SAM SHAIN

War with Germany has caused a blackout of show business in France and England by Governmental order.

America's two biggest foreign markets have been cut off, causing the film companies to consider revision of their production and operating setups to meet these new conditions. Steps have been taken by all to conserve their cash positions. Nobody knows how long the situation may last.

French and British cinemas are slowly shut down. Reopening, which London hopes will be in about three to six months, is expected to be commended for propaganda purposes by the Government and subject to the most rigid censorship, regardless.

Even now, the British Government is consulting with Alexander Korda and may be asking a patriotic feature for propaganda use.

Korda's own Hollywood production plans seem to have gone into the limbo and his other production activities are reported to be suspended at a standstill.

When the cinemas resume they are expected to reopen only in locations and under circumstances and rules which will be set forth by the Government.

The newreels are already under strict censorship of the Ministry of Information.

The Denham Studios, Britain's principal film production center, is now the headquarters of the London Stock Exchange. Most of America's quota product is made there and like all other production, excepting newsreels, is virtually suspended.

Hollywood studios are compelled to revise their plans and schedules and to substitute American players for those British and French actors who are working here now and who may be subject to military call.

Because David Niven is a British reserve officer who may thus be forced to leave for England at any time, Samuel Goldwyn has temporarily suspended production of "Raffles," until a suitable substitute for Niven is found.

Shipping facilities and foreign exchange are seriously affected not only with France and England, but also with their colonies and the British nations around the world. There have been no blackout measures reported from these distant countries.

Not only is the depletion of film income imminent but a severe depletion in manpower has developed. American companies, wherever possible, are rushing reinforcements abroad, especially for the newsreels. The call to arms in France and England has taken many away from their studio and office jobs.

London indicates that the present blackout is temporary and that the

(Continued on page 8)
Six Selected For Canada Film Board

Montreal, Sept. 4.—Membership of Canada’s National Film Board has been announced in Ottawa by Trade Minister Euler. It is composed of three members of the civil service and three outside. Those outside are Alberta’s Pro- ressor C. Murray of Saskatchewan, president of the Canadian Film Co., and a director of its National Film Society; Edmund Turcotte, former editor of Le Canada, French-language newspaper in Montreal, and C. G. Cowan of the British American Bank Note Co., Ottawa, vice-president of the National Film Society.

Civil Service members are J. G. Faremo, Deputy Minister of Trade and Commerce; R. S. Hamer, general executive assistant in the Department of Employment and Immigration; and J. Smart, Deputy Minister of Transport.

The announcement came as a surprise after a statement a few days ago that the matter would be shelved due to the crisis. The first duty of the board will be the appointment of a Government film commissioner, chief executive officer of the organization.

Created by an act passed last session, the National Film Board is primarily to be used in coordinating the present film activities of various Government departments with a view to quality, efficiency and economy in both production and distribution. Its main concern will be the organization of a central distribution service. There will be no interference with present commercial organizations.

BUSINESS MEN

WANT MORE TIME AT HOME?

Fly TWA! Make Your Longest Trip Home in a Few Hours!

Los Angeles—San Francisco—Overnight via TWA’s Skydome! Leave at 5:30 p.m.—fly the fastest route to the Coast—Land at 7:45 a.m.—Breakfast fare $14.95

Kansas City—New Daily Afternoon Service—Leave at 1:00 p.m.—arrive in Kansas City at 8:15 p.m.—$66.45

Chicago—4 hrs. 35 min.—New Daily “Commuter Service” to Chicago—Flat rates from $10.45 to $44.95

TWA IS THE ONLY AIRLINE THAT FLIES DIRECT TO BOTH FARMS VIA GLOBE GOLDEN TOWER! 1941—1951 Discount on Round Trips

All Schedules on Standard Time

Phone Travel Agent or M-G-1640 Transcontinental & Western Air, Inc., 70 and 42 Sts.—Air Desk, Penn. Station

Six Selected For Canada Film Board

Montreal, Sept. 4.—Membership of Canada’s National Film Board has been announced in Ottawa by Trade Minister Euler. It is composed of three members of the civil service and three outside. Those outside are Alberta’s Professor C. Murray of Saskatchewan, president of the Canadian Film Co., and a director of its National Film Society; Edmund Turcotte, former editor of Le Canada, French-language newspaper in Montreal, and C. G. Cowan of the British American Bank Note Co., Ottawa, vice-president of the National Film Society.

Civil Service members are J. G. Faremo, Deputy Minister of Trade and Commerce; R. S. Hamer, general executive assistant in the Department of Employment and Immigration; and J. Smart, Deputy Minister of Transport.

The announcement came as a surprise after a statement a few days ago that the matter would be shelved due to the crisis. The first duty of the board will be the appointment of a Government film commissioner, chief executive officer of the organization.

Created by an act passed last session, the National Film Board is primarily to be used in coordinating the present film activities of various Government departments with a view to quality, efficiency and economy in both production and distribution. Its main concern will be the organization of a central distribution service. There will be no interference with present commercial organizations.
with the most unique advertising in show business. ★ The kind of advertising that every national advertiser would love to use ... but which you alone can have. ★ Let's go to town with the only 100% customer-audience advertising ... NATIONAL SCREEN TRAILERS on your screen ... in your theatre ... reaching everybody they're aimed at with double-action selling power ... EYE and EAR. ★ Advertising that costs LESS PER TICKET SOLD. Advertising that is forceful, dramatic, entertaining. Advertising that sells seats cheaply and effectively. ★ ★ NATIONAL SCREEN TRAILERS ... Best Seller in the Business!
Short Subject Reviews

“March of Time, Vol. 6, No. 1” (RKO)

“Soldiers With Wings” is as timely a reel as the current issues of any newspaper, and although the terrors of a European war, interest is necessarily heightened in military preparations here. Shown are the efforts to establish a better fighting air force in this country. Young men, recruited from the colleges and military academies, are schooled in the mechanics of airplanes and taught to fly them. A slight effort is made to explain wartime strategy and the bombers and pursuit planes are shown in action. Running time, 20 mins.

“One Against the World” (M-G-M-H)

A red-blooded little film herein gives the stirring story of Dr. Ephraim MacDowell, who performed the first major operation upon a human being in 1809, and almost was hung as a consequence by the superstitious townfolk of Danville, Ky., site of the episode. Dr. MacDowell was detested by the natives because he believed in medicine and surgery rather than the traditional superstitions. When Dr. MacDowell decides that only an operation can save the life of a Mrs. Crawford, the citizens raise a cry, “You can’t kill a man to save a woman,” and as MacDowell operates, the crowd awaits outside the house, prepared to hang him if he doesn’t save her. Running time, 10 mins.

“The Bookworm” (M-G-M)

A cartoon fantasy in color, “The Bookworm” happily borrows his way through the covers of a tome just as the books are coming to life at the warning hour of midnight. The pages of MacDowell’s Book worms and the three witches brewing the devil’s potion. They lack just one ingredient for the brew and the time is nigh. Edgar Poe’s Raven promises to deliver one, and just as this stage the worm harrows up a nearby book. The usual variety of adventures that everyone in cartoon chases are revealed, with the worm coming out best. Running time, 9 mins.

“Take a Cue” (M-G-M)

Pete Smith, M-G-M’s general sports popularizer, introduces Charles C. Peterson, a billiard expert who teaches the fine art of the table game to college students. In the film Smith takes Peterson to a college where Homer, a basketball star, is the campus big shot. When Peterson shows his cue wizardry to the students, however, Homer’s fans desert him to watch the billiard champion execute the brilliant shots that have become his trademark. This is filled with full entertainment value, and instructive to those who desire to learn about the game of billiards. Running time, 9 mins.

Insider’s Outlook

By SAM SHAIN

ONE of the bigger film companies has temporarily postponed dividend paying in view of the situation abroad, indicating that the foreign crisis already has had an effect on the domestic policies of picture concerns.

METRO’s home offices are buzzing with enthusiastic executives and officials by current reports from the coast. They’re all excited about “Gone With the Wind,” “The Women,” “Ninotschka,” “Blacksail,” and “Babes in Arms.”

And—Si Sandler got the gout in the nick of time.

FELIX JENKINS, secretary and general attorney of 20th Century-Fox, has a boy, Dan, who is gaining show business experience by serving as a ticket taker at Billy Rose’s Aquacade, at the World’s Fair.

The other day, a rather dashing and determined looking woman, not satisfied that the gates were closed on order because there was not even standing room left, made a fuss about getting into the Aquacade.

“Young man,” said the woman. “I want you to understand that my husband is an executive of Warner Brothers.”

“Madame,” said Dan, “My father is an executive of 20th Century-Fox, and look where I am.”

At the Sherry-Netherland, with Mr. and Mrs. Sol Lesser. Mrs. Lesser in a stylish Paris creation was knitting a robe for the grandchild they expect soon. Mrs. Lesser’s grown contrasted so with her rosy complexion.

Frank Craven will be the narrator in Lester’s production of “Our Town,” for the Actors and Artists.”

The Lessers are joining Mr. and Mrs. Mendel Silberberg, in the Thousand Islands, and plan a visit with Thornton Wilder, author of the play, at New Hope, Pa., before returning to California. They expect to be back on the coast not later than September 22.

WITH Mr. and Mrs. Murray Silverstone and their three beautiful children, Marilyn, Barbara and Susan, and Attorney Charles Schwartz at the Silverstone home in Scarsdale. Mrs. Silverstone, a picture of charm and grace, and a gracious hostess. Murray Silverstone and Charles Schwartz only recently returned from conferences on the Coast.

THE fellow who may be sitting in the driver’s seat in a waiting taxicab on New York’s busy street corners is not always the chauffeur of that cab, as visitors to New York have discovered. He is merely a decoy for a car which is parked with a chauffeur waiting in the yards behind. The cabbies use these decoys in order to keep competitor drivers from doing business at these sites. It is the unpleasant experience of many to enter a cab only to have the man in the driver’s seat jump out and refer the prospective customer to the cab which is waiting behind.

METRO will retain the title, “Ninotschka,” on the Garbo film, after all, and plan to advertise the picture something like this: “GARBO in NINOTSCHKA” (don’t try to pronounce it—see it.)

Managers of W. Va. Vote M.P.T.O.A. Tie

HUNTINGTON, W. Va., Sept. 4.—The West Virginia Managers’ Association, at its annual convention at White Sulphur Springs last week, voted to affiliate with the M.P.T.O.A. The meeting was attended by Ed Kuykendall, national president.

The organization condensed the Neely bill, and asked that all distributors put the practices into effect immediately regardless of the Government’s action relative to the code.

All officers of the organization were re-elected. Other officers are: Mrs. P. M. Thomas, Parkersburg, W. Va.; N. B. Carlock, Wheeling; L. E. Rogers, Welch, and R. W. Philan, Clendenin, vice-presidents; W. H. J. Bloomwood, secretary-treasurer; J. C. Shanklin, Rocoverce, convention chairman.

‘Darkness’ for Welles

HOLLYWOOD, Sept. 4.—Orson Welles in his production association for RKO, on which he will act as actor, director, writer and producer, will be “Heart of Darkness,” story by Joseph Conrad.

Montreal Showing Set for ‘Beau Geste’

MONTREAL, Sept. 4.—A special showing of Paramount’s “Beau Geste” has been arranged for tomorrow for Noel Henry, French consul general here, at whose request the film was withdrawn last week from the Palace, Montreal, and the rest of the Province of Quebec.

Henry said no permanent ban on the film had been asked, and emphasized he had not as yet seen the film. The film ultimately was approved in the United States and now is being generally shown. The film in this country previously had been passed by the Quebec censor and then was released.

Paramount’s office here said, “We view the postponement as a gesture of support for Britain’s ally in the present crisis.”

Bell to Hollywood

Russell Bell, chief of Monogram’s art department, is shifting his head office from the company’s Hollywood studios. Accompanied by his family, he left on Saturday by car and will take about 10 days for the trip. A farewell luncheon was held Friday.

Theatre, Personnel Notes

Commonwealth Takes House

KANSAS CITY, Sept. 4.—Commonwealth has an interesting fixture in the Paramount at Rockport, Mo., from John Stapel, former president of the Kansas-Missouri Thomson circuit, formerly of Marceline, Mo., for Commonwealth, will manage the Paramount. Commonwealth also plans to deal with Griffith-Dickinson Theatres, Inc., whereby Commonwealth assumes operation of the Dickinson at Cresco, Ia. C. H. Kirkpatrick, who has been managing at the Dickinson, is continuing in that capacity.

Resume Hub Vaudeville

BOSTON, Sept. 4.—RKO Keith Bos- tian begins its new Fall season with returning vaudeville. Shows have been booked ahead several weeks for three-day runs, Friday through Sunday. Bill Harwood and Harry MacDonald, RKO division manager, James King returns as stage manager and Johnne Hilt to handle vaudeville after several years absence.

Buys Two Theatres in Northwest

SEATTLE, Sept. 4.—The Inland Theat- ere Circuit, operated by Fred Mears and his family, has disposed of two of its smaller houses, one in Camas and the other in the Evergreen district of town.

Plays Theatre in Texas

TEQUESTA, Tex., Sept. 4.—A new theatre will be constructed here by R. B. Weatherall of Madisonville, Tex., who owns the Plaza there. J. G. Long recently bought the Star from H. H. Covington here.

Open North Carolina House

HIGH POINT, N. C., Sept. 4.—The new Ritz here has been opened by the Bijou Operating Co., operating a large circuit of colored theatres.

VanName in Seattle

SEATTLE, Sept. 4.—J. E. VanName has located a first run district manager for Alexander Film Co. VanName was formerly in the film business in West Virginia.

Takes Tacoma House

TACOMA, Wash., Sept. 4.—The Rialto here, operated by H. T. Moore, until his death a few months ago, has been taken over by Sidney Dean and John Owsley.

Raises Denver Prices

DENVER, Sept. 4.—Admission has been boosted from 10 to 15 cents by the Plaza. They have opened for M-G-M pictures exclusively.

Finish Jasper, Tex., House

JASPER, Tex., Sept. 4.—A new house, owned by Jefferson Amusement Co. and operated by A. B. Rhodes, has been completed.

Three Opens Theatre

PUEBLA, Tex., Sept. 4.—After L. M. Threet has opened the Jacksonville, he plans to build another new house here also.
NEW FAVORITES

EASTMAN'S three great new films back up their special characteristics with typical Eastman reliability and uniformity. Worthy successors to earlier Eastman emulsions, they are the new raw-film favorites of the motion picture industry. Eastman Kodak Company, Rochester, N. Y. (J. E. Brulatour, Inc., Distributors, Fort Lee, Chicago, Hollywood.)

EASTMAN

PLUS-X
for general studio use

SUPER-XX
for all difficult shots

BACKGROUND-X
for backgrounds and general exterior work
New Mexican Pleas for Cash By Producers

MEXICO CITY, Sept. 4.—Organized Mexican producers have again petitioned the government to render the Mexican motion picture industry some aid. This aid is needed, producers assert.

Forty of the Spanish governmentists who found refuge in Mexico, six of them women, have found good reason to protest against the Mexican government's neglecting the nation's motion picture industry. The Mexican government's decision to block the production of films on the subject of the Revolution, the dominant political organization, because it is campaigning for higher wages and other assistance for Mexican radio employees.

The National Federation of Cinematographic Industry Workers, which is affiliated with the Mexican Workers, is to be held in Guadalajara.

For the first time, a made-in-Mexico picture, "Corazon de Niño," produced by Alfonso Sanchez Tello, had its premiere in the Palace of Fine Arts (National Theatre), which the government owns. The Palace was the scene of the premiere of the Mexican debut of William "Juarez." "Corazon" has moved to the Cine Olompia here, the only directly American-owned and operated theatre in this city, for regular exhibitions.

Lynn Finishing Picture

Henry Lynn, Jewish film director, is completing work on the cutting of the film, "A People That Shall Not Die," Yiddish film produced largely in Europe, which will be released late in the fall.

Warning Bookings Set

The Alliance three-reader, "The Warning," has been booked for first runs at the Grand, Albany; State, Schenectady; Century, Buffalo, and several Bainbridge houses in the Buffalo territory. First runs also have been set in Seattle and Dallas.

New Mexican Pleas for Cash By Producers

"Coast Guard" (Columbia)

Here is fast action screen material, with excellent names for the theatre marquee, a title which has an aura of excitement and romance and enough thrill development to satisfy the most avid action appetites. Bellamy and Scott are a pair of Coast Guard officers, the former, played by Ralph Bellamy, and Frances Dee, with Walter Connolly and Warren Hymer in chief support.

Edward Ludwig directed for maximum dramatic action effect from an original screenplay by Richard Maibaum, Albert Duffy and Harry Segall. Bellamy and Scott are a pair of Coast Guard officers, the former, played by Ralph Bellamy, and Frances Dee, with Walter Connolly and Warren Hymer in chief support.

When the shy officer is assigned to flood duty, the woman-chasing Scott, honestly pleading Bellamy's case, finds himself in love with her and they marry. Scott, unable to lead the quiet life, returns to his old ways, his wife leaves, and he goes from bad to worse. But when Bellamy is lost in the course of an Arctic rescue of fishermen, she persues him to the North Pole to save him from his mechanical. They succeed, with a thrilling tobloggen down a snow hill to start the plane, and Scott finds his wife waiting when he returns.

Running time, 71 minutes. "G."**

Wall Street Cowboy (Republic)

There is action enough in "Wall Street Cowboy" to keep veteran and neophyte patrons of opera houses poised at seat edge throughout the performance. The pictures is a tale of economic "Chuckwalla." Rogers, "Gabby" and "Chuckwalla" are pals who bring their prairie natures and habits to New York City, and for a trio of pyrrologos do, a right smart job of besting the cayge bulls and bears of Wall street who are out to trim them of their ranch and mining properties.

Vincent Price is Roger's ranch is rich in the manufacture of war supplies, but the ranch is mortgaged to Niles, a rancher with Wall street connections, and he, knowing the value of the Rogers ranch, intends to foreclose the mortgage he holds on it. Rogers and his two pals go east to enlist the aid of another Wall Streeter, a friend of the family, to help them. The escapades of "Gabby" and "Chuckwalla" get into New York; the difficulties Rogers has in establishing contact with the family friend; the tussele between the opposing Wall Street factions in the race to win the property; the assistance given to Rogers by the financier's daughter and the subsequent romance between them and Rogers' ultimate victory.

Running time, 65 minutes. "G."**

G" denotes general classification.

Bromfield Picture Will Open In Ohio

A special opening of "The Rains Came," 20th Century-Fox film produced from the Louis Bromfield novel, will be held at the Ohio, Mansfield, O., on Saturday, Bromfield's home in Mansfield. The showing will follow by one day the world premiere of the film at the Roxy here. Maurice E. McCarthy, director of advertising and publicity, is arranging a special campaign in connection with the film. Roxy, Warner Theatres, Mansfield house, Lou Davidson of the home exploitation staff, is in the Ohio town to prepare for the opening.

Theatre arrangements were made by the Variety Club of the Valley, which has appointed Earl Jameison as general chairman of the 1939-40 Charity Ball, and Frank E. Ritter and T. R. Thompson as co-chairmen of the annual golf tournament.

Charges in Momand Suits Bring Denials

OKLAHOMA CITY, Okla., Sept. 4—In addition to the Momand suits in Federal Court here have filed their answers to Momand's amended complaint and bill of particulars, Griffin Amusement Company and Consolidated Theatres Corporation deny nearly all allegations. Monopoly, conspiracy and violation of the Sherman Act also are refuted. Fourteen film companies filed separate answers, making similar denials.

SMPE Holds Fall Meeting Here Oct. 16

The Society of Motion Picture Engineers will hold its 24th annual convention, Oct. 16-19, inclusive, at the Hotel Roosevelt. Through the reading of technical papers, presented by the industry's leading engineers, the technical phases of the industry during the past year will be reviewed.

E. A. Williford, president of the Society, will preside at the convention sessions. General arrangements are in charge of W. C. Kunzmann, convention vice-president, who is also in charge of registration and information. An extensive program of papers and technical presentations is being arranged by J. L. Crabtree, editorial vice-president, and the papers committee, headed by Sylvan Harris.

Local arrangements and reception of committee delegates will be in the hands of an 18-man committee headed by D. E. Hyndman, chairman of the Society's Atlantic Coast Section. Hotel and transportation arrangements are in charge of J. Frank, Jr., and his committee. H. Griffin heads the convention committee.

One of the principal events of the convention will be the banquet and dance, to be held Oct. 18 at the Pennsylvania, when the annual presenta-

Museum Arranges Schedule for Week

The Museum of Modern Art, in its Century Twenty-five, the current week has arranged the following program.

Tuesday—The gangster film, Wednesday—Stage into screen, Thursday—The sociological film, Friday—The development of narrative, Saturday—The American film, Sunday—The basis of modern technique, Monday—The sociological film. Each phase of film development is illustrated with appropriate pictures.

Club Resumes Vaudeville

PITTSBURGH, Sept. 4—Variety Club Tent No. 1, American Legion post, will resume monthly vaudeville presentations at Alcatraz Theatre, closed since its conversion into a World War II Hospital in suburban Aspinwall. Inaugurated last year as one of the pioneer Variety tent's benefit efforts, the original vaudeville feature was turned into a series of 14 entertainments.
Hollywood In Brief

Hollywood, Sept. 4.—One of the three national networks—all are available,—spokes a spectator. General Frank Murphy's presentation of an award to the producer of the picture made a successful appeal. According to the Motion Picture Democratic Committee, "shall be judged to have made the most valuable appeal to the democratic ideal." Melvyn Douglas, co-founder of the M.P.D.C., will introduce Murphy to the program by the producer whose picture has been voted the award. The ceremonies will take place at the Vic. Those in attendance are receiving offers at $50 a copy.

This will be the M.P.D.C.'s first award, probably to be followed up annually. At present, though, the M.P.D.C. looks forward only to 1940, which it considers will be "the critical year of modern American life." The M.P.D.C. announces itself in print as "mobilizing all of Protestant America on a third front and as repudiating Vice-president Garner. It is not the Democratic party, but the Democratic community, with a small "d"—and it supported the Republican Fletcher Bowsher in his successful campaign as a Republican. Voting for the picture whose producer is to receive the award was by delegates representing the guilds and unions and other organizations whose members are active in picture production, from writers, actors and directors to technical and makeup artists. Studios were invited to nominate two pictures each in the competition, and RKO and M-G-M offered no entries.


Richard Rowland, busy in preparing for" His Miss Bishop" as his first production for United Artists, takes time out to tell a questioner who asks him that the producer had been a leader in the industry some dozen years before the last world war and survived to continue as such, yes, and "I'll make a difference over here if the guns start popping over there.

Rowland believes there'll be a new psychology to deal with. For another, more tangible, there'll be less market from which to draw revenue and more difficulty about getting revenue from such foreign countries as may not be closed to American films. So there will be a reduction in production costs, which means fewer million dollar pictures, if any. To safe, the price will have to come down to a figure that can be obtained from domestic exhibition.

That needn't mean, however, that pictures cannot maintain their present standard, even exceed it. It does mean that more attention will have to be paid to the matter of making certain that there's a good story to be filmed before the filming starts. Good broadcast Attorney Rowland opinion is that the answer to this problem and just about any other problem the industry now faces, may face or has faced, including the "F" picture problem and, into that one, the double feature matter. Incidentally, "Miss Bishop," in the Rowland opinion with which his associates agree, has credits completely after hearing him tell it, is a good story.

LOUIS KING, currently directing "Typhoon," has been optioned again by Paramount.

BONITA GRANVILLE has signed a new M-G-M contract.

ANITA LOUISE and GAIL PATRICK go into "Reno" opposite Richard Dix for RKO.

Werner Brothers are building a new sound stage constructed over a four-foot concrete tank as big as Toluca Lake for Errol Flynn's "Sea Hawk." It'll be permanent.

ELLEN DREW, notably present in "If I Were King," is to play the top female role in Paramount's "Strange Money."

JEAN ACKER, JULIA FAYE and JULIUS TALMEN are under consideration to play the leading role in the camera in "Remember the Night," producer-director Mitchell Leisen's forthcoming Paramount film starring BARBARA STASINEK and FRED MACKURRY.

LEWIS STONE is back at M-G-M after a month's needed rest to start work in "Judge Hardy and the Hardy series."

JOHN TWIST, writing "Father DeDos," for RKO, has had his option lifted.

Milwaukee Ounting Set

WISCONSIN DELLS, Wis., Sept. 4.—Law enforcement departments of Columbia County have issued an order that all gambling and lotteries must cease. Specifically mentioned in the order are Bank Night and Bingo. Prosecution is threatened if the order is disregarded.

English Units on Tour

LONDON, Sept. 4.—Four traveling film units are to tour the country next winter on behalf of the G.P.O. Film Unit. Arrangements will be on the same scale as last year, when 200,000 school children and 44,000 invited adults saw shows, each lasting about an hour.

Order Hits Bank Night

WISCONSIN DELLS, Wis., Sept. 4.—Law enforcement departments of Columbia County have issued an order that all gambling and lotteries must cease. Specifically mentioned in the order are Bank Night and Bingo. Prosecution is threatened if the order is disregarded.

English Units on Tour

LONDON, Sept. 4.—Four traveling film units are to tour the country next winter on behalf of the G.P.O. Film Unit. Arrangements will be on the same scale as last year, when 200,000 school children and 44,000 invited adults saw shows, each lasting about an hour.

Monogram has closed deals for the 1939-40 product with several circuits, according to George W. Gees, general sales manager. The circuits include: Robb & Rowley, Dallas, Mutual Circuit, Detroit; Farrar Circuit, St. Louis; Bendheim Circuit and I. Notes, Washington.


NEW BERK, NORTH CAROLINA—"With the exception of three years during the civil war, our theatre, the oldest in America, has been in continuous operation since 1812," said O. A. Kafer, manager of the Masonic Theatre here. "We also have one of the oldest sound equipment in use.

The new Altec modification plan, applied to our sound system in the last few months, has brought about a very noticeable improvement in the high and low frequencies, and we notice a new clarity in both music and voice.

When we remedied our auditorium recently, our Altec inspector, M. F. Harrod, gave us invaluable assistance, in planning the proper acoustical treatment, lighting effects and wiring changes.

"Also, the observation port holes in the projection room are only 30 inches from the floor. Harrod designed a periscope consisting of a system of mirrors, which permits a full view of the screen at standing height for our projectionists."

Without obligation to yourself, the Altec inspector in your vicinity will gladly explain how the quality of sound reproduction from the equipment now in your theatre can be improved.

FALSE STORIES FROM ALTEC FILES

O. A. KAFER
Manager, Masonic Theatre, New Bern, N. C.
Films to Lift Public Morale In War Zones

(Continued from page 1)

Theatres may reopen in about three to six weeks, under selective conditions and in locations named by the Government.

Caught in the war vortex is the pending transaction under which Odeon has agreed to buy out the Strand, which will have to take over Paramount’s London theatre chain.

The newswires are subject to censorship by the Ministry of Information. At the Denbigh Laboratories, one of Britain’s principal printing plants, which is at present intensely active with newsreel printing, executives and employees are wearing gas masks and tin helmets.

Distribution depots have been arranged outside key cities, with the London clearing house now at Willesden, just outside the city, and later will be at Langley Park. All films have been removed from Wardour St.

In New York, a United Artists official said he believed the cessation of production would be temporary and that limited production would soon be resumed.

Keep Theatres Running For Good War Morale

Countries at war will aim to maintain, however, and aside from other damage, the film companies expect to suffer losses because of the drop in exchange and tightened currency restrictions. The company will apply not only to the belligerents themselves, but in their dominions and possessions abroad.

Foreign exchange has already been restricted in Australia. Film companies have been reported for Europe with any degree of certainty and in the early stages of conflict will be governed by day-to-day developments.

Except in places which are hard hit by fighting or air bombardment, filmbusiness is expected to continue. On

Motion Picture Daily

BANNER RADIO LINES

NETWORKS REFUSE TO TELL, probably do not know whether they will attempt to get microphones into the firing lines. CBS tried this two years ago when H. V. Kallert, born in Spain, and after a number of broadcasts that fizzled, was able to put a show on the air that carried the sounds of cannonading and rifle fire to listeners here. It is extremely doubtful, however, that such coverage will be attempted for this war. The networks will be content, it seems to us, to go on as they are, short-wave the news here from the capitals of the belligerent nations.

A network in itself will be a feat in view of the censorship now being enforced throughout Europe. In answer to a query as to what will be done in the event that censorship is imposed and land lines in short-wave stations denied to the network, NBC’s John Royal gave one of those “yes-and-then-again-no” answers. He said, “In a democracy such as ours, it is the right of the listeners to arrive at their own conclusions, unsuayed by our word. Our job is to convey facts as they are to and to protect radio broadcasting from misuse during a time of stress.”

Television with a war should it develop beyond the stages of the present writing. NBC is planning a series of interpretive telecasts, disclosing the meaning of the struggle, its economic background and the significance of military moves. Among the devices that will be employed to convey these meanings are a series of interpretive motion picture sequences, all with a running commentary.

The war coverage is not only taxing the physical makeup and personnel of the networks, but it is also proving a severe financial test. All are now on a 24-hour “war footing,” and commercial programs are being cut out or completely cut off with such regularity that it will take many weeks for the business departments of the webs to obtain a true accounting of the business losses.

A notable opinion is that it is now costing NBC and CBS about $15,000 a week to broadcast the present output of news.

Paramount Officials Stranded in Europe

Stanton Griffis, chairman of Paramount’s executive committee, and his wife, the former Whitney Bourne, are being impounded at St. Jean, watering place in western France.

The other Paramount men are wishing they were back in the United States. John O’Keefe, head of the eastern laboratory, is stranded in London where he went to set up laboratory facilities. Roger Clement, home office attorney, is stranded in Paris.

War believe that after the initial shock the people will want to forget the war and theatre business will be brisk.

Loss in rental revenue may be expected, however, and aside from other damage, the film companies expect to suffer losses because of the drop in exchange and tightened currency restrictions. The company will apply not only to the belligerents themselves, but in their dominions and possessions abroad.

Foreign exchange has already been restricted in Australia. Film companies have been reported for Europe with any degree of certainty and in the early stages of conflict will be governed by day-to-day developments.

Except in places which are hard hit by fighting or air bombardment, filmbusiness is expected to continue. On

CBS Billings Show Biggest August Jump

August time billings on the three major transcontinental networks did close unabated. CBS in fact showed an increase in the percentage increase.

August, 1939, billings on CBS totaled $3,375,376, an increase of 4.1 per cent over the billings of $3,258,500 in August of 1938. The highest time the billings amounted to $1,433,865. Cumulative billings on the network for the eight months of 1939 will be $21,602,302, up 17.6 per cent compared to the cumulative total for the same period last year, of $18,937,777.

NBC’s billings for August totaled $3,312,570, that of the Red network accounted for $2,036,078, and the Blue, $606,303. The August, 1939, total is an increase of 12.6 per cent over the August, 1938, billings, which totaled $2,941,099.

The eighth month total on NBC amounts to $29,195,062, the Red network accounting for $24,742,110 and the Blue, $6,772,952. Cumulative total this year is up 8.4 per cent over the billings of $25,475,483 for the like period last year, of $26,923,483.

Mutual’s August billings total $205,971, a rise of 247 per cent above the billings of $65,402 for the like month last year, of $104,625. This is the sixteenth consecutive month that Mutual billings have shown an increase over each of the preceding month. The network’s cumulative total this year is $2,046,228, an increase of 5.7 per cent over last year’s cumulative total for the like period, of $1,673,913.

War Theme Films Speeded on Coast

(Continued from page 1)

nay’s End,” and may advance “I Had a Comrade” on its schedule, “Paramount” and “Navy Nurse” on its agenda. 20th-Fox will provide “20,000 Men a Year” and “Father of the Bride,” and Walter Wanger will supply “Personal History.”

Ben Judell’s Producers Pictures is rushing “Hitler, the Beast of Berlin” into production. Warners will furnish at least six films of martial flavor. They are “The Fighting 69ths,” “Underground,” “The Bishop Who Walked With God,” “Eyes of the Navy,” “Sailor in the Air” and “Stuff of Heroes.”

Kansas City Union Contracts Renewed

KANSAS CITY, Sept. 4.—Union contracts for the first runs (Midland, Orpheum, Newman, Uptown, Esquire, and Tom Pendergast) of the first subsequent run, will be renewed this year on the same basis as contracts expiring 31, according to Peschel Senors, general staff, I.A.T.S.E., representative. There will be no change, according to Snow, for either stage hands or operators. Negotiated contracts with suburban houses three weeks ago, this town is almost 100 per cent union. Only one or two small subsequent run houses do not employ union men.

Warner Returns Upon Queen Mary

Harry M. Warner, president of Warners, returned on the Queen Mary yesterday morning after a business visit to London. He refused to discuss the effect of the war or the chances of the passengers, one of whom was Bob Hope and Earl Carroll, famer of “All Quiet on the German Front” and an exiled German.

KANSAS CITY, Sept. 4.—Union contracts for the first runs (Midland, Orpheum, Newman, Uptown, Esquire, and Tom Pendergast) of the first subsequent run, will be renewed this year on the same basis as contracts expiring 31, according to Peschel Senors, general staff, I.A.T.S.E., representative. There will be no change, according to Snow, for either stage hands or operators. Negotiated contracts with suburban houses three weeks ago, this town is almost 100 per cent union. Only one or two small subsequent run houses do not employ union men.
War to Affect 30% of World Film Grosses

U. S. Studios Act to Slash Production Costs

Film company executives estimated yesterday that 20 to 30 per cent of the world film gross is affected by the present European war. It is further estimated that about 60 per cent of the total foreign business is at stake. These figures cover business normally done in the British Isles, France, Germany, Czechoslovakia, Austria and Poland.

Most of the companies who have their product sold six months ahead or through February of next year. Even if theatres reopen after the present blackout, the problem of release dates, bookings and playing time remains.

Twentieth Century-Fox had scheduled four features from England for American distribution in 1928-29. Replacing these, four films have been added to Sol Wurtzel's schedule of 24, and the company plans to release the full 26 features promised for the new season. Darryl F. Zanuck will make 24 and Wurtzel is now committed for 28.

A leading sales manager said the industry is faced with an unprecedented situation. He declared: "During the war of 1914-1918 there was no world market for films. We had no foreign problems and the American market bloomed. Now at least one-third of our gross revenue comes from abroad, and the cost of negatives has kept pace with the increased cost of overseas distribution."

War News Sends Film Stocks, Bonds Down on Exchanges

War news sent film stocks and bonds tumbling yesterday on the N. Y. exchanges. With sales coming close to the $60,000,000 mark and prices giving up as much as 25 points for war commodity stocks, film stocks reflected the bad foreign outlook.

Loew's common fell off by 2½ to 3½, Columbia preferred dropped 2½ to 3½, and Warners preferred dropped 1½ to close at 3½.

At the close of business the market situation was:

- Columbia, 5½, off ¾.
- General Theatres, 8½, off ¼.
- Paramount, 6½, off ¾.
- Paramount 2d preferred fell off by ¾. Pathe Film Corp., 8½, off ½.
- 20th Century-Fox, 13½, off 2½.
- 20th-Fox preferred, 22½, off 1½.
- On the Curb Exchange:
  - Technicolor, 10½, off ¼.
  - Universal Corp., 3½, off ¾.
  - Universal Pictures, 6, off ¾.

New Jersey Allied Opens 3-Day Convention Today

Allied States has left the door ajar to industry self-regulation moves, it is indicated by Abram F. Myers, general counsel, in a message to the 20th convention of Allied Theatre Owners of New Jersey, which starts today in Atlantic City.

After reviewing Allied's participation in the trade practice conferences, Myers, in his message in the convention journal, stated:

"Allied companies have two courses open to them. They can abandon all effort to settle the industry's affairs only. They can abandon all effort to settle the industry's affairs only. They can abandon all effort to settle the industry's affairs only. They can abandon all effort to settle the industry's affairs only. They can abandon all effort to settle the industry's affairs only.

The machinery for the censorship of all films, for home showing and export, was outlined today in New York by representatives of the industry.

The system will be voluntary for films to be exhibited in England, with the British Board of Film Censorship.
Atlantic City
Host To N.J. Allied

(Continued from page 10)

as in former years, by an Eastern regional conference of independent exhibitors with representation from Allied units.

Eastern regional directors are scheduled to speak are Nathan Yamin, former president; Herman Blum, treasurer; M. A. Rosenberger, of Philadelphia; Sidney Samelson, veteran New Jersey leader; Arthur Howard of Broadway, Myer's and Cole.

The official convention program follows:

Today—Registration of delegates, 10 A.M.; trade show, inspection of exhibits, 11 A.M.; first general session, 3 to 5 P.M.; get-together party, 50 Club, supper, dancing, Board of Show Thursday—Committee meeting, 10 A.M.; Eastern regional directors meeting, 11 A.M., followed by luncheon; second general session, 2 to 5 P.M.; ladies' beach party, 2:30 P.M.; official photographs, 5:30 P.M.; 7:30 P.M., annual banquet, 8:30 P.M.

Friday—Third general session, 11 A.M.; election of officers, product survey results; committee reports.

Indiana Theatre Men
To Hold Convention In
Indianapolis

INDIANAPOLIS, Sept. 5—The 13th annual convention of the Associated Theatre Owners of Indiana, Allied affiliate, will be held Oct. 23 and 24 in the Hotel Antlers here.

Mare J. Woll, general manager of Theatrical Managers, Inc., is convening chairman. Other members of the arrangements committee include En- net Stock, local manager; Earl Bell, Carl Niese, Maurice Rubin, president, and Don R. Rossetter, executive secretary.

3 Flights Daily
NEW YORK
TO LOS ANGELES

It's Cool All the Way!

THE PLAINSMAN
Lv. 7:19 A. M. Ar. 12:29 A. M.
THE LUZON
Lv. 10 P. M. Ar. 4:43 A. M.
THE SOUTHERNER
Lv. 10 P. M. Ar. 1:55 P. M.

AMERICAN AIRLINES INC.

ATLANTIC CITY
IN THE NEWS

Mr. and Mrs. Leo Spitz returned to New York yesterday, after two weeks in the middle west.

John L. Barroft, press representative for RKO in Columbus, and Carl Eldridge, branch manager, operators there, scheduled to sail on the Konna from New York for a Caribbean cruise, were compelled to cancel their trip when the war canceled the ship's cruise.

Helen Hays returned from Europe yesterday on the Chalguin and was met at the pier by her hus- band, Col. Charles Hays. The passengers were Madeleine Carroll, John Barroft, Rose Baminton and Alfred Pelletier.

Helen Twelvelettes is playing in "You Can't Take It With You" at the St. Nicholas Theatre, P.A., in New York, supported by Curtis Cooksey, Har- riey MacGibbon and Ray South- rick.

Max C. Bates, RCA Photophone chief engineer, has returned to his head- quarters in Central after a tour of several midwestern cities, where he visited exhibitors and circuit operators.

Sidney R. Kent, president of 20th Century-Fox, is due soon about 20 from Atlanta. Robert T. Kane, 20th Century-Fox British production chief, arrives today from a stay with Kent.

Fred Jack, Warner southern district manager, and Ralph McGinn, Atlanta branch manager, are in town for conferences with Ben Kalms- ton, southern and western sales man-


Guy Lombardo, Motion Picture Daily correspondent in Bismarck, N. D., was married Saturday to Angela Roan of Bismarck.

Al Rosen, manager of Lowo's State Theatre, New York, is in the Medical Arts Center undergoing a se- ries of operations.

Herman Wohner, general sales manager of 20th-Century-Fox, returned yesterday after an extended stay on the Coast.

Ben L. Heidingsfeld, Cincinnati attorney and associate of Ted Lincoln, arrived Monday on the Queen Mary.

Mr. and Mrs. Herman Finkel- stein (Schwartz and Fricklin) returned yesterday from Bermuda.

James Clyn, Motion Picture Daily advertising manager, left yester-

R. Clive, English actor, has been signed by Warner for a role in "We Are Not Alone."

Matthew Fox returned to the city after a weekend upstate with friends.

Susan Silverstone celebrates her birthday next Sunday.

10,000 Films Shooting
In Kuhn Libel Suit

Warners yesterday filed an answer in the suit and countersued for $3,000,000 libel suit of Fritz Kuhn over "Confessions of a Nazi Spy," and de- demanded the case be heard by a jury, a demand the film's release was based on actual minutes of espionage trials held in New York and the Panaman Canal Zone.

U. S. Resumes Trial
Of Balaban-Katz Suit

CHICAGO, Sept. 5—Trial of the Government suit against T. A. Balaban and Katz and the majors continued today, after six weeks postponement, before Judge Edgar Eldredge. The Government called Turck, former Governor, who presented film rental figure compilations and film release schedules, as evidence.

This afternoon the Government called L. A. Eyerman, of the Board of Education, who testified regarding the McVickers theatre deal since the School Board owns the property. Government Attorneys Robert L. Wright and Seymour Simons expect to finish their arguments tomorrow. Defendants will present their side of the case immediately following.

TMA't and 3 Bronx
Houses Settle Strike

Strike at the Vogue, Metro and Congress in the Bronx, by Theatrical Managers, Agents and Treasurers of the United Transcript settled. A memorandum agreement for a two-year period providing for a closed shop and re-employment of all striking employees has been signed. However, the contract is provisional on the purchase of the houses by Max Weil and Howard A. Block. The agreement specifically provides that Abraham Ludacer, director and manager of the Vogue, is to be re-employed.
While M-G-M’s magic wonder show “WIZARD OF OZ” winds up the 1938-39 season in a blaze of glory, the year ’39-’40 has opened up with all eyes on Leo the Lion!

YOUR ITCHING PALM!
there’s a fortune in it!

We told you how the Previews of “THE WOMEN” and “BABES IN ARMS” created a furore! We pointed out that no season had ever yielded two such sensations to begin with. Now “NINOTCHKA” has been previewed . . . it is phenomenal! And “BLACKMAIL” and “THUNDER AFLOAT” have been previewed! They are smashing entertainments! Did we hear somebody say: “Pictures talk!”
War to Affect 30% of World Film Grosses

Hollywood In Brief

Hollywood, Sept. 5.—S. A. Goldwyn started production of “Raffles” on Friday last and stopped on Saturday when David Niven, star of it, was notified by the British Government to hold himself in readiness for instant recall. The financial situation on Hollywood operations directly and tangibly due to overseas circumstances as well as interference coming in dollars-and-cents costs. “Raffles” will be resumed when a substitute for Niven is obtained. It is expected that the film can return to New York soon. The opening of the film here would be rescheduled.

Edward Churchill, William Landsburg and Ralph Ranscofet have been added to Cliff Lewis’ advisory department at Paramount to handle special operation.

Montague Love has gone into the cast of M-G-M’s “Northwest Passage.”

Warners have purchased from M-G-M the rights to the “Tugboat Annie” series of stories by Norman Reilly Raine’s with the purpose of filming a picture series supervised by Bryan Foy.

B. B. DeMille, star, has arrived to make her film debut in RKO’s “Abe Lincoln in Illinois.”

Edward Arnold has checked in at Walter Winchell’s for a part in “Send Another Coffin,” which title is changed to “American Gentleman.”

Film Censor Rules Invoked by Britain

Newsreel parade

War in Europe and President Roosevelt’s neutrality speech are vivid news events included in the new issues. The reels and their contents follow:

180666 SMOKE BAY NEWS, No. 193—War News of Europe; activity in the countries involved. Reprint notices and all previous issues included.

NATIONAL NEWS, No. 2—Return of events in America in consequence of the European war. President Roosevelt’s speech included. Queen Mary returns from Europe to make an American itinerary in war preparation.


UNIVERSAL NEWSREEL, No. 130—European war. Roosevelt’s neutrality talk. S. America begins.

MPTOA May Cancel This Year’s Paraly

News of the Day

Labor Day Grosses Jump on Broadway

For more than four weeks since 1933, the “Old Maid” will go six weeks there in its third revival. The picture drew an estimated $146,000 and over the weekend took an estimated $24,000. According to the boxoffice, the third staza. “Fifth Avenue Girl” is likely to top the $100,000 mark for the second week, after drawing an estimated $80,000 for the first five days of the second week.

Angels Wash Their Faces” drew an estimated $25,000 for the weekend. “The Wizard of Oz,” at the Capitol appears to be headed for a $40,000 week for its third staza. “Fifth Avenue Girl” is likely to top the $100,000 mark for the second week, after drawing an estimated $80,000 for the first five days of the second week.

Theater Men Of All Canada To Convene

Toronto, Sept. 5.—The first call has been issued by the Independent Theatres Association of Ontario, sponsoring the Anti-Protection League. A call for the all-Ontario convention of independent exhibitors, scheduled for Thursday at the King Edward Hotel.

The convention is expected to re-affirm the purpose of the league in demanding a general reorganization of clearance schedules and priority rights as they affect independent theatres of the Dominion and to take steps for a campaign to obtain permanent neutral council with the authority to pass on individual problems.

The central committee of the league of which J. C. Scott of Weston, Ont. is temporary chairman, has issued a statement of its aims, which read as follows: "At the 1940 convention of exhibitors, the problem of censorship is to be discussed; the plan is to have a permanent board to hear appeals from local boards and to have original jurisdiction."

Presidet at the national convention will be N. A. Taylor of Toronto, general manager of the 20th Century Theatres management of the Exhibitor Booking Association and vice-president of the Independent Theatres Association of Ontario.

Operator’s Wage Talks

Chicago, Sept. 5.—Operators’ union negotiations for a new contract with a 10 per cent increase plus a five cent cost reduction of all voluntary cut in wages will be resumed early tomorrow. The contract expired Aug. 31.
COLUMBIA ANNOUNCES
SINCLAIR LEWIS' "ANGELA IS TWENTY-TWO"

The fascinating play from the pen of America's Nobel Prize-winning author, who gave you "DODSWORTH," "ARROWSMITH," "BABBITT" and "MAIN STREET"
**Feature Reviews**

**“Everything’s on Ice”**

_Hollywood, Sept. 5._—Duly acknowledging the contributions made to “Everything’s on Ice” by the writers, director, musical composers, technical specialists and supporting actors, it must be said that tiny Irene Dare is the star of this Sol Lesser production and thus the focal objective of public attention and exploitation endeavor.

An ice skating phenomenon in every one of her 46 inches, Miss Dare is given several opportunities to demonstrate her expertise in tuneful and picturesque settings. The preview audience recognized her ability each time she completed a number.

The sustaining screen story, devised by Adrian Landis and Sherman Lowe, complemented by musical numbers composed by Victor Young, Paul Webster, Milton Drake and Frank Stryker, is a combination of farce comedy and romance. It has to do with the antics of airy-minded Roscoe Karn, who delights in spending other people’s money in fostering the career of Miss Dare, meanwhile trying to promote a rich marriage for elder sister Lynne Roberts. The “millionaire,” George Meeker, upon whom he concentrates, turns out to be a charlatan, but when it develops “that” girl’ Eric Linden is a veritable moneybag who would spend any amount to insure his and Miss Roberts’ romantic future, father Edgar Kennedy is saved from ruin.

Competently produced but so far as every dollar invested, is reflected on the screen, Eric C. Keton’s direction of story material, production effects and star and supporting players establishes the picture as satisfactory family entertainment.

Running time, 65 minutes. G."

_G. McC._

**“Riders of the Frontier”**

_Hollywood, Sept. 5._—A western with three songs, “Riders of the Frontier” is a hit of a letdown for the Tex Ritter average, due principally to dilatory story development and an over-stretching of plausibility toward the finish. This is the more regrettable because the film contains a cattle stampede and some mountain fighting of better than common kind. Possibly the juvenile trade will not care too much about weaknesses unlikely to escape adults’ notice.

The original screenplay by Jesse Duffy and Joseph Levering, directed by Spencer Gordon Bennett, has to do with the usual villainous frontier man’s attempt to steal his employer’s live stock and, ultimately, by poisoning the aged rancheress, the premises. Ritter puts over the usual masquerade as a bad man who joins the outlaws and again brings the genuine man to justice. Meanwhile he finds spots for three songs, one shared with Mantan Moreland, the colored comedian lately figuring divertingly in Monogram pictures. Marin Sais is briefly in the film for an inconsequential romantic touch.

Running time, 59 minutes. "G." **Roscoe Williams**

**‘Oz’ Groves**

_Good $15,000 In Twin Cities_

_MINNEAPOLIS, Sept. 5._—Elma Maxwell’s Hotel for Women and Paul Whiteman, concluding a week’s engagement at the Orpheum and “Coast Guard” showing for four days gave its theatre $12,000. “The Wizard of Oz” did a fine business.

In Minneapolis, Paul’s best business getter was “The Wizard of Oz” at the Paramount, drawing $6,000.

Estimated takings for the week ending Aug. 30:

**Minneapolis**

“The Hobby Family” (W. B.)

“Tales of the 20th” (Col.)

“Leone” (RKO)

*“Stanley and Livingstone” (28th-Fox)*

CENTURY—(25c) 7 days. Gross: $3,000. (Average, $428.60)

*“These Glamour Girls” (M-G-M)*

COLFEE—(25c) 7 days. Gross: $2,000. (Average, $285.71)

*“Relentless Men” (M-G-M)*

RENA—(25c-40c) 7 days. Gross: $2,000. (Average, $285.71)

*“Good for Women” (28th-Fox)*

“Coast Guard” (Col.)

“World of Color” (M-G-M)

STATE—(25c-40c) 7 days. Gross: $9,000. (Average, $1,285.71)

*“The Trials of J. D.” (RKO)*

WORLD—(25c) 5 days. Gross: $2,000. (Average, $400.00)

*“Four Featherless” (U. A.)*

WORLD—(25c-35c-40c-50c-65c) 6 days. Gross: $3,000. (Average, $500.00)

---

**St. Paul.**

“Our Leading Citizens” (Para.)

“Enchanted Dawn” (W. B.)

ORPHEUM—(25c-30c) 7 days. Gross: $9,000. (Average, $1,285.71)

*“The Wizard of Oz” (M-G-M)*

FIFTH AVENUE—(25c) 7 days. Gross: $2,000. (Average, $285.71)

“Rider of the Frontier” (25c-40c) 7 days. Gross: $6,000. (Average, $857.14)

“Penelope a la Mode” (25c) 7 days. Gross: $1,500. (Average, $214.29)

*“The Mikado” (U. A.)*

WORLD—(25c) 6 days. Gross: $1,000. (Average, $166.67)

---

**Feathers’ Scores $16,800 in Capital**

WASHINGTON, Sept. 5.—Glenn Miller and his band helped “Winter Carnival” in providing Loeo’s Capitol with an excellent $20,500 gross. “Four Feathers” scored heavily with $16,800 at Loeo’s Palace.

Estimated takings for the week ending Aug. 31:

*“Winter Carnival” (U. A.)*

LOEWS—CAPITOL—(25c-30c-40c) 7 days. Gross: $12,000. (Average, $1,714.29)

*“The Hotel for Women” (28th-Fox)*

LOEWS COLUMBIA—(25c-40c) 7 days. Gross: $3,300. (Average, $471.43)

*“The Mikado” (U. A.)*

LOEWS—(25c) 6 days. Gross: $1,500. (Average, $250.00)

*“Concerto” (Col.)*

WARNERS METROPOLITAN—(25c-40c) 7 days. Gross: $3,500. (Average, $500.00)

---

**Seattle Gives ‘Wizard’ Big $8,200 Lead**

_SEATTLE, Sept. 5._—The Wizard of Oz” scored well, with $8,200 at the Fifth Avenue, Stanley and Livingstone—Quick Millions” at $7,000. Estimated business was good for $6,100.

The weather was cool and rainy.

Estimated takings for the week ending Sept. 1:

*“Bachelor Mother” (RKO)*

*“On Borrowed Time” (M-G-M)*

*“Blue Mouse” (Col.)*

*“The Eagle and the Hawk” (Para.)*

*“Five Little Peppers” (Col.)*

*“Stolen Life” (Fox)*

*“Leone Livingstone” (28th-Fox)*

*“Million Dollar Legs” (Col.)*

*“You Can’t Get Away with Murder” (W-F)*

*“The Girl from Rio” (M-G-M)*

*“1,000” (M-G-M)*

*“The New Adventures of Sherlock Holmes” (RKO)*

*“Wizard of Oz” (M-G-M)*

*“The Star Maker” (Para.)*

*“The Player of 1,000” (U. A.)*

*“Wizard of Oz” (M-G-M)*

*“Loew’s” (Universal)*

---

**‘Oz’ Is Cleveland Winner at $6,000**

_CLEVELAND, Sept. 5._—“Wizard of Oz” at Loeo’s Stillman led the town with $6,000. “The Star Maker” at Loeo’s State drew $12,000.

Estimated takings for the week ending Aug. 30:

*“Royal and Livingstone” (28th-Fox)*

*“New Adventures of Sherlock Holmes” (RKO)*

*“1,000” (M-G-M)*

*“The New Adventures of Sherlock Holmes” (RKO)*

*“The Star Maker” (Para.)*

*“Loeow’s” (Universal)*

*“Wizard of Oz” (M-G-M)*

---

**Ben Washer Takes New Post on Friday**

Ben Washer winds up his tenure as press representative for Samuel Goldwyn on Friday. On Monday he assumes his new post at Donahue & Co., advertising agency, in charge of the legitimate theatre advertising department of that firm. Washer is a former staff member and columnist of the _Pittsburgh Press_, and was advertising and publicity manager for George Abbott, Broadway producer, before joining Goldwyn this year.

**Confer on Sales Drive**

SPARKES, Wash., Sept. 5.—Nine independent managers conferred with C. L. Thuerkauf, Seattle branch manager for Universal, on the details of the Universal exhibitor sales drive.
**Insider's Outlook**

By SAM SHAIN

FASCINATING—moored alongside each other, at their respective piers, on the North River, the SS. Normandie and the SS. Queen Mary.

ASSING through the cast sixty-six a hors d'oeuvre shop which brings recollections of a conversation many months ago with Morris Helpin. Helpin had that idea a long time ago. He has lots of interesting ideas. Helpin is press representative for Alexander Korda and London Films, which is a pretty good idea, too. He's the sort of chap somebody with great business sense should incorporate.

At Ralph's, on West 45th Street, following the recent actors' mass meeting which was held at the Hotel Astor, parks, farms and hillsides, fresh from the strawhats theaters mingling with Broadway theatres, debuting and juveniles and in a single voice, almost, surprised and not quite comprehending the unexpected result of the fight between the 4-A's and the L.A.T.S.E.

LUNCH at the Essex House—with Mr. and Mrs. Leo Spitz, who had just returned from a cruise on their yacht, the SS. Koronia, the best dressed and sturdiest to be had anywhere. Mrs. Spitz, blonde, charming and magnetic.

DINNER at the Waldorf-Astoria—with George J. Schaefer, Mr. and Mrs. Fred Ehrman, W. G. Van Schmus, and some 200 guests of RKO, in honor of Anna Neagle and Herbert Wilcox and the picture, "Nurse Edith Cavell."—Schaefer expressing a hesitancy about releasing the picture too early. Goldberg passes and expresses a similar viewpoint. The party, a huge success.

At Sardi's, Monday night, with Ben Washer—war talk and Samuel Goldwyn. Washer may finally go to Baltimore to "look over" that boat he's been so about.

ON Sixth Avenue near the R. C. Music Hall—Charles Curran, who recently returned from the coast to join the 20th Century-Fox advertising department—said. Sherwall productions (Leo Williams) has bought his organization of stars for a full production. First Charles Williarns collaborated with Curran on the yarn. Sherwill releases through Monogram.

**Questions By U.S.**

**Delay Trust Trial**

The Government's demand for answers to questions about the defendants in the New York anti-trust suit, which was filed in U.S. District court, for refusal to pay by the end of the week, would make the start of trial of the suit before the first of next year a physical impossibility, regardless of the pending agreement between the Federal agencies and the Government's application for a preferred place for the case on the trial calendar, industry attorneys indicated yesterday.

Some companies, it is believed, will contest the Government's right to some of the information, and others will question the propriety and relevancy of other parts of the interrogatories.

Both procedures will be time-consuming and, attorneys assert, a month or more may be required to obtain the information sought by the Government and prepare it for submission. In their opinion, this would definitely prevent start of trial by Nov. 25 unless a new agreement is reached.

The questions cover the history and financial structure of the industry and specific activities of the defendants in production, distribution and exhibition during the past three releasing seasons.

**Murphy Too Busy; Banquet Postponed**

Hollywood, Sept. 5.—The Motion Picture Democratic Committee today announced postponement of Thursday's picture luncheon. A very busy week for General Frank Murphy was to have formed a lunch to the producer of "The Postman Always Rings Twice," and he was not able to time his greatest contribution to the ideals of democracy." Word came from Washington that Murphy would be unable to attend the annual event. He requested a week's postponement.

**Revive Policy Of Vaudeville In 2 Big Cities**

PITTSBURGH, Sept. 5.—Two weeks after Warners and the Harris Amusement Co. indicated that stage shows Old would be possible only in the desired, future, Harry Kahmke, general manager of the 68 Warner theatres in the Tri-State area, declared that the Stanley would revive a vaudeville-picture policy probably in the middle of September, and the Harris Senator started publicizing a three-day personal appearance of Jesse Lasky's "Gateway to Hollywood" on the stage the last week in September.

Tentatively slated as an early Stanley attraction is Hal Kemp's band, kick-off on a name orchestra schedule that proved profitable most weeks until the Spring in the entertainment in mid-Spring. Under the vaudeville plan, the Stanley takes second choice in the first run pictures after Loew's Peninsula the release list, in accordance with a pooled booking arrangement. Since May, the Stanley has been playing top films equally with the PNF, without any stage draw.

**Cleveland Revives Vaudeville on Friday**

CLEVELAND, Sept. 5.—Vaudeville will come back to the RKO Palace this week with a change in the vaudeville season Friday. Division Manager Nat Holt has obtained formal notification of his present position in the matter to the Federal court, the RKO reorganization trustee or other interested parties. The investment company, presumably, takes the position that he is in the position in which his offer was made for himself. Presumably, the indefinite status of the undertaking will delay completion of the RKO reorganization unless future developments both in Europe and here justify reestablishment of the offer within a reasonable length of time.

The Circuit Court of Appeals yesterday denied the request of Ernest W. Stirit, minority RKO stockholder for rehearing of the appeal from the decision of Federal Judge Bondy confirming the RKO plan of reorganization.

Stirn's appeal was dismissed by the circuit court on the basis with a ruling that he had been guilty of delay in prosecuting appeal. Special Master George W. Alger yesterday declared that hearing would not take this week on the fairness of the Atlantic Corp. underwriting agreement on the assurance of RKO common stock. Alger indicated hearings may start next week.

**RA Stock Offer By Atlas Expires**

(Continued from page 1)

Since this would happen or even that a new offer would be made. Atlas, RKO's common stock, gained the formal notification of its present position in the matter to the Federal court, the RKO reorganization trustee or other interested parties. The investment company, presumably, takes the position that he is in the position in which his offer was made for himself. Presumably, the indefinite status of the undertaking will delay completion of the RKO reorganization unless future developments both in Europe and here justify reestablishment of the offer within a reasonable length of time.

Pianos, Cars, Cash Denver, Sept. 5.—The Fox houses here already giving away $200 in Ford every day besides offering a baby grand piano to the first ticket, have added $200 to the offering, if not won will be built each week. Ten of the 12 Fox houses here participate through phone hookup.

To Inspect Theatres Oswego, N.Y., Sept. 5.—The Common Council has adopted an ordinance which provides for the appointment of an electrical inspector whose duties include the inspection of wiring and electric installations of all film houses at least once each three months. Under the measure, theatre owners would be required to make necessary repairs or changes as stipulated by the inspector within 15 days after notice.

Schlom Quits Republic Hollywood, Sept. 5.—Herman Schlom, associate producer at Republic, has been released from his contract. He has asked for and received his release from contract and will leave the lot. Inability to get together on satisfactory terms made contract a permanent injunction because of noise.
**Biggest Year For Football On Air Seen**

For the fourth successive year, the Atlantic Refining Co. will sponsor play-by-play broadcasts of major college football games. The program, which will be broadcast over the Atlantic Coast from Massachusetts to Florida and as far west as Ohio. Counting the opponents of the colleges, the program will be heard by an estimated 168 colleges.

Among the highlights of the schedule are Penn State vs Penn-Cornell games; the Pittsburgh-Carnegie Tech game; the Duke-North Carolina contest; the Florida-Georgia Tech contest and other similar games; and the Boston College-Holy Cross contest, and the Army-Yale game, which will be broadcast over a 20-station network.

**Chicago Finds New Television System**

Chicago, Sept. 5.—A new television system described by its inventors as eliminating the limitations of cathode ray transmission systems has been demonstrated here by W. G. MacCarthy and H. J. McCreary of the Chicago Television and Research Laboratories.

The inventors state their device will provide reception at great distances and will project images on theatre-sized screens. Present television reception is limited to a 50-mile radius of the transmission sets, but the new system has added value in that it does not require performers to work under the scorching hot lights required of present television sets.

The new method is based on development of a tube called the photocathode, an electrical optical device employing polarized light.

**Playwrights Lose Plagiarism Appeal**

The application of Edward Shelton and Margaret Ayer Barris for a restraining order against the Circuit Court of Appeals was denied by the court yesterday. Shelton and Mrs. Barris sought to set aside the decision of the court, awarding an award of $532,000 against M-G-M to about one-fifth that amount, and holding that the defendants should not be compelled to pay over the entire net profits of the film “Letty Lynton,” which was declared a plagiarism of a play of the playwrights.

**New Television Firm**

Radio Electronic Television Corp., a new company, has had a character paper in the industry. It is already manufacturing receiving sets, cathode ray tubes and other parts for television receivers, and shortly will build its own transmitter in the Metropolitan area.

**BANNER RADIO LINES**

By JACK BANNER

War inertia has gripped the networks. From on now—unless, of course, the news is of startling importance—the frequent interruptions of regular programs to interject news of the conflict will be sharply curtailed. For most the part the news will be held for regular news periods on the trans-Atlantic Co. with the frequency of the immediate past. Of course regular schedules will go by the board if the news from Europe is momentous.

The networks could not be held to the pace of the past fortnight. Not only would the financial and human drain be too much, but the news itself for the main part is now of a repetitious or a non-decisive character. “Hot” news, however, will be flashed immediately.

The Fate Waiting German language programs may be foreseen in the action of WHOM, which has just cancelled a five-year-old program of German music, substituting a program of Polish music. Managers of the foreign-language stations in and about New York have cabled Washington that they expect wholesale cancellations of sponsored recorded programs made in the German tongue.

A NOther War Is Being Waged in Tin Pan Alley as publishing houses vie for the cash awards awaiting the first catchy war tune. Titles of these forthcoming martial tunes are as closely guarded as tactical battle secrets.

New Has Just Ordered its news analysts off the air and henceforth the Spanish-language stations will be free of any commentators. To insure a more rounded news coverage than it has had heretofore, WNEW has placed an order for Associated Press news to supplement International News Service, its only news medium to date.

**Stations Have Provided**

their news commentators and analysts with Polish-English dictionaries to guide them in pronouncing such words as “Czerstochowi,” “Garudenst,” “Poznan-Lawicz,” “Szarzymski-Kamienia.”

More Than Ever Now the Latin American are appreciative of the news analysists and that the Spanish-language stations have added value in that it does not require performers to work under the scorching hot lights required of present television sets.

The new method is based on development of a tube called the photocathode, an electrical optical device employing polarized light.

**FCC Schedule of Hearings**

Washington, Sept. 5.—Construction permits for two new broadcasting stations have been asked of the Federal Communications Commission by the Port Broadcasting Co., planning a 710-kilocycle, 5000-watt station at Houston, Tex., and the L. & M. Broadcasting Co., seeking a 110-kilocycle, 250-watt station at Ottumwa, Ia.

Other requests filed with the commission included the applications of Station WTMJ, Milwaukee; WJM, Davenport, Ia.; WJY, WGU, and WKG, Beloit, Wisc., for an increase of power from 1000 to 5000 watts; WCHW, South Bend, Ind., for an increase of power from 1000 to 2500 watts; WWSU, Columbus, Ohio, for an increase of power from 2500 to 5000 watts; and WAGM, Des Moines, Ia., for an increase of power from 100 to 250 watts.

The commission announced the tentative assignments of Oct. 11 for hearings on the applications of Station WAMI, 1500-kilocycle station at Miami, Fla., and Station WNYW, Springfield, Mass., for authority to move to Keene, N. H., and Oct. 25 for hearings on the applications of Stations WJW, WCAU, and WOR, for extension of time from specified hours to unlimited, and WABW, Bangor, Me., for change of station licensee from WCBM to WABW and WJY, Raynham, Mass., for a change of frequency from 1200 to 1200.5 kilocycles and increase of power from 100 watts night, 250 watts day to 100 watts night, 250 watts day.


**Stricter Guard On Broadcasts In U.S., Canada**

Washington, Sept. 5.—Orders by the United States government de- claring that the United States may possibly include a call upon broadcasters to avoid all propaganda and to adhere to a certain type of presentation of a war or international nature. Radio networks of the FCC, War, Navy and other departments have been in conference during the past few weeks for the purpose of developing a program for control of broadcasting, in connection with the Administration’s plan for cushioning the effects of the European war upon the American economy. It is not anticipated that any thought will be given to the restriction of reception of short-wave programs from abroad.

Broadcasts In Canada Now on Wartime Basis.

Montreal, Sept. 5.—Radio in Canada has gone on a wartime basis, as an announcement by the Canadian Broadcasting Corp. that all radio bulletins and commentaries on the European situation originating in the United States were to be routed through its Toronto studios for the time being, instead of piped direct to Montreal and other centers.

One foreign broadcast received by a local private station from an American network was interrupted the other evening with an announcement, “We regret we are not authorized to carry this program.”

Three stations in the Dominion have been informed by CBC that if they pick up any commentators on American networks must first submit the name of the broadcaster and the nature of his subject to CBC. This would affect a complete ban because there is no way of prophesying what commentators like NBC’s Bahrke and CBS’s Kaltenborn will say.

**Legion Approves 13 Of 14 New Pictures**

National Legion of Decency for the current week has approved 13 of 14 new pictures reviewed, 10 for general patronage and three for adults, and classed one as objectionable in part. The new films and their classification follow.


**Stars in Lux Theatre**

Claudette Colbert and Cary Grant will be starred in “The Awful Truth” in the first of the new season’s Lux Theatre broadcasts, returning to CBS Sept. 11.
Stockholders Of Columbia Elect Sept. 20

Action on Cohn Contracts Also Scheduled

Columbia Pictures will hold the annual stockholders' meeting at the home office on Sept. 20 at 2 P.M., preceded by one hour by a special meeting of the voting trust certificate holders, who are Harry Cohn, Jack Cohn and A. H. Grauman. The stockholders' meeting will take action on the election of seven directors for the ensuing year; approval of the extension of employment contracts for Harry and Jack Cohn for three years from July 1, 1939; approval of the issuance to Samuel J. Briskin an additional option for 2,500 shares of common stock; approval of the absorption into the company of Columbia Pictures Corp. of California, Ltd., and Columbia Pictures Distributing Corp., a Delaware corporation.

According to the proxy statement, Harry Cohn, as president, for the fiscal year to July 1, 1939, received a total remuneration of $201,420, including a weekly general expense allowance of $300. Jack Cohn, as vice-president, for the same fiscal year, received total remuneration of $16,720, including a weekly general expense allowance of $200.

Seek Bioff's Return In Hollywood Post

Hollywood, Sept. 6—A movement to return William Bioff to Hollywood as regional director of I.A.T.S.E. got underway today following the mailing of a letter to the former personal representative of George E. Browne by the executive board of International Photographers Local 659 asking his aid in negotiations with producers.

Other locals of the Alliance are expected to take similar action.

Bioff has been out for about a year following his resignation. Last week he managed to bring about a settlement of the dispute between the IA and 4-A.

Officers of the Photographers Local declared they believe that Bioff can be highly instrumental in settling the jurisdictional dispute between it and the American Society of Cinematographers and obtain a satisfactory contract with the studios.

N. J. Allied Debates On Single Features And War Situation

Atlantic City, Sept. 6—The possibility of abandoning double features and establishing a policy of single features by agreement of exhibitors in New Jersey will be investigated by the Allied Theatres of New Jersey.

Action was taken today as the national convention of the N. J. Allied unit opened here with approximately 75 delegates present. George Gold, Newark exhibitor, is president.

The double feature problem was discussed at considerable length with the exhibitors voicing their opinions. Polls at various theatres reveal that the public favors two feature films by a 3 to 1 vote, it was said.

Col. H. A. Cole, national Allied president, injected himself into the discussion by saying:

"My experience has taught me that the public will always accept a banquet at the price of a ham sandwich when a banquet is offered."

Colonel Cole said more important matters than the dual feature problem needed to be cleared up first. He added that a single feature policy would be possible only if monopoly in exhibition is broken.

Sidney Samuelson, national Allied director and president of the Eastern Pennsylvania Allied unit, concurred with Cole's remarks.

Samuelson also summarized the effect of the European war upon the industry.

(Continued on page 3)

TRADE LOSES WAR JITTERS; OUTLOOK GROWS OPTIMISTIC

A generally more optimistic attitude toward the industry's outlook for the immediate future in the face of any protracted European war was apparent in home offices yesterday in direct contrast to the apprehension which prevailed all day Tuesday.

More specific information from England, indicating that the closing of the British market would be prolonged or general, coupled with brighter trade prospects at home and in untroubled world centers, did much to offset the first jittery reaction of the trade to the outbreak of hostilities abroad.

Whereas only a handful of industry officials believed on Tuesday that the industry could avoid making drastic reductions in production expenditures and operating personnel to offset what was feared would be a total loss of British and French revenue, amounting to 20 to 30 per cent of total foreign business, yesterday found a majority of company executives sharing their view.

Film Stocks Recover

Action of the New York stock market played its part in the change of attitude. The increased values of industrials and commodities spelled to many industry executives boosted purchasing power for many sections of the country.

Where film securities lost ground to the general list on Tuesday, the shares of virtually all surviving companies showed healthy recoveries yesterday, reflecting the renewed confidence of the industry itself in its immediate future.

Talk of drastically revised production schedules and budgets all but disappeared. Many executives stated definitely that no cuts would be made and that all release schedules would be met.

A general belief was that the industry's outlook was considerably improved.

(Continued on page 7)

Industry Officials, Stars Rush Home to Escape War

American "refugees" stranded in Europe are hurrying home on all available boats.

H. J. Yates, president of Consolidated Film Industries, accompanied by Mrs. Yates and relatives, and Mr. and Mrs. Gene Autry arrived today on the Manhattan.

Autry was completing a personal appearance tour in the British Isles when the party was advised by the U.S. Embassy in London to leave for home immediately. The balance of Autry's tour was canceled. His two horses arrived here Monday.

Concerned about her family in France, Annabella, 20th Century-Fox player, left on the Clipper yesterday to persuade them to come to America. Annabella arrived last Friday on the Clipper with her husband, Tyrone Power, after a honeymoon in Europe. Production requirements made it necessary for Power to leave for the coast yesterday.

Due on the Manhattan today are Norma Shearer, Grace Moore and Ella Maxwell, from a holiday in France.

Art Schmidt of Loew's publicity department is worried about his wife, Vella, who is married to a Parisian. She hopes to leave on the Washington, the next American boat from Europe, scheduled to sail Sept. 11. A

(Continued on page 2)

Film Stocks, Bonds Rise After Losses

Film stocks and bonds showed mixed gains and losses yesterday with the general tendency upward. A number of the securities regained the losses suffered on Tuesday.

Warner issues showed a complete recovery with the company regaining the 3/4 point loss to close at 4, the preferred regained 3 points to close at 45 and Warner 6s '48 up 1 to close at 83 against a 3/4 point loss on Tuesday.

 Paramount common regained a 3/4 point loss to close at 7 1/2, but its preferred lost 1/2 to close at 2 1/2.
SHERWIN A. KANE of the editorial staff of Motion Picture Daily, is the father of a second son, Constantine, born to his wife, Mrs. KANE, at Lenox Hill Hospital early yesterday morning.

RALPH POUCHER, James MULYER, and EDWARD SHAIN, Harry Gold, Ben ROGERS, Edok POZNEM, Joseph MOSKOWITZ, Joseph PENS, Arthur LEWIS, Murray SILVERSTONE, at Ben GOLDSTEIN’s Tavern for lunch yesterday. Also, W. RAY JOHNSTON, Hal HORNE, S. BARKET MCCORMICK, Edward A. GOLDEN, William FITTELSON, and M. A. SCHLEISER.

ALFRED LUNT and Lynn FONTAINE, Theatre Guild stars, return to New York today after a Summer vacation at their home in Genesee Depot, Wis. They will start a short road tour of “Taming of the Shrew” Oct 2.

WILLIAM F. RODGERS, Charles E. MCCARTHY, Harry HARDWOOD, and Alp COHEN, William SCULLY, Joseph USHER, Edward SAVADERS, lunching at the Hunt Room in the Astor yesterday.

STUART HEISLER, director of Paramount’s “The Biscuit Eater,” and Producer Jack MOSS have arrived in Atlanta to prepare technical material and study location sites.

WILLIAM PEREDA, nationally known architect, has been engaged as chief architect for Paramount’s new Coast studio project.

SALLY EILLES and her husband, Harry JOE BROOK, are staying in town for a few days before returning to the Coast.

Mr. and Mrs. Percy E. ELKES have returned to New York after spending the Summer at Lake Luzerne.

DAN DÖHERTY, associate editor of Movietone News, returns Monday from a two-week vacation.

Today is “Projectionist Day” at the World’s Fair. A large turnout of projectionists and motion picture engineers will hear addresses by leaders and pioneers in the field and see films tracing the development of the industry.

The formal program will take place from 11:30 A.M. to 1 P.M. at the Little Theatre in the Special Events Building. Addresses are scheduled by George E. BORIS, president, I.A.T.S.E.; Edward J. ELY, U. S. Commissioner to the World’s Fair; Nat Golden, U. S. Department of Commerce, E. A. WINTERNICK, president, S.M.F.E.; Earl Hines, president, International Projector Corp, and others.

NATE J. BLUMBREG is expected in New York tomorrow from the Coast, where he spent the Summer. CHARLES D. PRUTZMAN, Universal vice-president, left the Coast yesterday and will arrive in New York tomorrow.

Y. FRANK FREEMAN, Paramount studio head, who postponed his return to Hollywood because of the European situation, may leave New York for the Coast tomorrow after home office conferences.

J. WILLIAMS HICKS, Paramount foreign head, returning from an Australian visit via Hollywood, will arrive in New York tomorrow. Adolph ZUKOR remained in Hollywood after returning from Australia.

PAT CASEY, producers labor representative, plans to remain in New York for a few weeks before returning to the Coast.

JOHN WEXLEY, writer, has arrived in town from Bucks County, Pa., where he spent the Summer writing a novel.

Dr. JOSEPH H. SHAIN has opened an office for the practice of medicine at South Norwalk, Conn.

LUIS ENRIQUE PEREZ, Republic distributor in Venezuela, is in New York for business conferences.

ERNST EMERLING of Loew’s publicity department has returned from a visit to Dayton.

MARY SHANNON of Pathe News has returned from a vacation.

N. J. ALLIED DEBATES Dual Features, War

(Continued from page 1) film industry and drew a parallel with the World War. He pointed out that radio and modern communications today are a real threat to the boxoffice.

The eighth annual Eastern regional conference is scheduled for tomorrow with at least 200 more exhibitors, exchange men and others attending.

Albert F. Myers, national Allied counsel, is not expected to attend. Colonel COLE will speak at the conference. H. M. Ritchie, public relations counsel for RKO, also will be present.

Purely Personal

SHERRY A. KANE of the editorial staff of Motion Picture Daily, is the father of a second son, Constantine, born to his wife, Mrs. KANE, at Lenox Hill Hospital early yesterday morning.

RALPH POUCHER, James MULYER, and EDWARD SHAIN, Harry Gold, Ben ROGERS, Edok POZNEM, Joseph MOSKOWITZ, Joseph PENS, Arthur LEWIS, Murray SILVERSTONE, at Ben GOLDSTEIN’s Tavern for lunch yesterday. Also, W. RAY JOHNSTON, Hal HORNE, S. BARKET MCCORMICK, Edward A. GOLDEN, William FITTELSON, and M. A. SCHLEISER.

ALFRED LUNT and Lynn FONTAINE, Theatre Guild stars, return to New York today after a Summer vacation at their home in Genesee Depot, Wis. They will start a short road tour of “Taming of the Shrew” Oct 2.

WILLIAM F. RODGERS, Charles E. MCCARTHY, Harry HARDWOOD, and Alp COHEN, William SCULLY, Joseph USHER, Edward SAVADERS, lunching at the Hunt Room in the Astor yesterday.

STUART HEISLER, director of Paramount’s “The Biscuit Eater,” and Producer Jack MOSS have arrived in Atlanta to prepare technical material and study location sites.

WILLIAM PEREDA, nationally known architect, has been engaged as chief architect for Paramount’s new Coast studio project.

SALLY EILLES and her husband, Harry JOE BROOK, are staying in town for a few days before returning to the Coast.

Mr. and Mrs. Percy E. ELKES have returned to New York after spending the Summer at Lake Luzerne.

DAN DÖHERTY, associate editor of Movietone News, returns Monday from a two-week vacation.

Today is “Projectionist Day” at the World’s Fair. A large turnout of projectionists and motion picture engineers will hear addresses by leaders and pioneers in the field and see films tracing the development of the industry.

The formal program will take place from 11:30 A.M. to 1 P.M. at the Little Theatre in the Special Events Building. Addresses are scheduled by George E. BORIS, president, I.A.T.S.E.; Edward J. ELY, U. S. Commissioner to the World’s Fair; Nat Golden, U. S. Department of Commerce, E. A. WINTERNICK, president, S.M.F.E.; Earl Hines, president, International Projector Corp, and others.

NATE J. BLUMBREG is expected in New York tomorrow from the Coast, where he spent the Summer. CHARLES D. PRUTZMAN, Universal vice-president, left the Coast yesterday and will arrive in New York tomorrow.

Y. FRANK FREEMAN, Paramount studio head, who postponed his return to Hollywood because of the European situation, may leave New York for the Coast tomorrow after home office conferences.

J. WILLIAMS HICKS, Paramount foreign head, returning from an Australian visit via Hollywood, will arrive in New York tomorrow. Adolph ZUKOR remained in Hollywood after returning from Australia.

PAT CASEY, producers labor representative, plans to remain in New York for a few weeks before returning to the Coast.

JOHN WEXLEY, writer, has arrived in town from Bucks County, Pa., where he spent the Summer writing a novel.

Dr. JOSEPH H. SHAIN has opened an office for the practice of medicine at South Norwalk, Conn.

LUIS ENRIQUE PEREZ, Republic distributor in Venezuela, is in New York for business conferences.

ERNST EMERLING of Loew’s publicity department has returned from a visit to Dayton.

MARY SHANNON of Pathe News has returned from a vacation.

Accept Code’s Best Features, Majors Urged

Efforts to induce individual distribution companies to put basic trade practices into effect are being made by Ed Kuykendall, M.P.T.O.A. president, during his current visit to New York.

“There are certain ordinary trade practices which every company can safely make a part of its film selling program. It is M.P.T.O.A. policy to insist that this be done,” Kuykendall said.

“We would like to see every company put these into effect as was done by Warners recently.”

Kuykendall conferred yesterday with W. F. Rodgers, M-G-M general sales manager, and the two men planned to meet again tomorrow. Kuykendall declined to comment on the meetings, as did Rodgers, who said he had discussed production of short code on the code and would be obliged to see advising the I.T.O. of Southern California when it convenes in Los Angeles tomorrow.

With the M.P.T.O.A. abandoning its proposed national convention this year, Kuykendall is endeavoring to complete arrangements for a meeting of the organization’s board of directors in late October either here or in a midwestern city.

N. J. ALLIED DEBATES Dual Features, War

(Continued from page 1)
How Did You Make Out in 1938-39?

ARE YOU PROUD OF THE ANSWER?
TAKE THE GUESS-W OUT OF 1939-40!

Here we go again!

*Warners Ring in the New with*

**THE OLD MAID**

First attraction in 10 months to go 4 weeks at the Strand, N.Y. — and hits a new house top! Stanley, Jersey City, equals full week of 'Dodge City' in 4 days — and another house top! Everyone of the 17 other engagements to date bigger than every Warner show since 'Robin Hood'!

And the week after 'The Old Maid' you get

'DUST BE MY DESTINY'

Then right after it comes

'A CHILD IS BORN'

Then more! and more! and more!
This is your black & white guarantee that one company comes through! That company is WARNER BROS.

THE OLD MAID
(Bette Davis, Miriam Hopkins, George Brent, Donald Crisp)

ON YOUR TOES
(Zorina, Eddie Albert, Alan Hale, Frank McHugh, James Gleason. From the Rodgers and Hart stage hit)

PRIVATE LIVES OF ELIZABETH AND ESSEX
(Bette Davis, Errol Flynn, Olivia de Havilland, Donald Crisp, Alan Hale, Vincent Price. In Technicolor.)

THE ROARING TWENTIES
(James Cagney, Priscilla Lane, Humphrey Bogart, Gladys George, Jeffrey Lynn. Story by Mark Hellinger)

THE SEA HAWK
(Errol Flynn, Olivia de Havilland, Alan Hale)

FOUR DAUGHTERS • THE SISTERS VALLEY OF THE GIANTS • ANGELS WITH DIRTY FACES • BROTHER RAT DAWN PATROL • DEVIL'S ISLAND THEY MADE ME A CRIMINAL • YES, MY DARLING DAUGHTER • WINGS OF THE NAVY • OKLAHOMA KID DARK VICTORY • CONFESSIONS OF A NAZI SPY • JUAREZ • DODGE CITY • ANGELS WASH THEIR FACES HELL'S KITCHEN • DAUGHTERS COURAGEOUS • EACH DAWN I DIE

DUST BE MY DESTINY
(John Garfield, Priscilla Lane, Alan Hale)

THE FIGHTING 69TH
(James Cagney, Pat O'Brien, George Brent Wayne Morris)

A CHILD IS BORN
(Geraldine Fitzgerald, Jeffrey Lynn, Gladys George, Gale Page, Spring Byington)

THE CITY OF LOST MEN
(John Garfield, Ann Sheridan, Pat O'Brien, Burgess Meredith)

THE STORY OF DR. EHRlich
(Edward G. Robinson)

Keep On Your Toes – watch them keep rolling along!
**ESPIONAGE AGENT**  
( Joel McCrea, Brenda Marshall, Jeffrey Lynn, George Bancroft)

**THE ‘DEAD END’ KIDS ON DRESS PARADE**  
(James Stewart, Ann Sheridan, Humphrey Bogart)

**AND IT ALL CAME TRUE**  
(James Stewart, Ann Sheridan, Humphrey Bogart)

**BROTHER RAT AND A BABY**  
(Starring the famous blind horse. This will be one of the most unique and most gripping dramas of Warner Bros. entire career.)

**THE SPIRIT OF KNUTE ROCKNE**  
(With one of the biggest casts of all time, headed for the outstanding success in the history of Warner Bros.)

**THE PATENT LEATHER KID**  
(George Raft, Priscilla Lane)

**FOUR WIVES**  
(With “The Four Daughters”, Claude Rains, Jeffrey Lynn, May Robson, Dick Foran, Frank McHugh)

**DEVOTION**  
(The lives of the immortal Bronte Sisters Written especially for the screen by James G. (Mr. Chips) Hilton. Bette Davis, Miriam Hopkins, Geraldine Fitzgerald)

**PRIDE OF THE BLUEGRASS**  
(Starring the famous blind horse. This will be one of the most unique and most gripping dramas of Warner Bros. entire career.)

**DANGEROUS CURVES**  
(Ann Sheridan will display all the ‘oomph’ in the world in her first important starring vehicle!)

**MARRIED, PRETTY AND POOR**  
(Ann Sheridan teamed with George Raft!)

**BROther ORCHID**  
(From the great Collier’s Story. Starring Edw. G. Robinson, Olivia de Havilland)

**UNDERGROUND**  
(To star John Garfield, George Brent, Geraldine Fitzgerald)

**WE ARE NOT ALONE**  
(Paul Muni, Jane Bryan, Flora Robson. By the author of ‘Goodbye, Mr. Chips’, James Hilton)

---

**FOR ACTION! FOR FAIR PLAY! FOR DEPENDABILITY!**

---

**THE MERCHANDISING POLICY**

---

**THE SPIRIT OF KNUTE ROCKNE**

---

**FOR WARNEr BROS.**
Trade Losing Pessimism Over World Film Situation

(Continued from page 1)

Paramount News
Shipped Day Early

Paramount News is shipping news today instead of its usual
real one day ahead of sched-
ule, as was done last week.
This move is attributed to the
war situation as it affects
England, material for the
renewed Imperial Air-
ways late Monday.

bosters that belief. Some of the com-
panies’ business in those countries
reached new highs during the military
period. The company insisted in Japan,
which is warring with China, is
reported as very good.

On this basis, foreign department execu-
tives are showing optimism that declare that the war will act as a
stumulant to theatre business in the
home market.

Censorship Hides True Facts

Information from abroad is still meagre,
but, however, with censorship
regulations preventing transmission of
reports of actual conditions and the
blackout in some countries, it is the only
study of cabled reports. Very lit-
tle mail has been received here from
England and France this week.

Restrictions on currency exports are
expected to continue but it is said that
England will permit taking out some
of their paper money in direct or in the
used in payment for supplies bought
in this country.

Warners Stars Start Coast Theatre Tour

Goodwill tour of approximately
12 Warner stars is starting today
from Hollywood. The tour, which
will stop at 12 cities on the West
Coast, is for the benefit of independ-
ent exhibitors who purchased
Warner product when the latter decided to
sell away from Fox West Coast.

With the opening of the Blumenfeld
circuit will play host at San Fra-
cisco, the first stop, where Governor
Martin of California, who will also
will entertain them at Oakland and
Sacramento. At Seattle, Gov-
ernor Martin will receive the players
at the John Dain’s the Sterling cir-
cuit playing host. Governor Spargo
will tender the players a reception at
Portland.

Change Capital Stock

ALBANY, Sept. 6.—Changes in cap-
ital stock have been made by two
Shine Circuit corporations. Shine-
Owensia Corp., formerly consisting of
$5,000 capital stock in $10 shares, has
been changed to 10 shares, no par
value. Capitalization of $50,000 in
Owensia-Strand Corp. has likewise
been changed to 10 shares, no par
value.

British subsidiary, continues work on
"The Band Wagon" at the Shepherd's
Barn Theatre in Sidmouth. Balcin is
making "David Goliath" at Reading.

With Mario Zampi reshooting cer-
tain war sequences of "Live and Let
Live," Edgar Blanche is directing
Paramount production in England, promis-
ses continuation of production for
Paramount in this country.

Studios at Walton-on-Thames, Els-
tree and Highbury either are contin-
uing or planning to continue shooting.
The "FRANKENSTEIN" MONSTER
DEFIES EVEN THE GALLOWS TO TEMPER THE SAVAGERY OF HIS SOUL-CONSUMING BLOOD-LUST!

THE MAN THEY COULD NOT HANG

LORNA GRAY • ROBERT WILCOX • ROGER PRYOR
Screen play by KARL BROWN • Directed by NICK GRINDE
A COLUMBIA PICTURE
<table>
<thead>
<tr>
<th>Week</th>
<th>COLUMBIA</th>
<th>M-G-M</th>
<th>MONOGRAM</th>
<th>PARA.</th>
<th>REPUBLIC</th>
<th>RKO RADIO</th>
<th>20TH-FOX</th>
<th>U.A.</th>
<th>UNIVERSAL</th>
<th>WARNERS</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aug. 4</td>
<td>Coast Guard Randolph Scott Ralph Bellamy Frances Dee</td>
<td>Miracles for Sale Robert Young Florence Rice</td>
<td>Mr. Wong in Chinatown Boris Karloff</td>
<td>Night Work Mary Boland Charlie Bungles</td>
<td>Colorado Sunset (O) Greta Antry Smiley Burnette</td>
<td>Bachelor Mother Ginger Rogers David Niven (A) (G)</td>
<td>Lisa Maxwell's Hotel for Women Ann Sothern</td>
<td>Four Feathers Ralph Richardson Audrey Smith (G) (D)</td>
<td>Indianapolis Speedway Ann Sheridan Pat O'Brien (G) (D)</td>
<td></td>
</tr>
<tr>
<td>Aug. 11</td>
<td>The Man They Could Not Hang Boris Karloff Roger Pryor</td>
<td>These Glamour Girls Leo Ayres Lupe Velez Tom Brown</td>
<td>Riders of the Frontier Tex Ritter (O)</td>
<td>This Man Is News Barry K. Barnes Renegade Trail</td>
<td>New Frontier (O) John Wayne Roy Corrigan</td>
<td>Bad Lands Robert Barret Noah Beery, Jr.</td>
<td>Chicken Wagon Family Jane Withers Leo Carillo Marjorie Weaver</td>
<td>Man in the Iron Mask Joan Bennett Louis Hayward (G) (D)</td>
<td>When Tomorrow Comes Charles Boyer Iris Durham (G) (D)</td>
<td></td>
</tr>
<tr>
<td>Aug. 18</td>
<td>Five Little Peppers and How They Grew Riders of Black River</td>
<td>Golden Boy Stanwyck (G) (D) Hidden Harbor Jack Holt</td>
<td>Oklahoma Terror (O) Jack Randall</td>
<td>In Old Monterey (O) Gene Antry Smiley Burnette</td>
<td>Death of a Champion Lynne Overman Robert Paige</td>
<td>In Name Only Carole Lombard Gary Grant Kay Francis (G) (D)</td>
<td>Stanley and Livingston Sherman Tracy Nancy Kelly (G) (D)</td>
<td>They Shall Have Music Juchta Heflels Andrea Leeds (G) (D)</td>
<td>Each Dawn I Die James Cagney George Raft (D) (G)</td>
<td></td>
</tr>
<tr>
<td>Aug. 25</td>
<td>Konga the Wild Stallion Fred Stone Rochelle Hudson</td>
<td>Blackmask Edward G. Robinson Ruth Hussey</td>
<td>Star Maker Bing Crosby Louise Campbell</td>
<td>Smuggled Cargo Rochelle Hudson Barry MacKay</td>
<td>Flight at Midnight Phil Regan</td>
<td>Conspiracy Allan Lane Linda Hayes</td>
<td>Adventures of Sherlock Holmes Basil Rathbone Ida Lupino (G) (D)</td>
<td>The Under-Pup Nan Grey (G) (C)</td>
<td>The Old Maid Betty Davis Miriam Hopkins (G) (D)</td>
<td></td>
</tr>
<tr>
<td>Sept. 8</td>
<td>Whirlwind Walter Connolly Iris Meredith</td>
<td>Thunder Wallace Beery Chester Morris</td>
<td>Beau Geste Gary Cooper Ray Milland</td>
<td>$1,000 a Touchdown Joe E. Brown Martha Raye</td>
<td>The Day the Bookies Went Joe Penner Betty Grable</td>
<td>The Rain Came Myrna Loy Tyrone Power George Brent</td>
<td>Hawaiian Nights Johnny Downs Mary Carlisle (G) (C)</td>
<td>Dust Be My Destiny John Garfield Priscilla Lane (G) (D)</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Sept. 15</td>
<td>Scandal Sheet Otto Kruger Ona Munson</td>
<td>Fast and Furious Anna Sten Farmchot Tone</td>
<td>Honeymoon in Bali Madeleine Carroll Range War (O)</td>
<td>Calling All Marines Donald Barry Helen Mack</td>
<td>Nurse Edith Cavell Anna Neagle Edna May Oliver (G) (D)</td>
<td>Here I Am A Stranger Richard Greene Roland Young</td>
<td>Intermontez, a Love Story Leslie Howard Ingrid Bergman</td>
<td>First Love Deanna Durbin Listen Kids Johnny Downs</td>
<td>No Place to Go Fred Stone Gloria Dickson</td>
<td></td>
</tr>
</tbody>
</table>
Canada Gets War Censor Over Films

(Continued from page 1)

publicity, propaganda and communications.

Already American newscasts have been deleted from Canadian networks, some elimination of radio news from England, other than official announcements from the British Broadcasting Corporation.

Chairman O. J. Silverthorne of the Ontario Film Censor Board has withdrawn "Beati" further examination, causing the Uptown Theatre here to hold over "When Tomorrow Comes" for a second week.

The order barring foreign pictures except from France and the United States has been expected to be restrictive, in view of the release of Soviet pictures has been cancelled. Newsreels have been cut substantially.

The conference, meeting, from meagre but authentic reports passed on to this pillar, was a rather stormy one with witnesses should right into the front line trenches with microphones and NBC and Mutual counseling on a schedule of foreign broadcasts to be aired as occasion warrants. Discussion ended in a stalemate and it is understood the conclusion will be resumed today.

On one subject the network executives were solidly united. They are agreed that they must get together with the State Department and with the F.C.C. to make a deal on how to conduct the war coverage, before orders are issued in which they will have had no voice.

TONIGHT'S CHARTER FOOTBALL GAME between the All-Stars and the Giants was to have been broadcast over WJZ and the Blue network.

Instead the game will be broadcast over WHN and Mutual stations than want it.

Herald-Tribune, sponsors of the game, offered broadcast rights to NBC's Blue, with a proviso that a sponsor be obtained. NBC was unable to secure a client. When The Herald-Tribune still insisted on the sponsorship angle, the network dropped the broadcast and scheduled other events. Yesterday afternoon the newspaper abandoned its press demand, but it was now too late for the Blue network to accept. Thereupon the Herald-Tribune offered the game to WOR, but that station refused it because it conflicted with commercial program. As a result, the game is sounded out and that station, WOR accepted, WHN meanwhile has offered the game to Mutual.

LEHMANN ENGEL, a comparative newcomer to radio but a veteran of the theatre orchestras, has been signed by Transamerican to orchestrate and conduct the mood music for the Texaco "Star Theatre" dramatizations. Lyn Murray had first call for this assignment, but the deal collapsed because of Murray's conflicting orchestral duties on the Phil Baker program which, like Star Theatre, is rehearsed and broadcast on Wednesdays.

CURTAIN OF THE SCREEN ACTOR GUILD program will be raised by a stellar cast of players comprising Mickey Rooney, Judy Garland, Cary Grant and Ann Sothern. First program in the second series to benefit the needy and aged in pictures will get under way Sept. 24 over CBS.

A T THE CONCLUSION of a broadcast yesterday over WMA which described German horses overrunning Poland, there were a few moments of music to round out an even 15-minute period. With the whole of the pan alley's output to choose from, the organism selected "I Surrender Dear."

Radio Artists of N. Y. To Elect on Sept. 28

Annual meeting of the New York chapter of the National Federation of Radio Artists, will be held Sept. 28 at the Hotel Edison. A board of directors will be elected. William T. Schaefer, president, and George Keller guide the New York division, and their reelection is called certain.

Today A.T.F.R.A. will hold a general meeting to consider the reinstatement of Sophie Tucker.

The next day, announced the signing of an agreement between the Los Angeles chapter of the radio union and KFWR, Warner Bros. station in Hollywood.

Blackout Over Europe

Hollywood, Sept. 6.—Samuel Goldwyn today signed Jo Swerling to write the screenplay for "Blackout Over Europe," to be placed in an uninhibited country and tell of the effect of air raids and war on the metropolis.

Government Closes Balaban & Katz Case

CHICAGO, Sept. 6.—The Government this afternoon closed its case against Balaban & Katz and the major distributing companies for alleged restraint of trade. As a result, the defense is expected immediately to file a motion to strike out portions of the evidence or to dismiss the case.

Master-in-Chancery Edgar E. Eldredge will hear the motions tomorrow and Friday. The case then is expected to be disposed of by the end of the week, the defense starting its evidence on Sept. 25.

Set Independents' Suit

CHICAGO, Sept. 6.—The suit of Chicago independents against Balaban & Katz and the major distributors is scheduled for hearing Sept. 26. It is expected the case will be postponed again, as the attorneys involved are occupied with the Government action against B. & K.

William Landers Dies

BATESVILLE, Ark., Sept. 6.—William Landers, owner of the local theater, operator of the state, who helped to organize the Independent Theatre Owners of Arkansas in 1920, died here. He is survived by his widow, a son, two daughters and two sisters.

Fears of Air Censorship In U.S. Killed

WASHINGTON, Sept. 6.—Reports of pending regulations which would restrict the broadcasting of war news from the official war zones disappeared today at the White House, where Sec- retary of War Henry L. Stimson declared no censorship of any sort is planned at the present time.

Explaning that a permanent policy of radio censorship might depend upon the manner in which stations conformed with President Roosevelt's policy of unrestricted broadcasting, Mr. Stimson declared the industry would so conduct itself as to necessitate no action by the administration.

If, however, stations present programs or speakers favoring one side or the other in the European war, he said action would be taken quickly. It was made clear that a sharp watch would be maintained on stations to prevent their use for propaganda purposes.

Short-wave broadcasts will be most carefully followed because of the aid given to the belligerents by propaganda reaching foreign countries.

In the event this country should engage in hostilities, it was indicated no time would be lost in taking the industry over, as the Communications Act authorizes the president to do in an emergency.

Monday Deadline To Oppose Querries

Objections to the 68 interrogatories filed by the Government in the anti-trust suit against the major companies must be answered by 5 P. M. today. The defense wishes to contest them, according to Rule 33 of the Federal Court rules. Unless objections are filed, answers must be filed by Sept. 16.

Although either side has the absolute right to file interrogatories, the other side may object to them and the court then has discretionary power to grant or deny them. New rules, adopted a year ago, favor wide limits in interrogating the opposing parties.

The government will not be permitted to submit additional interrogatories except by special order of the court.

Although time for objections is limited to 10 days and for answers to 15, such time is frequently extended by stipulation or court order.

'Hobby Lobby' Quits NBC, Goes to CBS

"Hobby Lobby," quiz program now conducted over NBC, will shift to a CBS network, beginning its broadcasts on Sundays from 5 to 5:30 P. M. Fels Napthia Co. is sponsor.

A contract was signed yesterday for the network to take on "Hobby Lobby" program to CBS. The series will start Oct. 6, and will be heard Fridays from 8 to 9. "Hobby Lobby" replaces "General Foods" will continue sponsorship.

Jewish Film Opening

"Kol Nidre," new Jewish picture, produced and directed by Joseph Stein- den, will open at the Clinton on the East Side on Monday.
THE NEXT BIG M-G-M HIT!

Watch the trade papers! M-G-M's in the headlines! M-G-M's delivering one sensation after another! And it's just the start of the new year! When you see “Blackmail” you'll take our tip: Advertise!
30-Day Delay Given Majors
In Trust Case

Oct. 15 Deadline for Reply To U. S. Questions

By agreement with Paul Williams, Assistant Attorney General, corporate defendants in the Government's New York anti-trust suit will be given an additional 30 days in which to answer or file objections to the detailed interrogatories which were advanced by the Government last week.

Inasmuch as the defendant companies were not served with the interrogatories until Sept. 5 they would be given until Sept. 15 to perfect any necessary ordinary procedure. With the extension they will have until Oct. 15 to act. With this trial preliminary carried over to that date it became apparent that even the Government can no longer expect trial of the New York suit to start by Nov. 1, as it had indicated heretofore it did.

Industry attorneys have maintained for a long time past that neither side could be fully prepared for the start of trial before Jan. 1, regardless of action on the Government's pending application for a preference for the case on the Federal court calendar.

United Artists is negotiating its own extension agreement with Williams, but presumably the same time limit will be set for that company as for the others.

War Makes Latin America Leading U. S. Film Market

By H. ALBAN-MESTANZA
Editor, Tele Ta Di a

As an immediate consequence of the present European war, Latin America becomes the No. 1 export market for American pictures, despite the fact that a revision of production plans and budgets will be necessary to offset the loss of markets which have been closed by hostilities.


On the other hand, the first definite official curtailment of production costs has been taken by Warner Bros. in announcing from the Coast the cancellation of production plans for... (Continued on page 2)

$5,000,000 A WEEK
BRITISH FILM LOSS

Form Grand Jury For Coast Probe

LOS ANGELES, Sept. 7—Announcing plans of a special federal grand jury to hear evidence in motion picture cases within two weeks was announced today by attorney for West Coast U. S. Attorney General, who is studying income tax and labor racketeering charges.

William Boiff, former L.A.T.S.E. official, who was indicted, Carr said, to hold himself in readiness for a subpoena to go before the grand jury.

Year Ticket Tax Totals $19,470,801

WASHINGTON, Sept. 7—Admission taxes collected by the Federal Government during the fiscal year ended June 30, last, aggregated $19,470,801, a loss of $1,129,977.64 from the $20,600,779.49 collected in the fiscal year 1938, it was reported tonight by the Internal Revenue Bureau.

The figures were disclosed by the bureau in a compilation of tax collections for the fiscal year which, from all sources, totaled $3,101,573.425 as compared with $3,268,765.314 in the preceding year.

213 Circuits Give Impetus To Trade's Golden Jubilee

Golden Jubilee campaigns were well under way this week with 213 circuits and individual houses reporting activities commemorating the fifteenth anniversary of the motion picture industry. Major circuits are exploiting the anniversary campaigns with extensive activities.

Many individual angles are being developed in theatre campaigns. Theatres have tied up their Golden Jubilee with the Fiftieth Anniversary of RKO Theatres. A talking trailer now running which uses the combined anniversaries as a news peg for the announcement of new screen attractions.

Theatres are decorated and many special celebration stunts are being planned, according to Harry Mandel, director of advertising.

National Theatres are using the Anniversary promotion with their fourth national drive. On his recent tour, Spyros Sounaras canvassed the entire Fox West Coast circuit, making the Fiftieth Anniversary an important part of the campaign he outlined before a series of sectional meetings which included managers, bookers, maintenance men, treasurers, district and division managers in the Milwaukee, Kansas City, Denver, Northwestern and California areas.

Eastern Sounaras Theatres are making general use of the anniversary in programs, trailers and advertising. Public relations departments of both eastern and western divisions are making wide use of Fiftieth Anniver...

Offer of Arbitration Promised by RKO

ATLANTIC CITY, Sept. 7—RKO stands ready to incorporate an arbitration clause in its new season exhibition license agreements if requested by exhibitors to do so, H. M. Richley, in charge of the company's exhibitor relations, today told Allied States' annual eastern regional conference in session here.

The action will be taken by the company as an individual matter of establishing its new season sales policy. Richley said, without regard for action by other distributors or for any proposals which may have been a part of the now defunct industry code.

The RKO spokesman also assured the exhibitors that the company's product would not be impaired by any emergency measures which might be induced as a result of the European war. However, Richley's policy would be to make fewer pictures

(Continued on page 8)
Britain's Film Losses Great: Théatre Act

(Continued from page 1)
their plea at the Home Office, and they expect a favorable reply in a few days.

Reopening of Theatres in Outlying Districts

In a cable received yesterday by George J. Schafer, president of RKO, from Ralph Haunbury, United Kingdom Manager of RKO, it was indicated that the chief constable in each English city has been notified that all of the film houses in his district, depending upon their vulnerability in air raids. Haunbury expressed the opinion that the move would mean that houses in districts from which large centers would be permitted to reopen soon, but to a limited degree and possibly with restricted screening hours.

Hope for Big City Reopenings

"Unfortunately," the cable read, "the number of cinemas primarily in non-industrial towns with thin population, so from the standpoint of our operators, the picture is tremendously decreased. Maybe experience will allow some theaters to reopen in main centers such as London, Birmingham, Leeds, Manchester, etc., within reasonable time, with perhaps similar screening restrictions." Warner's Tooting studio in London is closed and Sam Sax, production head, is making plans to return to New York. Jack Warner has been scheduled to go over to start the production of double and triple quota films, but these plans, of course, are shelved.

Mexican Unions

Ban German Films

MEXICO CITY, Sept. 7—The Confederation of Mexican Workers, the country's most powerful labor organization, has ordered a ban on all exhibitions throughout the country of German-made films. This is the Confederation's most recent action against Nazi activity. Last spring it banned "Carmen," German film, on account of its Nazi attitude, and "Scipio Africanus," an Italian film, because of Fascism. The "Carmen" ban was lifted, but has been renewed, and the ban on "Scipio Africanus" continues.

Discharge Carroll From Bankruptcy

Earl Carroll was discharged from bankruptcy yesterday when Federal Judge Samuel Mandelbaum signed an order approving the report of Referee H. C. S. Stephenson, which had recommended Carroll's final discharge. Carroll filed a voluntary petition on Oct. 8, 1936, in which he listed liabilities of $983,892 and assets of $410,646. General creditors received no payment under the referee's report. War Company received 57 per cent of the amount of tax lien filed.

MOTION PICTURE DAILY
Friday, September 8, 1939

Latin America No. 1 Market For U.S. Films

(Continued from page 1)"The Seven Heavens," which was scheduled to be one of the most costly productions for the coming season.

Norton V. Ritchie, general Manager for Metro-Goldwyn-Mayer, stated that special attention will be given by his company to Latin American markets. Particularly for European films, Latin American pictures have been making serious inroads in the playing time allotted to American productions. Ritchie said other producers yet have made no plans to meet present conditions in Europe. They all agree, however, with Morris Goodman, Republic's vice-president in charge of foreign sales, and Ben Y. Canmack, assistant general foreign sales manager for RKO, who are of the opinion that, although not in the immediate future, the war may lead to an increased reaction on the playing time of American pictures in Latin America, when present stocks of French pictures are depleted.

Columbia Reports

Profit of $2,046.76

Columbia Pictures Corp., for the fiscal year of 53 weeks ended July 1, 1939, reports net profit, after all charges and provision for Federal income tax, of $12,987,851.27

The profit compares with a net profit of $183,492, for the 52 weeks of the previous fiscal year. For the more recent period, the balance sheet shows current assets of $12,987,851.27 and current liabilities of $2,003,899.81. Working capital is generated at approximately $10,983,950. Gross income from rentals, and the sale of films and accessories amounted to $10,413,794.83.

At the annual stockholders meeting scheduled for the home office on Sept. 27, the stockholders are expected to be reelected. The board includes Harry Cohn, Jack Cohn, A. Schneider, Charles Schwartz, Leonard Blands, Saul H. Bornstein and Jack Kerner.

Chicago Defendants Offer Many Motions

CHICAGO, Sept. 7—Defendants in the Government contempt suit filed in federal court here introduced numerous motions today to have certain testimony stricken from the record of the proceedings.

Attorney Goldberg for RKO moved for dismissal of that company from the master in Chancery Eddie Rediger who rule will be made on all of the motions within the next few days, it is expected.

Premiere at Roxy

For "Rains Came"

"The Rains Came" will have its world premiere at the Roxy today. The "Adventures of Sherlock Holmes" and "The Great Gatsby" have been estimated $39,000 in its week there. At the Strand, "The Old Maid" is continuing its smash pace with an estimated $48,000 for its fourth week and with a six-week run assured. Both were aided by the holiday weekend.

Studio Carpenters Get 10% Wage Boost

LOS ANGELES, Sept. 7—A 10 per cent wage scale for carpenters in film studios went into effect Sept. 1, as disclosed today simultaneously by the Motion Picture International Union.

Jack Cummings will continue to produce for M-G-M under a new contract just signed.

Paul Lazars, Jr., of Warners is vacationing.

Felder and Wittman Buy 3 Bronx Houses

Max J. Felder and Sig Wittman yesterday purchased the stock of Triad Theatres, Inc., operating the Vogue, Metro and Congress in the Bronx. The corporation formerly was headed by Mr. and Mrs. S. Wittman and others. The Metro and Congress are being renovated and will reopen Oct. 1. The Vogue is open. Wittman formerly was a Universal executive in the East.
Speakers hail projectionists in fete at Fair

The projectionist had his day yesterday at the New York World’s Fair. It was “Projectionists’ Day,” and about 300 New York projectionists, union leaders, trade paper editors, and cinema critics crowded the little theatre of the Hall of Special Events on the Fair grounds to hear a speech by Mr. Yates, the chairman, which expressed their appreciation of the work of their fellow projectionists.

Terry Ramsay, editor of Motion Picture Herald, said in his speech: “It has always been an indelible, if not too highly appreciated, contribution of the projectionist, that perfect projection is taken as the norm.”

Among the other speakers were Nathan Golden, chief of the Motion Picture Division, U. S. Department of Commerce, E. A. Milstein, president of the Motion Picture Engineering Society; Dr. Alfred N. Goldsmith, past president of the same society; P. H. Richardson, the chairman of the projection committee on the Motion Picture Herald, and noted author of projection manuals; and Joseph Besnion, president of the New York projectionists’ local 306, an affiliate of the International Alliance of Theatrical Stage Employees.

The vast equipment and the billion dollars of equipment in the industry would be of no use if the pictures on the screen were badly projected, Ramsay emphasized, and likened the projectionists to “the invisible horsemen.”

“Terry Ramsay, speaking for the S. M. P. E., offered the projectionists the continued cooperation of the society, and praised them for keeping abreast of technical problems.”

Richardson traced the evolution of the projection machine into the precision instrument. He introduced William Reed, “old living projectionist,” who started with Thomas A. Edison at the invention of the motion picture, and is now a projectionist at the Colonial Theatre, Atlantic City.


Chairman of the arrangements committee was P. A. McGuire of the International Projector Company.

Newsreel Parade

Weekend issues focus attention on the signing of the Proclamation of Neutrality by Secretary of State Hull. Conditions in war-stricken France and England, and the crisis particularly in Poland, its effect on non-combatant countries, particularly America, are included. Paramour’s issue was released a day in advance. The reels and their contents follow:


PARAMOUNT NEWS, No. 3—Consequences of war in Europe: evacuating all refugees; air forces; women, children aged 6 and under four danger areas.


UNIVERSAL NEWSREEL, No. 294—Neutrality measure is signed. War refugees arrive in New York. Children seek shelter in England. Polish President receives American Flag from Ambassador Biddle. German tanks said to have crossed borders prepared to fight for Great Britain.

Film Stocks, Bonds Show New Strength

Film stocks and bonds showed mixed fractional gains and losses for the most part in yesterday’s trading. Columbia and Republic both closed close at 19 while its common touched 3% to 6%. Warner common rose 1 3/4 to 4% and its preferred jumped 1 1/2 to 14 1/2.

Film securities dropped badly Tuesday, the first day of trading after the near-record high of yesterday. They closed yesterday and the next day and this trend continued to some extent yesterday.

Universal Pictures preferred lost 6 points, but Eastman Kodak common was off 5 to 15 1/4.

Other gains recorded yesterday were Consolidated Film, 1 1/2, up 1/8; Consolidated Film preferred, 9, up 1/2; General Theatres, 39, up 1/4; Loew’s, 34, up 3/4, 1/2; Paramount 1st preferred, 77, up 3/4; RKO, 15, up 1/2; Loew’s California, 35 3/4, 40, 2 1/2; RKO, 22 1/2.

Other losses were Paramount common, 7, off 1/4; Pathe Film, 85, off 1/4; 20th Century-Fox, 13, off 1/2; 20th-Fox, preferred, 22 1/2, off 1/4; Sonotone, 1 3/4, off 1/2.

Arbitrators Named In Operators’ Talks

Charles C. Mosklowitz of Loew’s and Major L. E. Thompson of RKO have been selected as arbitrators for the near-record wage hikes with operators’ Local 306. The union has not yet named its two arbitrators. The negotiations are to determine wage scales in the New York metropolitan area for the next two years.

[Newsreel and Film Stocks, Bonds: Article continues]
COLUMBIA'S WITH THE FIRST ...NOT 2
ON THE RUTHLESSNESS
U-BOAT

A melodramatic story of a German U-Boat Commander who runs the great British Battleship Blockade...
READY NOW

FEATURE...

RE-ISSUE...

OF U-BOAT WARFARE!

T 29

OUT OF THE HEADLINES INTO YOUR THEATRE!
**Feathers Is Frisco Lead With $14,000**

SAN FRANCISCO, Sept. 7—First run grosses soared to a summer peak with "In Name Only" getting $20,500 at the Golden Gate. Four "Feathers" opened here and the United Artists with $14,000. The "Star Maker" and "Magnificent Fraud" drew $16,000 at the Paramount.

**Metro Delays Three Heavy Budget Films**

HOLLYWOOD, Sept. 7—Inasmuch of various departments and intense postponement of the preparation of at least three high budget pictures at Metro-Goldwyn-Mayer, the expected drop of foreign grosses were revealed today. The first department to be hit was the publicity department in which six staff members were discharged. Three pictures placed far back on their preparation schedule are the new Marx Brothers film; "Lover Come Back to Me," which was to have starred Miliza Korjus and Nelson Eddy, and "I Met an Angel," from the Broadway show. Herman Woolf, Althoff-Fox general manager, Walter Hutchinson, head of foreign distribution, and Robert Kane, foreign production head, arrived today for conferences on world activities of M-G-M. Kane said that the company's studios have been indefinitely closed in England.

**Pepsoned Renew 'District Attorney'**

What started to be a summer re-placement for Bob Hope turns into a second network series for Pepsoned. This is the time when "Operator '88," the script series which replaced Hope, is renewed for Hope's sponsor Oct. 1. On that date the series will open on the NBC-Blue, to be heard Sundays at 7:30 P.M. Hope will be back on the air Tuesday, Sept. 26, on the Red, allowing the cast of "District Attorney" a week's vacation before the program changes networks.

**Coast Democratic Dinner Set Sept. 18**

HOLLYWOOD, Sept. 7—Sept. 18 has been announced as the new date for the banquet by the Motion Picture Democratic Committee. At that time U. S. Attorney General Franklin Murphy will present a scroll to the producer whose film did the most to advance the ideals of democracy.

**Rent Suit Settled**

Tampa, Fla., Sept. 7—A suit over rent on the Tampa Theatre was settled by a decree of Circuit Judge indicating that the theatre could not deduct as operating expense the cost of operating Bank Night and Screeno, outlawed recently by the State Supreme Court.

**Oz Reopens U.A. Theatre in Detroit With Big $15,000**

DETROIT, Sept. 7—"The Wizard of Oz," which reopened the United Artists, grossed $15,000. The Fox, with "Coast Guard," and "Blondie Takes a Vacation" drew $14,000.

Estimated takings for the week ending Aug. 31:

- **Pampana Lady (RKO)**
  - Gross: $1,600

- **When Tomorrow Comes (Univ.)**
  - Gross: $1,100

- **Blondie Takes a Vacation (Col.)**
  - Gross: $1,400

**Oz**

**Drop German Show**

The decree in Germany fixing prison terms and the death penalty for those who listens to short-wave programs from foreign stations has caused NBC to suspend one of its oldest and most popular short-wave features, "The Mail Bag." This was a program devoted to reading the letters of those German listeners who asked that NBC acknowledge their letters over the air.

**Canada Will Form Grievance Boards**

TORONTO, Sept. 7—Due to the war excitement which is gripping Canada, attendance was very limited as the Canadian Manufacturers of independent exhibitors at the King Edward Hotel convened behind closed doors. The new committees are mostly from the Toronto district.

J. O. Scott of the Anti-Protectionist Party of Canada, who sponsored the convention to formulate a definite organization plan and bear grievances on clearance and priority runs, is chairman of the meeting (Pax). He adopted a resolution creating regional grievance boards who will submit annual reports. The proposed national board for negotiations with distributors.

Another body proposed that the regional boards consist of two independent, one chain and one exchange representative. To negotiate with exchanges and theatre chains, Col. J. A. Cooper appointed a committee comprising Scott, N. A. Taylor, Harry Milam, ascend of Toronto and A. J. Morington of Hill, N. S.

**Finishes Yiddish Film**

Production on "Mirele Efros," Yiddish drama, produced by Roman Raskin. Credo Film, was completed this week in a reproduction studio under the direction of Joseph Berne.

**'Mother' Hits Good $7,600 In Milwaukee**

MILWAUKEE, Sept. 7.—"Bachelors Mother" and "I Stole a Million" grossed $7,600 at the Warner, while "Should Husband's Work" (Col.) took $5,800 at the Riverside.

Estimated takings for the week ending Aug. 31:

- **Chicken Wagen Family (20th-Fox)**
  - Gross: $2,400

- **Should Husband's Work (Rep.)**
  - Gross: $1,800

- **Blackstone the Magician.**
  - Gross: $600

- **Man in the Iron Mask (U. A.)**
  - Gross: $1,500

- **Quiet Millions (20th-Fox)**
  - Gross: $1,500

**The Difference!**

The difference in relations between the United States and England and America is explained by Herbert Wilcox, British producer, as follows:

"When a Hollywood producer makes a good picture, he is congratulated by the critics. When a British producer makes a good picture, the rest of the industry goes into mourning."
**War Causes Film Changes For Warners**

Hollywood, Sept. 7.—Two changes in production plans of the two major film companies were announced today by L. Warner and Hal R. Wallis, respectively, of Warners Brothers.

The first important step was the decision to push at least two high budget pictures into immediate shooting stages, despite one being previously announced as being shelved.

The second was rushing into preparation of at least nine light comedies in order to contrast with distressing news abroad.

The first big picture to get underway in about two weeks will be "Virginius City" to star Errol Flynn and Olivia de Havilland with the same supporting cast that as which appeared in "Dodge City." Michael Curtiz will direct "Sea Hawk" will be done in full color.


The studio is also putting "Espionage Agent" back into production in order to modernize the story to match it with European developments. "Espionage Agent" was completed about six weeks ago under direction of Elmer "Creeper" Man." The studio also is advancing the date for starting work on "The Fighting 69th."

**Offer of Arbitration Promised by RKO**

(Continued from page 1) rather than cheaper ones if war measures become necessary.

The meeting today voted commenda- tion of all companies which pur- chase the same magazines in the face of the European crisis. Problems of future Congressional action on the Neely anti-block booking were discussed as well as possible ef- fects of the war on film prices.

A letter from Abram F. Myers, Al- lied chairman, who is vacationing in Nassau, was read to the meeting. It urged distributors to make vol- ununtary trade concessions in new- seas' contracts.

H. A. Cole, Allied president, urged continued support of the Neely bill on the grounds that Government anti- trust suits now pending against the large companies are directed only at exhibition. The Neely bill will complement them by regulating produc- tion and distribution, he said.

A nominating committee was ap- pointed by the Associated to pre- siding at the sessions, which will sub- mit its slate to the membership to- morrow, with the annual election of officers will be held.

**Takes WSAS Post**

Savannah, Ga., Sept. 7.—Harben Daniele has resigned as advertising manager of WSAS, Nashville, to become part owner and executive di- rector of WSAS, Savannah.

**Theatre, Personnel Notes**

Sells Canadian House

TORONTO, Sept. 7.—The Elmwood, suburban house of London, Ont., opened two years ago by Druce Walker, has been sold to Mrs. Lilliam Marks of Fort Erie who is also building a theatre in the same city.

The Palace Theatre at Galt, Ont., built by Harry Martin, has opened. The first representative of the same name at Sudbury, Ont., is due to be opened in the near future by R. G. Stevens, owner of the City Theatre in Sudbury.

Manages Toronto House

TORONTO, Sept. 7.—George Law has been appointed manager of the Bever- lvee by V. Simon, owner, who recently purchased the Radio City theatre. Law was previously chief booker of Associated Theatres, Ltd., and he is a well known theatre circle in both Eastern and Western Canada.

Buys Pennsylvania Theatre

PITTSBURGH, Sept. 7.—Manos Enter- prises, Inc. of Greenburgh, Pa., has bought the Palace, Tarantum, from the estate of John McIngvale, for a reported $42,500.

Takes Wisconsin House

WATERTOWN, Wis., Sept. 7.—The Rock River Theatre Operating Co. has taken over the Savoy here from the old Savoy and plans to modernize it in connection with the Classic. The firm has closed the Savoy temporarily.

Reopens in New Haven

NEW HAVEN, Sept. 7.—Fishman Theatres will reopen the Apollo, one of the three houses closed for the summer, on Sept. 15.

Open in Wisconsin

WEST SALEM, Wis., Sept. 7.—West Salem Theatre Co. has opened the Salem house here, formerly the Rex. The house has been completely modernized and is under the operation of Mades Theatre Co. with Mr. E. Walker as manager.

Daily Acquires Theatre

PLAINFIELD, Sept. 7.—Michael Daly, operator of the Daly Theatre, Hartford, and theatres in Massachusetts, has acquired the 450-seat Ledyard Theatre here, formerly operated part time by Henry Fontaine.

**Star Kansas City Leader at $8,100**

KANSAS CITY, Sept. 7.—The Star- man" gave the Newman $8,100 for the best showing in a poor week. The Theatre did $7,200 with "It Could Happen to You" and a stage show. The weather was normal. Estimated takings for the week ending Aug. 29-31:

**Dawn with $8,000 Leads Providence**

PROVIDENCE, Sept. 7.—Each Dawn I Die," paired with "The Man Who Dared" at the Majestic took $8,000 for the week. Estimated takings for the week ending Aug. 29-31:

**‘Oz’ Is Smash Hit in Chicago With $22,700**

CHICAGO, Sept. 7.—"The Wizard of Oz" grossed $22,700 during the week at the United Artists, grossing $2,700. "The Star Maker" at the Chicago, added by Velo and Yolanda, drew $48,000. The number of gallons per week has been down all week. Estimated takings for the week ending Aug. 30-Sept. 1:

**Wizard Cincinnati Smash With $17,000**

CINCINNATI, Sept. 7.—"The Wizard of Oz" did a tremendous $17,000 at the RKO Capitol, and will hold for the week. The house gave the RKO Palace $11,500, and "In Name Only" pulled $13,000 at the RKO Albee. Estimated takings for the week ending Aug. 30-Sept. 2:

**‘In Name Only’ (RKO)**

RKO ALBEE—(3,500) (25c-40c) 7 days Gross: $1,350, Average: $193

**The Star Maker** (Param.)

RKO PALACE—(2,200) (25c-40c) 7 days Gross: $1,100, Average: $157

**Stanley and the Pink Fox**

RKO SHUBERT—(3,300) (30c-45c) 7 days Gross: $2,000, Average: $286

**The Wizard of Oz” (M-G-M)**

RKO CAPITOL—(3,000) (25c-35c-40c) 7 days Gross: $2,000, Average: $286

**RKO LYRIC—(400) (25c-40c) 7 days, 2nd week Gross: $1,500, Average: $214

**The Spellbinder” (RKO) (2 days)

War Down South (RKO) 1 day Gross: $1,200, Average: $600

**RKO FAMILY—(1,000) (25c-35c) 7 days Gross: $1,100, Average: $157

**I Stole a Million” (Para.)

RKO ORCHARD—(3,000) 1 day Gross: $1,500, Average: $500

**Oz’ Draws $9,000, Strong Omaha Lead**

OMAHA, Sept. 7.—"The Wizard of Oz" pulled a powerful $9,000 at the Orpheum, bolstered by a "Quiz Lab" one right on the line. The "Oz" "Warm" time was good for $8,200 at the Orpheum. Estimated takings for the week ending Aug. 30:

**The Sun Never Sets” (Univ.)**

Omaha, Neb. (2,200) (25c-35c-40c) 7 days Gross: $1,350, Average: $193

**Brandeis—LA’ (2,200) (25c-35c-40c) 7 days Gross: $1,200, Average: $171

**‘Wizard of Oz’**

Omaha, Neb. (2,200) (30c-45c) 7 days Gross: $1,350, Average: $193

**Cursey Runs for Mayor” (W. O.)

OMAHA—(2,200) (25c-35c-40c) 7 days Gross: $1,200, Average: $171

**“Some Like It Hot” (Para.)

OMAHA—(2,200) (25c-35c-40c) 7 days Gross: $1,200, Average: $171
**BANNER RADIO LINES**

By Jack Banner

**ED KLAUBER, CBS EXECUTIVE VICE-PRESIDENT, has issued a statement of policy to the network's news, special events and editorial staffs regarding policies to be pursued in covering the war. In addition to listing various "do's and don'ts," the document stresses the need for fairness, accuracy and care in what it calls a "duty to be fulfilled impartially in discussions on the air.

Network executives met again yesterday to discuss the methods to be employed in reporting the war. From all reports it was another "stand-off" affair with CBS insisting it will do as it wants to do in building the hostilities. There are to be other meetings but if the background of network radio can be used as a criterion, all meetings will be fruitless. Webs have always been keenly competitive and it is beyond belief that they will effect an agreement now. A war, all the opportunities it presents for scoring beats and earning listeners, is here.

Those who attended yesterday's meeting include Edward Klauber and Paul White for CBS, Niles Trammell and John Royal for NBC, and Fred Weber and Jules Seebach for Mutual.

**EUGENE LYONS** will be added to WMCA's staff as a commentator on foreign affairs. He's editor of the American Mercury and author of the recent best-seller, "Assignment in Utopia." The station also plans to sign Major General William C. Rivers, retired, to interpret the military actions of the armies.

**ALL NEWS ITEMS** broadcast henceforth over foreign-language station WBNX, New York, will be given in the English tongue only and the English captions under foreign-language stations will doubtlessly follow the example of WBNX.

**HAWAIIAN PINEAPPLE CO.** will drop Phil Baker for Al Pearce on October 1. On this date the client will also drop its present agency, Young & Rubicam, for N. W. Ayer & Son. Pearce's gang will continue in the present Wednesday 8 to 8:30 P. M. spot on CBS now held by Baker.

**ED WYNN, JACK HALEY, PHIL BAKER** are understood to be competing for a new program. The sponsor is a cigarette concern.

**GENERAL MILLS, INC., and WNEW are squabbling about the entirely unrelated subjects of Martin Block and baseball broadcasts. WNEW has been broadcasting games of the International League for General Mills and with the season beginning Tuesday 8 to 9 P. M., period to Martin Block for his swing jamborees. Yesterday General Mills placed a request for this time for the International League championship playoffs off games. The wrangle between station and General Mills may be settled today.

**Roach to Continue Production Plans**

**Hollywood, Sept. 7.—**Hal Roach yesterday declared there will be no deviation from the previously announced plans for the production of six features and four Laurel and Hardy comedies for United Artists. Plans made in 1938 to produce a feature in 1939, after the last alcoholic of motion picture history, in the winter of 1939-1940, which is the first of the four installments of the highlights of motion picture history, in the series of "The Thirties." Roach arranged the exhibition rights of The Monitor. The paper is now running special articles on various phases of the industry.

**Treasurers Fight Delayed By TMAT**

Theatrical Managers, Agents and Treasurer's Union has abandoned temporarily its efforts to negotiate a new contract. The union will confine itself to press agents, managers and assistants. Agreement with the League of New York Theatres is expected to be consummated next week. The contract is expected to be for a five-year term with negotiations for wage scales at the end of two years. The Negotiations for the treasurers will be held up pending a decision from the N. Y. State Labor Relations Board on whether the T.M.A. or the new I.A.T.S.E., treasurers' local has jurisdiction.

**Schine Brokerage Suit Is Dismissed**

Suit for $35,000 brokerage fees against Meyer Schine, Louis Schine and the Schine Enterprises Corp., allegedly due for the purchase by Schine Enterprises of four Rochester theatres, was dismissed yesterday by New York Supreme Court Justice J. Sidney Kimmel, on grounds that the plaintiff, Carl E. Erikson, had failed to state a cause of action.

Erikson, it is correctly said, has brought suit against the Schines and their Rochester Enterprises, Inc., claiming that the latter had retained him in May, 1937, to procure the purchaser for five of its theatres.

**Girls' 'Show Net $25,600, Philadelphia**

**PHILADELPHIA, Sept. 7—**The first stage show at the Earl, under the general managing directorship of Rochester Anderson, Betty G. Geeslin and Leighton Noble and his orchestra grossed $25,600. The show was "Changing Pictures." Estimated takings for the week ending Aug. 31.

**The Daily Of Oz** (M-G-M) BOYD—(4,484) 32c-42c-5c-6c 8 days, 2 weeks Gross: $11,000. (Average, 7 days $1,570.)

**Glamour Girls** (M-G-M) EARLIE—(2,998) 32c-42c-5c-6c 7 days (60 stage days). Stage: Betty Grable, Eddie Rochester, Anderson, Leighton Noble and orchestra. Gross: $12,000. (Average, $1,710.)

**Hotel For Women** (20th-Fox) KALAMAZOO—(2,930) 32c-42c-5c-6c 6 days, 2nd run, Gross: $2,400. (Average, 7 days: $342.)

**Andy Hardy Gets Spring Fever** (M-G-M) PALACE—(4,084) 32c-42c-5c-6c 7 days, 3rd run, Gross: $1,520. (Average, $217.)

**Stanley and Livingston** (20th-Fox) STANTON—(1,700) 32c-42c-5c-6c 4 days, Gross: $600. (Average, $150.)

**Pathe, Subsidiaries Earn $35,310 Profit**

Pathe Film Corp. and subsidiary companies earned a profit of $35,310 during the six months ended June 30, its first profit since 1931. The company issued yesterday by Kenneth M. Young, president.

Operations resulted in a loss of $27,907, but receipts from interest, discounts and dividends of $71,500, other charges of $8,193 brought the half year into the profit column. Total expenses for the period covered by the report, printing and rental sales were $173,477 with operating expenses of $301,474.

The report reflects undistributed profits of the Du Pont Film Manufacturing Corp. of which Pathe holds 35 per cent. Du Pont Film was formed in the first six months of 1939 as compared with $630,000 for the corresponding period in 1938. Net sales were $289,000 in 1939 as compared with $223,000 in 1938. Of these earnings, $219,000 were distributed in 1939 and $135,000 in 1938.

**20th-Fox Declares Preferred Dividend**

The Board of Directors of 20th Century-Fox Film Corporation at its meeting yesterday declared a cash dividend of 37½c per share for the third quarter of 1939 on the outstanding preferred stock of the corporation. Payments are September 30, 1939, to stockholders of record at the close of business September 18, 1939.

In its report, a matter of uncertainty of revenue from the foreign markets, the Board decided that it would not be wise to declare any dividend on the common stock at this time.

**French Film to Open**

"Betrayal," French film produced by the G.M.P. studio containing English titles, will open at the Little Carnegie Playhouse Sept. 15. The film is distributed in this country by World Pictures Corp.
RKO and 'U' Win Chicago Case Backing

U.S. May Free Two Firms In Contempt Hearing

CHICAGO, Sept. 10.—A development of important significance occurred Friday as the U. S. government put the finishing touches on its contempt case against Balaban and Katz and the major film companies. After Attorney Arthur Goldberg of the law firm of Spitz & Adcock, counsel for the defense, offered arguments disputing the government's claims, Special Master of Chancery Eldridge admitted that the record shows that there is no case against either RKO or Universal.

The government also conceded the fact that there has been no evidence offered to convict RKO and Universal of having violated the consent decree which the government promulgated some years ago.

Formal elimination of these two firms from the federal complaint is therefore expected. A series of defense motions to strike out the contempt citation was denied Friday by Master in Chancery Eldridge.

The hearing was postponed until Sept. 18 when the defendant companies will start presenting evidence in an effort to refute government charges.

Ticket Price Bill's Passage Assured

Councilman Howard H. Spelman believes that the ordinance to limit ticket broker advances to 75 cents which he has authored will be passed by the N. Y. City Council when the measure comes up this month. He is confident of support from all factions.

The bill is fashioned along the lines of the Federal-Craddock price fixing act which has been held constitutional by the U. S. Supreme Court. Spelman, who was an assistant producer under B. P. Schulberg at Paramount in 1932 and one-time story editor for RKO, wrote the briefs in the case of 273 U. S. 418 in which the U. S. Supreme Court declared unconstitutional a previous effort to regulate ticket brokers. Spelman's bill, which has been approved by the Council's Committee on General Welfare, provides that a theatre owner or manager may print up on the ticket "the maximum premium, which in no event shall exceed 75 cents, at which the same may be re-

Highest Peak in 20 Years Announced By UA Producers

United Artists' producers and the distributing organization this week will reach its highest point of activity in the company's 20-year history, in point of number of pictures in work and in release, Murray Silverstone, the company's chief executive, said yesterday.

The company has six productions between the canaries while five more will have been completed and made ready for release this week. Four others are already in release.


New season pictures already released are Wangen's "Winter Carnival," Korda's "Four Feathers," Edward Small's "The Man in the Iron Mask" and Goldwyn's "They Shall Have Music." Silverstone said the next half year will be one of the most important periods in the history of the industry, as the screen will fill one of the most vital needs at a time of unsettled world conditions.

Canada Enlists Theatres And Radio in War Cause

TORONTO, Sept. 10.—Film and radio industries here are preparing to give the Government's full cooperation in the war situation.

The Dominion Government has appointed a Wartime Prices and Trade Board and indications are that the sales tax may be raised from eight to ten per cent. This increase will affect imports of films, advertising accessories and theatre equipment.

Consideration has also been given to cancellating of the recent trade agreement with the United States.

Independent exhibitors have formally placed the use of their theatres and screens at the disposal of the Government for public and patriotic meetings, and are prepared to screen any film for war loan or recruiting purposes. The offer was made through the Anti-Pro-

65-70% Of British Theatres Reopen

IA Expelling Its 'Rebels'

LOS ANGELES, Sept. 10.—Both sides are confident of victory in the U.X.R.B.-supervised election to determine the collective bargaining agent at the I.A.T.S.E.

The L.A.T.S.E. continues wholesale summoning for trial on charges of disloyalty its members who allegedly belong to the United Studio Technicians Guild, the L.A.'s opponent in the election.

Known leaders of the U.S.T.G. already have been expelled and an unknown number of other Guild members have been called for hearings.

Predicts Doom of I.A.T.S.E.

Howard S. Robertson, president of the Guild, today said that expulsions of U.S.T.G. men mean nothing, for "there won't be any I.A.T.S.E. here following the election." Robertson announced that he will file charges of Wagner act violations against the studios if the companies refused to employ men expelled from the Guild.

It is expected that preparations for the balloting will be completed tomorrow by 20 clerks working under the direction of X.L.R.B. Attorney William R. Walsh.

First in Film and Radio News Brief, Accurate and Impartial

REPORT OF INTENTION TO SUSPEND FILM QUOTA BRINGS PROTEST

LONDON, Sept. 10.—Between 63 and 70 per cent of the film theatres in England opened Saturday under restricted conditions and continued until 10 P.M. in neutral and reception zones, under permits issued by the Home Office of the British Government on Friday.

It was autoritatively reported over the weekend that the British Board of Trade intends to suspend the British quota for the duration of the war.

Theatres were open with only a few individual exceptions. Under the permits issued by the Government the houses will remain open until further notice, but with the proviso that they adhere to the regulations prescribed for all theatres in the emergency by the Government. These include additional restrictions of ready access by audiences to bombproof shelters, the maintenance of attendants to be on the lookout for air raid warnings, and the like.

Exceptions to the opening permission were Central London, and popular industrial and mining communities, including the East End of London, and the adjacent suburbs. However, the majority of the industry's exhibition business has been resumed. In all, day and evening shows in only about 100 towns have been ordered to remain closed.

When the reports of the planned suspension of the quota became current here, producers and technicians' groups protested to Whitehall, asking the

SUSPEND HEARINGS ON ATLAS RKO OFFER

Hearings on the Atlas Corp. offer to underwrite $1,500,000 of new RKO common stock have been suspended for "two weeks or a month," Special Master George W. Alger said Friday.

He explained the delay is "due to the unsettled market conditions resulting from the European war."

The offer expired Aug. 29, the deadline for its acceptance by the Federal court and the company. However, no formal notice of its withdrawal has been served on the court or interested parties.

An RKO reorganization attorney who, however, is not associated with Atlas Corp., stated on Friday that
Lee Nebury
New Leader
Of N. J. Allied

Atlantic City, Sept. 10.—Lee W. Nebury of Belmar was elected president of the Allied of New Jersey at the closing session of the three-day convention on Friday.

Other officers are: Maury Miller of Pascack; George Steckel of Wildwood; Richard H. Zane, of vice-president; David Snaper, New Brunswick, treasurer; Harry W. Lowenstein, Newark, secretary.

Mrs. Helen Wulding, Trenton, and Harry Kriedel, Newark, were elected directors for three-year terms. George Gold, Newark, and, for three, Hillside, were named directors for one year.

A product survey among members showed very good and local prices from last year in the film rental charges, except that more percentage deals were being demanded.

The membership saw dangers in additional major companies producing trailers. Members contended that this service should be left to trailer companies.

Movie Hit Parade
Scores in Boston

Tremendous crowds greeted the start of the Loew's and Poli New England Theatres Movie Hit Parade and Crosley Movie Cavalcade in Boston late last week.

Mayor Tobin of Boston cut a ribbon to start the parade, which extended for 15 blocks with a number of bands and a fleet of 10 Crosley cars driven by Connecticut college girls. New England's home teams gave strong coverage to the event.

The parade went to Worcester on Friday, and Springfield, Hartford, Meriden, Waterbury, New Haven and Bridgeport. It comes to New York for a Broadway parade on the Crosley Theatre this weekend at the World's Fair next Saturday.

The Loew Poli activities in New England were led by Miss Mary T. Shaw, division manager; Lou Brown, publicity director, and, in Boston and Providence, by H. M. Addison, Joseph Dipese and Joseph Longo.

Freeman Honored
By Par's Officials

Paramount home office officials rendered a farewell luncheon to Y. Frank Freeman, vice-president and studio head, at Sarbi's on Friday. Freeman left for the coast the same afternoon after a two-week home office visit.

At the luncheon were, among those present, Welma Balaban, John W. Hicks, Austin Koucheg, Leonord Goldenson, M. A. Gowthorpe and George Weitner.

'Women' Approved

Providence, Sept. 10.—Although it had banned 'The Women' from stage performances here several weeks ago, the Providence Bureau of Police and Fire after a special screening of the film version gave the picture a clean bill of health for exhibition at Loew's State.

MOTION PICTURE DAILY

Purely Personal

Mr. and Mrs. N. T. Blum-Mass and family, Mrs. A. L. Cline, were on a trip to Aylesworth, John Hicks arrived in New York Friday on the 20th Century from the Coast.

Virginia Vale, recent winner of the 'Gateaway' talent search, has announced her engagement to John Frazier, NBC announcer. Coincidentally, Robert Stanton, also a Gateaway winner featured with Miss Vale in RKO's "Three Sons," has made known his forthcoming marriage to Barbara Van Rongt, singer.

Marcel Pagnol, French producer, has cancelled his plans to come to the United States. He has abandoned his regiment on the Western Front, according to word received here.

Mr. and Mrs. Stanley Mayer of Des Moines, celebrated their 10th wedding anniversary recently. Mayer is manager of the 20th Century-Fox exchange there.

Mary Pickford was crowned queen of the 15th annual National Tobacco Festival by Governor Price of Virginia on Friday at ceremonies in South Boston, Va.

Carol Lombard, accompanied by her husband, Clark Gable, is recuperating in the High Sierra following an appendicitis operation.

Gerald Holland, script writer on KMOX, St. Louis, has joined the writing staff of NBC and is now at Radio City.

Charles D. Prutzman, Universal vice-president, arrived from the Coast over the weekend after a three-week stay at the studio.

Sally Elsler, and her husband, Harvey Brown, producer, are in New York on vacation.

Mildred Gordon, wife of Will Gordon, is ill at the Community Hospital.

Marjorie Ulphiler of WHN was married to Raymond Kantrowitz yesterday.

MPTOA Directors To Meet on Oct. 23

Having abandoned plans for holding a national convention this year, M.P.T.O.A.'s board of directors will convene at the Greenbrier, White Sulphur Springs, Va., on Oct. 23 and 24.

The board may make plans at that time for holding a national convention some time next Spring.

Para in SEC Plea

Washington, Sept. 10.—Columbia Pictures on Friday applied to the Securities and Exchange Commission for approval of its offer of $2,627,000 of par value common stock on the New York Curb Exchange, the stock to be registered upon notice of issuance.

Delay Para. Meeting

A meeting of the Paramount board which had been scheduled for today was postponed until tomorrow.

65% of British Theatres End War Closing

(Continued from page 1)

Board of Trade to receive deputations and protestants would state the viewpoints of the groups.

With complete unanimity of opinion both groups contend that suspension of the quota would be catastrophic and would mean the extinction of the British film industry. The lesson of 1914-1918, and the capture then by the United States of the British market, is vital national and international role to be played by British films in the present situation.

Suspend Hearings On Atlas RKO Offer

(Continued from page 1)

The offer had been withdrawn because Atlas is merely "marking time" to gauge the effects of the war on the film industry and RKO. He asserted that the offer is not to be considered as non-existent.

When an Atlas Corp. official was apprised of these statements and asked whether they represented the investment company's position, he countered that the terms of the underwriting offer are a matter of court record and "speak for themselves."

"The offer expired Aug. 29," he said, "and to assume that it will be reestablished is presumptuous at this time."

"Rains Came" Opens

In Mansfield, Ohio

Mansfield, O., Sept. 10.—Warner's Ohio and Madison were sold out on a reserved seat basis for Friday night's opening of "Rains Came," with a capacity crowd Sunday day and date with the Roxy in New York.

Louis Bromfield, the author, of the story on which the film was based, sitting on a nearby farm, was the guest of honor at a dinner at the Cleveland Kennel Club's annual dinner and premiere. Bromfield's parents, visiting from here, were among the guests.

French Film Benefit Premiere Tonight

"The End of a Day," French film released in this country by Juno Films, Inc., of which I. E. Lopert is president, will have its American premiere tonight at the Filmarte for the benefit of the Actors' Fund of America.

The performance will be sponsored by Daniel Frohman, George M. Cohan, Katharine Cornell, Walter Hampden, Katharine Hepburn, Myron McCormick, toms Emker and Laurette Taylor.

Lab Union's Report

Receipts of Laboratory Technicians Union, Local 702, exceeded disbursements by $5,892 for the year ending July 31, annual statement published in The Magazine, official organ, revealed over the weekend. Total income was $37,119, of which $23,102 was from dues, $9,380 from strike assessments, and $963 from initiation fees.

65% of British Theatres End War Closing

(Continued from page 1)

Board of Trade to receive deputations and protestants would state the viewpoints of the groups.

With complete unanimity of opinion both groups contend that suspension of the quota would be catastrophic and would mean the extinction of the British film industry. The lesson of 1914-1918, and the capture then by the United States of the British market, is vital national and international role to be played by British films in the present situation.

Suspend Hearings On Atlas RKO Offer

(Continued from page 1)

The offer had been withdrawn because Atlas is merely "marking time" to gauge the effects of the war on the film industry and RKO. He asserted that the offer is not to be considered as non-existent.

When an Atlas Corp. official was apprised of these statements and asked whether they represented the investment company's position, he countered that the terms of the underwriting offer are a matter of court record and "speak for themselves."

"The offer expired Aug. 29," he said, "and to assume that it will be reestablished is presumptuous at this time."

"Rains Came" Opens

In Mansfield, Ohio

Mansfield, O., Sept. 10.—Warner's Ohio and Madison were sold out on a reserved seat basis for Friday night's opening of "Rains Came," with a capacity crowd Sunday day and date with the Roxy in New York.

Louis Bromfield, the author, of the story on which the film was based, sitting on a nearby farm, was the guest of honor at a dinner at the Cleveland Kennel Club's annual dinner and premiere. Bromfield's parents, visiting from here, were among the guests.

French Film Benefit Premiere Tonight

"The End of a Day," French film released in this country by Juno Films, Inc., of which I. E. Lopert is president, will have its American premiere tonight at the Filmarte for the benefit of the Actors' Fund of America.

The performance will be sponsored by Daniel Frohman, George M. Cohan, Katharine Cornell, Walter Hampden, Katharine Hepburn, Myron McCormick, toms Emker and Laurette Taylor.

Lab Union's Report

Receipts of Laboratory Technicians Union, Local 702, exceeded disbursements by $5,892 for the year ending July 31, annual statement published in The Magazine, official organ, revealed over the weekend. Total income was $37,119, of which $23,102 was from dues, $9,380 from strike assessments, and $963 from initiation fees.
THE SECOND WARNER RELEASE FOR '39-'40 WILL DEMONSTRATE AS DEFINITELY AS DID 'THE OLD MAID' THAT THE FAIR AND SQUARE COMPANY IS ON TOP TO STAY!

Keep On Your Toes With

JOHN GARFIELD and
PRISCILLA LANE
in
"DUST BE MY DESTINY"

Alan Hale • Frank McHugh • Billy Halop
Directed by Lewis Seiler
Screen Play by Robert Rossen • From a Novel by Jennie Culum • A First National Picture

JACK L. WARNER • HAL B. WALLIS
in Charge of Production • Executive Producer
LOUIS F. EDELMAN
Associate Producer
Ontario Will Avoid War Ticket Tax

Toronto, Sept. 10.—The Ontario legislature will meet Sept. 19 to vote upon war measures, but Hon. Harry Nixon, the province's minister of health, has stated that no general registration of amusements will be carried out. The registration of amusements was set up over the summer, but the Ontario government decided not to renew it. Mr. Nixon has stated that the province is not considering any new regulations regarding amusements.

Garnet Sells Film To Texas Circuits

W. P. (Pat) Garnet, who is in charge of the Texas circuit in Dallas, has sold the Holberg-Zane Grey Picture, "Rangle River," to the Inter-GorFilm circuits.

The Interstate circuit covers Texas and is a Paramount affiliate. Griffith Theatres, Inc. also operates in Texas, with headquarters in Dallas.

17 Cuts by Ohio Censor

Columbus, Sept. 10.—Ohio censors have reviewed a total of 542 reels in August, from which 17 eliminations were ordered. This compares with 452 reels reviewed and 17 eliminations ordered in July. Figures for August, 1938, were 546 reels, 55 eliminations, and seven reels rejected.

Gatsby Blog Option

Dayton, O., Sept. 10.—Charles Sawyers, legal counsel for the Crossley Corp., Cincinnati, has announced that station WING here under an option to purchase for $100,000. The option expires June 1, 1940. The transaction is contingent upon the purchase of an existing station and without connection with the Crossley stations in Cincinnati, Sawyers declared.

100 Join CBS To Coordinate Air Education

Approximately 100 CBS stations have designated their own educational directors as part of a plan for expanding educational programming. The program is being operated by Sterling Fisher, director of education for the network.

Three new regional directors have been named to head division of the educational broadcasts. New directors are Lloyd G. del Castillo, program director of WBBM, Chicago, Illinois; Donald D. English, education director of WBBM, Chicago; and Francis Winner Miller, KNX, Hollywood, for the Pacific Coast.

Fisher, in cooperation with WBBM, has arranged a meeting of Midwest stations for Sept. 21 and 22 in Chicago. Problems of correlating network and local programs and cooperating with school educators and broadcasters throughout the country will be discussed.

NBC Revises Rates Effective October 1

NBC has just issued a new rate card, marking the first general rate revision by the network since 1938. An increase in rate for 16 per cent of the network's stations has been instituted, a decrease in rate for 10 per cent of the stations, and no rate change, in the remaining 74 per cent of the 174 stations listed in the card.

For the "preferred" hours between 8 and 10 P.M., the network discount rates for advertising time have been reduced from 7½ to 2½ per cent. All changes become effective Oct. 1.

New Companies Formed

Albany, Sept. 10.—New incorporations of theatrical and film companies here included: Coralie Amusement Corp., by T. S. Robinson, Eugene L. Jakub and A. M. Hackel; B. G. Theatre Corp., by V. J. Saff Albert and Harry Friedman; Studio Enterprises, Inc., by Paul Cohn, Michael J. Drew and Paul Polner; and Bah Theatres, Inc., by David Baibich, Benjamin Davidson and E. M. Kahn.

Purchase "Tanganyika"

Hollywood, Sept. 10.—Twentieth Century-Fox has bought the film rights to "The Tanganyika Exploit," account of a World War battle on Lake Tanganyika which gave the British control of the African territory. The film probably will be made in color. Director Otto Brower will head an expedition to Africa in January.

Sues on Game Action

Milwaukee, Sept. 10.—Police Chief Joseph Klusckesky has been given until Sept. 20 to file a reply to an action brought by a Wisconsin organization here in Hollywood Amusement Co. Inc., Chicago, to restrain the chief from interfering with the playing of the game Hollywood in local theatres.
"THE RAINS CAME" blasts sensational opening-day records of "JESSE JAMES" and STANLEY and LIVINGSTONE" at Roxy, New York!

FLASH REVIEW

Hollywood, Sept. 7. - "The Rains Came" (20th-Fox) - Again Zanuck squadron stages bombardment of high-powered entertainment, reverberations of which should crash through every showing to echo and re-echo substantial profits. Film version of Louis Bromfield's widely-discussed best-seller enshrines elements to captivate all theatre patrons, regardless of individual tastes. Bitter-sweet love story for romantic; brittle dialogue and innuendo for sophisticates; breath-taking earthquake and flood for lovers of sweep and spectacle; and for those who desire moral to garnish their film fare, redemption and clearing of sullied souls in crucible of catastrophe. All of these emotions are entrusted to capable talents of as impressive and star-studded a cast as has been convened before one camera in many months; a cast which never fails in assignment and which is bolstered by unstintingly lavish production and masterful direction. Harry Joe Brown, Associate Producer; Clarence Brown, Director.
Short Subject Reviews

“The Story That Couldn’t Be Printed” (Paramount)

“Catching Whoppers” (Paramount)

Portrayal of one of the most exciting sports of all, big game fishing, is the subject of this Grandland Reel, “Spotlight.” After a few shots of the capture of several varieties of game fish, the footage turns to the taking up of the equipment. Each phase of the capture is shown, with both the standard and slow motion camera. Excitement for everybody. Running time, 10 mins.

“Popular Science, J 9-3” (Paramount)

A varied and interesting reel of the latest scientific and pseudo-scientific developments, Roos made of cotton, an ultra-modern kitchen, a British medical school and hospital for women only, Pacific Clipper, and a gadget to harness the “jaw power” of the nation’s gum-chewers are included. Done in color. Running time, 11 mins.

“Rumba Rhythm” (MGM)

Hollywood’s favorite rendezvous, La Consta, is the setting for some lessons in the fine art of rumba dancing. A pair of young visitors to Hollywood crash La Consta, and the girls wind up on the dance floor in the La Consta contest and win the prize. Among the Hollywood celebrities seen seated and dancing in La Consta are George Murphy, Chester Morris, Mickey Rooney, Jack Smart, John Garfield, Lionel Stander and others. Running time, 10 mins.

“Auto Antics” (M-G-M)

“Our Gang” goes in for a soap-box derby. Butch, the bully, has a zippy model. And Buckwheat and Porky each have fairly good looking cars. But Alfalfa and Spanky build their boy’s out of planks of discarded wood and other junk and instead of using pedals they use rockets. Butch tries to sabotage the rocket car but Alfalfa’s dog saves the machine. And the dogs help the boys win the race and the $5 price in the nick of time to save the pup. Running time, 10 mins.

“Public Hobby Number One” (Paramount)

A short subject which can really draw plenty of patrons to the box-office if properly distributed. It is beyond question “Public Hobby Number One” with plenty of addicts in every community. Made with the cooperation of the Post Office and the Bureau of Engraving, the reel shows some of the real stamp treasures of the country and then goes behind the scenes to show how the United States makes its stamps. Running time, 11 mins.

“A Desert Adventure” (Paramount)

Here is Grandland Rice Spotlight of those desert dwelers, Ken and Wilma Alland. One of the most fascinating shows in a jazzy rebult for desert travel and equip themselves with bow and arrow and a darting blowing. Some plain and fancy shooting are shown, ending with one of the brothers trapped between a wildcat and a rattlesnake. Running time, 10 mins.

Women’s Groves $17,000, Cincinnati

CINCINNATI, Sept. 10.—“The Women” had a smash $17,000 at the RKO Capitol here this week. It gave the RKO Capitol a big $9,800 second week. “The Man in the Iron Mask” pulled $1,500 at the RKO Capitol.

Star Maker’ Omaha Winner With $8,600

OMAHA, Sept. 10.—“Star Maker” pulled in $8,600 at the Omaha. “In Name Only” was good for $5,000 at the Brandeis. "Golden Boy" headed the list with $7,000 at the Liberty. “The Star Maker” won $7,000 at the Paramount, and “Irene” accounted for $5,500 at the Albee. Five weeks of school and night baseball hurt some. The weather was fair. Estimated takings for the week ending Sept. 6:

‘Golden Boy’ Tops Seattle With $7,000

SEATTLE, Sept. 10.—“Golden Boy” headed the list here with $7,000 at the Liberty. “The Star Maker” took $7,000 at the Paramount, and “Irene” Feathers” accounted for $5,500 at the Albee. Five weeks of school and night baseball hurt some. The weather was fair. Estimated takings for the week ending Sept. 6:

Women’s Groves $17,000, Cincinnati

CINCINNATI, Sept. 10.—“The Women” had a smash $17,000 at the RKO Capitol here this week. It gave the RKO Capitol a big $9,800 second week. “The Man in the Iron Mask” pulled $1,500 at the RKO Capitol.

Star Maker’ Omaha Winner With $8,600

OMAHA, Sept. 10.—“Star Maker” pulled in $8,600 at the Omaha. “In Name Only” was good for $5,000 at the Brandeis. "Golden Boy” headed the list with $7,000 at the Liberty. “The Star Maker” won $7,000 at the Paramount, and “Irene” Feathers” accounted for $5,500 at the Albee. Five weeks of school and night baseball hurt some. The weather was fair. Estimated takings for the week ending Sept. 6:

‘Golden Boy’ Tops Seattle With $7,000

SEATTLE, Sept. 10.—“Golden Boy” headed the list here with $7,000 at the Liberty. “The Star Maker” took $7,000 at the Paramount, and “Irene” Feathers” accounted for $5,500 at the Albee. Five weeks of school and night baseball hurt some. The weather was fair. Estimated takings for the week ending Sept. 6:
No War Cuts In Production By Warners

Hollywood, Sept. 10.—Warner brothers will not curtail production, spread releases or cut costs of pictures or otherwise cheapen 1939-40 product in the face of a potential loss of as much as 50 per cent due to theatre closings in England and France.

This assurance was given Friday by Jack L. Warner at a press conference. On the contrary, he said, the company will release in the next four months ten top pictures from Warners, rather than fewer, features than were announced for the season.

No said that major cuts will be instituted and no curtailment of personnel will take place. Warner added, although a general tightening of operations has been resorted to in all departments, such as previously contemplated expansion of the studio laboratory facilities, is expected.

Warner made it plain that such economies as may be invoked will not result in any of a kind to diminish the quality or quantity of product, adding that adherence to high entertainment standards is essential in this or any crisis.

Plans for the month of September, normally amounting to 16 quota pictures, are cancelled, however.

Asked whether the studio would produce more pictures similar in character to “Confessions of a Nazi Spy,” Warner replied in the negative, mentioning that “Majors is Unsung” on Broadway, for instance, has been stopped.

Warner commented: “America is neutral, and we are Americans. Our policy is 100 per cent neutrality. I produced ‘My Four Years in Germany’ in 1915, and another propaganda picture, for the public health service and the Signal Corps. There will be no propaganda pictures from Warner Brothers this time.”

Harry Warner to Coast

Harry W. Warner, president, prior to his departure for the Coast Friday evening from New York, says that all big budget films will be produced on schedule despite war conditions. He returned last week from Europe.

Ampa Holds First Luncheon Sept. 28

Ampa will start its season’s activities with a luncheon meeting, scheduled as “Past Presidents’ Day,” Sept. 28.

The purpose is to honor past presidents, who will be invited to give the members suggestions on how to make Ampa a service to the industry. Among those who will be invited are Charles E. McCarthy, Howard Dietz, William R. Ferguson, Ralph Rolan, William S. White, Hal Horne and others.

For the first meeting, the directors have made arrangements with a restaurant at 3th Ave. and 44th St.

Set ‘Cavell’ Opening

“Nurse Edith Cavell” will follow “Golden Boy” into the Music Hall under booking arrangements just completed. The Herbert Wilcox production is expected to open Sept. 21.

TEN YEARS along Broadway—it doesn’t seem that long to Charles McDonald, metropolitan New York division manager of RKO Theatres, under John J. O’Connor.

In the past two decades he has, of course, experienced much; heard all kinds of gags; encountered and become acquainted with an unusual number of personalities; and his sense of humor undoubtedly has helped him to the line in his daily operations.

TO McDonald, one of the best gags spotted by a customer occurred one Thanksgiving Day in a Jamaica house. On that day, a large sign in front of the theatre declared that the legature turkeys were to be given away at the theatre that night to lucky customers. Also, so-and-so in “College Scandal,” was tying on his way into the theatre remarked.

“Ah, 13 turkeys!”

THE manager of one of RKO’s uptown houses supervised by McDonald was summoned to the telephone:

“Are you playing ‘Joe Palooka’ tonight?”

“Madame,” replied the manager, “we are playing two palookas.”

McDONALD likes to recall the time when “Frankenstein” played at the Mayfair, under RKO’s direction. The picture ran for two weeks in December, grossing $7,100, played to 76,307 paid admissions, grossing $33,841, on the first week.

McDonald claims that, from a comparative standpoint, this would mean $140,000 for the Capitol, with 4,465 seats, and for the Roxy, with 5,886 seats, a gross of $175,000.

McDONALD believes that the single day’s record for the number of times a picture is run is held by the Dempsey-Firpo fight picture. It was shown 27 times at the old Broadway on Saturday, Sept. 15, 1923, the day following the bout.

Then, to settle an argument about the fight, the film was run again at midnight for a selected audience consisting of the late William J. Flynn, chief of the U. S. Secret Service; Hyno Ilves, sports writer, then on the old staff of the late Arnold Rothstein, Jack Bleek, John Barrymore and last, but not least, Jack Dempsey and Firpo.

INCIDENTALLY, Larry Waterman, an RKO alumni and secretary to Nate Blumberg, president of Universal Pictures, discovered Gloria Jean, U.S. new child star. It was Waterman who, with his wife, an accomplished concert singer, heard the little local at a party. He, thereafter, induced his superiors at Universal to give Gloria Jean an audition which sent her to Hollywood.

THE only film theatre stage door with a bullet imbedded in it—RKO’s Jefferson on E. 14th Street—but McDonald will tell that one some other time.

Pick Board to Rule S. California I.T.O.

Los Angeles, Sept. 10.—Members of I.T.O. of Southern California at the meeting last Thursday evening, elected officers of president and directors and instead created Advisory Board to govern the organization.

R. H. (Bob) Poole, business manager, was made executive director. Past President Albert A. Galston and Jack Herman, R. D. Whites, Mrs. Jennie Dodge, C. A. Ferry, Al Gore, H. W. Bruce and Poole comprise the officer body.

A statement on the trade practice agreement and local situation concessions, promised by P. F. Rodgers, co-chairman of the distributor-exhibitor negotiating committee on the code, was not received because I.T.O. officials said Rodgers lacked time.

A complete report of past officers was unanimously approved by members. It was appointed that representatives be appointed to “complete authority to continue the progressive policies established by the association during the past year.”

Change Film Opening

“A Brivele Der Mamen,” Joseph Green’s newest Yiddish picture, previously announced to open at Loew’s Waldorf, will have its American premiere at the Belmont next Thursday.

Another Crisis

Warners are in a quandary over a pending “colonial” deal with Soviet Russia.

Some weeks ago Russian film and theatre officials inquired about “Confessions of a Nazi Spy” for Russia. Arrangements were made through E. Schloss, European manager at London, to send a print to Moscow.

In view of the Soviet-Nazi anti-aggression pact, officials are undecided about shipping a print.

The Russians also asked for a print of “Juarez,” about the Mexican revolution. The Soviets have not bought an American film since “Modern Times.”

Paramount Sales Chief in Chicago

CHICAGO, Sept. 10.—Neil F. Agnew, Paramount vice-president and general sales manager, presided over a sales conference with director-exhibitors and home office sales executives here Saturday and today.

Attending were J. J. Unger, eastern division manager; Charles Reagan, western division manager; Oscar McDonald, Southern division manager; G. B. J. Frankland, manager of the home office; district managers M. S. Kusel, Harry Goldstein, William Erb, Allen, Ralph Liban, G. A. Smith, H. F. Wilkes and Hugh Brawley and M. A. Milligan, Canadian general sales manager.

There was no screening of “Rule of the Sea,” “Disputed Passage,” and “Honeymoon in Bali,” and “Seventeen.”

War Not Affecting 20th-Fox Release

New season release schedule of 20th Century-Fox, as set up to Nov. 24, will not be affected by war conditions, according to the home office. The company has built up 18 pictures for 18 weeks. These will not be changed.

Herman Wolber, general sales manager, and all department heads and foreign chief, are due back today from the studio where they discussed possible readjustments in the production schedule in connection with war.

They arrived on the coast Thursday with Robert T. Kane, in charge of British production.

Auten Plea Denied

Application by Harold Auten for an examination before trial of officers of Societe Parfaite Cinema, S. A., was denied by the Federal Court. Justice J. Sidney Bernstein. The application was made in connection with Societe Parfaite’s action for $130,000 which it alleges is due it from distribution revenues on certain of its pictures. Auten has entered a counterclaim against the company for $17,500.

Charles Loewenberg Dies

MILWAUKEE, Sept. 10.—Charles Loewenberg, advertising and publicity director of the Loewenberg Amusement Corp., died in Cincinnati, O., according to word received here by H. J. Fitzgerald, general manager of the amusement company. He is survived by his widow and a daughter.

Coast Flashes

Hollywood, Sept. 10.—Start of rehearsing for “Chaplin’s” hero, S. O. Newhouse, has completed the screen cast of “Chaplin’s” hero, S. O. Newhouse, has completed the screen cast of "Modern Times."
Night Network Shows Attain Higher Ratings

Average rating of all evening network programs during the Winter of 1938-1939 has increased from 8.8 per cent to 9.3 per cent, according to the number of evening shows rating 10 per cent or higher increased from 39 to 44, as compared with the previous Winter, according to a report just completed by the Lucien F. Ford Early Report, Inc., which compiles the "Crosley Reports." The number of daytime programs rating over five per cent was almost twice as great as during the previous Winter, the report states.

The report also indicates deviations in program preferences by economic groups. For example, programs such as "Good News," Ford Sunday Evening Hour, Cities Service Concerts, Human Side of the News, The Circle, Chase and Sanborn Hours, Edward G. Robinson's Big Town, Ben Benchley's Melody and Madness, Hour of Charm, Information Please, Saturday Night Serenade, and many other programs, are, month after month, achieving higher income levels, whereas the programs of Carson Robinson, Plantation Party, Mary and Bob and Lum 'n' Abner, Major Bowes and National Barn Dance are cited as shows which appeal primarily to the lower income class. The 10 leading programs for the Winter period, according to the report, were Chase & Sanborn, Jack Benny, The RKO Theatres, Ray Bolger, The Music Hall, Major Bowes, Town Hall Tonight, Burns and Allen, Good News and Big Town.

Warner Manager's Meet Here Today

Sales plans under the new Warner merchandising policy will be discussed today when Warner district managers will meet at the home office with their sales managers, Ben Kalmenson, western and southern managers, and Roy Haines, eastern and Canadian manager.

Attending will be W. E. Callaway, western district manager; Fred Jack, southern manager; Rul Adlen- renz, Prairie manager; and Henry Herbel, midwest manager, who will meet with Kalmenson.

Meeting with Roy Haines will be Wolfe Cohen, Canadian manager; Robert Sherman, eastern manager; and Ed Schnitzer, eastern manager.

Gradwell Sears and Carl Leserman will supervise the meetings.

'Cavell' Previews

WASHINGTON, Sept. 10.—A series of previews of RKO's "Nurse Edith Cavell" in the East and South was launched Friday night at Keith's.

Anna Neagle and Herbert Wilcox, star and producer of the film, addressed the audience personally following the showing. The preview tour continues to Atlanta, Dallas, New Orleans, Chicago and Cleveland.

Form Bi-Pal Theatres

ALBANY, Sept. 10.—Bi-Pal Theatres, Inc., has been formed with capital stock of $10,000 in $100 shares, with Harry Flishnich, Benjamin Sherman and Charles Steiner, New York, as directors.

New York Review

"The Rains Came" (20th Century-Fox)

Darryl F. Zanuck has produced a finely emotional, stirring drama in "The Rains Came." What will recommend this to the majority is a love story in which Tyrone Power and Myrna Loy are the Great Lovers, which alone is a guarantee of a box-office boom.

The picture's exploitable possibilities are not all theirs, however. The mood is well sustained, under Clarence Brown's direction, against a backdrop of picturesque, Biblical and far-flung India. Zanuck has retained the spirit and richness of Louis Bromfield's best selling novel.

A fiery love story is developed in a clash of royalties which brings forth "The woman I love" theme, with Power compelled to choose between ruling a dominion and Miss Loy, his heart's desire. No finer romantic acting has been put on celluloid with such admirable restraint.

George Brent, as one of Miss Loy's former lovers, has one of the big parts in the picture and is always a complete mastery of his comic-romantic role. He is properly concerned for his friend, Major Rami Safit (Tyrone Power), when Lady Edwina Esketh in the person of Miss Loy, having achieved respectability by marriage, arrives and immediately begins a campaign for the dashing young Major. The Major, having work to do as a physician, is in no mood to philander but is cognizant of Miss Loy's blandishments. He breaks through his outward frigidity when fate in the form of floods and plague throw them together in acts of mercy.

Lady Esketh's redemption and self sacrifice as she realizes the Major's destiny is with her people and not with her are developed with compelling force culminating in a deathbed scene which will touch every woman's heart.

The large cast of competent players boasts well known names. Brenda Joyce, a starlet whose luminosity is bound to increase, Nigel Bruce, Maria Ouspenskaya and Mary Nash contribute handsomely to the events.

The special effects scenes, staged by Fred Sersen, are worthy of an award. Philip Dunne and Julian Josephson did the screen play, and Alfred Newman handled the musical score. Harry Joe Brown was associate producer.

Running time, 104 mins. "G".*

ALFRED FINESTONE

"G" denotes general classification.

War Makes Venezuela
Big Film Market for U. S.

By ALFRED FINESTONE

American distributors have an opportunity to improve their position in Venezuela because of the war, in the opinion of Luis Enrique Perez, distributor of Bi-Pal Theatres, Inc., for the Government a large sum.

Venezuela's film business is booming with prices high and theatre prosperous. There are 175 houses in the country, all wired, and 10 are being built.

The film market is an exhibitor's paradise because of the relatively few theatres and the competition among the distributors. A dozen distributors vie for representation at the eight first rank theatres in Caracas, capital city with a population of 200,000.

The country is free of film restrictions and imports are subject only to a nominal duty.

Venezuelan prosperity is maintained by a royalty on oil production, which brings a revenue of more than $100,000,000 annually is spent on national public works.

Plan High Power Station

CINCINNATI, Sept. 10.—The Cin- cinnati Ttimer-Star, which recently purchased WBCR, CINC, stations for Cincin- nati, and will take the station over on Sept. 24, has been granted a per- mit by the F. C. C. for a new high frequency station on an experimental basis to operate conditionally on a fre- quency of 25,175 kilocycles with 100 watts power.

Treasurer Join IA's New Division

Entire treasurers' group of Threa- managers, Agents and Treasurers Union has transferred its alle- giance to the new IA division of treasurers and ticket sellers, it be- came apparent over the weekend. Tem- porary officers elected for the new group are all former officials of the T.M.A.T.

An appeal to the American Fig- ration of Labor convention in Oc- tober is under consideration. A hearing be- fore the State Labor Relations Board, to which all the treasurers out, is not likely that the T.M.A.T. can prevail.

An effort is being made to obtain contracts for press agents and mana- gers but negotiations have been ham-pered by the efforts of the press agents. The previous contract expired Sept. 1.

Officers elected by the I.A. treasurers will be W. C. O'Connor, Detroit, president; George Ashby, vice-presi- dent; James F. Murphy, secretary; and Morrie Seamon, business agent.

Ticket Price Bill's Passage Assured

Continued from page 1

sold by any ticket broker or other person.

Any ticket broker, employe of such ticket broker or any other person who shall resell such ticket shall be subject to a fine for each time, or to a greater amount than that which is such regular or established public price plus the maximum premium as printed on the ticket at which the ticket may be resold, together with the amount of any tax imposed by the Government of the United States, and for every person responsible for such ticket broker, or other person, shall be guilty of a violation of this article."

Kuykendall in Plea
On Trade Practices

Every major company favors adop- tion of some form of trade practice machinery in order to push industry disputes but will undertake individual action along this line only when con- siderable portion of the trade practice code is dead, Ed Kuykendall, M.P., T.O.A. president, reported after con- ferring with sales executives here last week.

Kuykendall left New York for his Columbus, Miss., home on Saturday but returned to New York in about two weeks for further discus- sions of prospects of action on trade practices.

Epidemic Damages Grosses in Buffalo

BUFFALO, Sept. 10.—An infantile paralysis epidemic now is stricken with more than 100 victims and several deaths already recorded.

A cooperation of the Board of Health but grosses have been badly hit as a result of an order to all ticket takers to refuse admission to children under 14. Live film grosses were recorded at all downtown and neighborhood houses with a considerable portion of the adult patronage frightened by Department of Health announcements. School open- ings have been postponed.
Universal Net For 9 Months Is $989,995

$1,743,000 Improvement Over 1938 Period

For the 39 weeks ended July 29, 1939, operations of Universal Pictures have resulted in a consolidated profit of $989,995 after all charges but before Federal income taxes, Cheever Cowdin, board chairman, announced yesterday in a letter to stockholders.

This represents an improvement of $1,743,102.64 over the corresponding period of 1938 when the company reported a loss of $733,107.43, Cowdin revealed.

It also represents an improvement of $2,126,964.20 over the corresponding period of 1937 when the company reported a loss of $5,168,859, and represents an improvement of $1,802,409.11 over the corresponding period of 1936 when the company suffered a loss of $812,473.90.

Australia Mission By Dan Michalove

Dan Michalove, assistant to S. R. Kent, president of 20th Century-Fox, sails tomorrow from Los Angeles on the Monterey for Australia. He will remain there several months.

Michalove, who made a survey of Hoyts theatres in Australia last year, will represent National Theatres in the consolidation of Hoyts and Greater Union Theatres. The deal, which will combine about 180 theatres, is to run for 20 years. It is subject to ratification by the boards of directors of the respective companies.

Charles E. Munro, managing director of Hoyts, who participated in the negotiations here, will sail with Michalove.

Broadcasters Act On War Neutrality

Washington, Sept. 11.—Radio neutrality will be the question of the day at the special National Association of Broadcasters convention in Chicago Friday, according to President Neville Miller.

War problems led some members to suggest postponement, but Miller canvassed the board of directors and found the majority in favor of holding the meeting as planned. The industry's music problems also will be discussed.

7,500 Vote Sept. 20 To Discover Studio Bargaining Agent

Hollywood, Sept. 11.—Sept. 20 was set today as the date for the consent election of Hollywood studio craft workers to determine whether the International Alliance of Theatrical Stage Employees or United Studio Technicians Guild or neither should represent them as the collective bargaining agent.

Approximately 7,500 workers will participate in the balloting to be conducted at the Gilmore Stadium between 6 a.m. and midnight.

The date for the election was fixed at a conference held in the office of William R. Walsh, attorney for the National Labor Relations Board. Also attending were John Gately, Frank Stickling, and Lew Blix of the I.A. T.S.E.; A. H. Peterson, president of the American Federation of Labor representative, and Howard Robertson and H. I. Beseck of U.S.T.G.

There is a post-war实际 which should prove profitable to many of the workers who will be eligible to vote.

In a letter to I.A.T.S.E. locals, which had invited him to represent them in negotiations with studios, William Blof expressed "sincere appreciation" of the request, but said: "Since I have withdrawn voluntarily from union activities, I am reluctant to again assume the responsibilities involved."

(Continued on Page 2)

STUDIOS WILL KEEP PICTURE PLEDGES

MPTOA Praises WB for Modifying Its Sales Policies

Warners’ action in taking the initiative in offering an individual company program is commended in the current M.P.T.O.A. bulletin just released to members.

"This is a great step forward in the face of the present confusion and dismal outlook," the bulletin says. "Every responsible exhibitor who is sincerely interested in bringing order and fair dealing into our business should give it every encouragement."

There are indications that some of the other companies, if properly encouraged to do so, may voluntarily modify their sales policies in such a way that many of the trade practice proposals will be accomplished."

Reporting in the bulletin on his recent conference with distribution executives concerning the possibilities of future action on trade practices, Ed Kuykendall, M.P.T.O.A. president, says he feels these men are making a serious effort to work something out.

(Continued on page 2)

Paramount and Universal Promise No Budget Retrenchments

Virtually every major film company, faced with the war emergency, has declared that production budgets will not be trimmed at the sacrifice of picture quality and that all release dates will be met.

Studies are, however, eliminating waste and unnecessary expense. The policy of not sacrificing quality or quantity, proclaimed earlier on the part of Universal by Nate J. Blumberg, president, was reiterated by J. Cheever Cowdin in a letter to the company's stockholders yesterday, and by Blumberg at a luncheon attended by company executives and trade press representatives.

Cowdin said that in addition to the decision to adhere to its original production plans, Universal was determined to make no salary cuts or layoffs, in the studio or home office.

Harry Cohn, Columbia president, said no changes of any kind were contemplated in his company's production.

Y. Frank Freeman, Paramount vice-president in charge of production, advised a sales meeting in Chicago over the past weekend that: "Absolutely no deviation from the announced 1939-40 Paramount production program is planned."

"There will be no reduction in budgets or elimination of pictures on our season's schedule," Freeman told home office sales executives and district managers. "Our production program will be as announced in July.

(Continued on Page 2)

Picture Stocks Off In Rising Market

Despite a generally rising market, most film securities showed fractional losses on the stock markets yesterday. Gains were recorded by Eastman Kodak common, which rose 1/16 to 15 1/16, and by Kodak preferred, which showed the largest gain of the day, up 2 5/16 to 162 5/8. Universal Pictures preferred was up 1/2 to 50, and the common up 1 to 18.

Preferred stock of 20th Century-Fox rose 1 to 20 3/4 but common dropped 1/16 to 12. General Theatres Equipment, 8 1/4, and Trans-Lux, 2, showed 3/16 gains. All others were off or unchanged.

Warner issues suffered yesterday, (Continued on page 3)
Praise to WB For Modifying Sales Policies

(Continued from page 1) In spite of the obstacles they have encountered, "The distributors' committee has not been dissolved," he says, "and a practical solution to at least part of our problems may yet be found through earnest effort of those who are working toward these ends."

Discussing the recent rejection of the proposed industry trade practice code by the Department of Justice, the bulletin questions whether or not the Department's action was not "just the prosecutor's strategy to scare the distributor defendants out of adopting proposals that might weaken the Department's position in its suit against removing the abuses complained of."

The bulletin discloses that the M.P.T.O.A., board of directors' meeting at White Sulphur Springs, West Virginia, Oct. 23 and 24, will consist of closed sessions for freer discussion of matters of general interest.

Approve 'Beau Geste'

TORONTO, Sept. 11—The Ontario Provincial Board of Appeal had concurred in the approval of "Beau Geste" by the chairman of the Motion Picture Censors for the showing of the feature in Ontario. Following the outbreak of war the picture was recalled, along with "Nurse Edith Cavell," regarding which there has been no further declaration.

Purely Personal

WILLIAM KUPPER, 20th Century-Fox western division manager, has returned from a tour of branches with M. A. Levy, the drive leader. W. C. GERRING is accompanying LEVY this week, and WILLIAM SUSEMAN continues with the drive leader next Monday.

HERMAN FINKELSTEIN of Schwartz & Frohlich, Ascap counsel, leaves for Lincoln, Neb., today with Louis D. FRIDBLICK to prepare for trial there next Monday of music society's attack on the constitutionality of the state's anti-Ascap law. E. C. MILLS and JOHN PAINE of Ascap will leave for Lincoln on Friday.

OBSON WELLES flew in from Hollywood Saturday for a three-day stay here in connection with his broadcast with Helen Hayes, which was aired last night. For the next four or five weeks, WELLES will fly from the Coast to New York each week-end.

DAVIDSON TAYLOR, assistant to BILL LEWIS, CBS vice-president in charge of foreign programs, will attend the Congress of American Musical Society at CBS Radio Theatre No. 1 on Friday.

HERBERT WILSON, producer, and ANNA NAGLE, star of "Nurse Edith Cavell," will attend the premiere of the film at the Music Hall, following the run of "Golden Boy," currently playing.

Boris Morros planned out of Hollywood yesterday for New York to confer with GEORGE SCHAEFER on his next picture. Morros will produce for RKO release.

HARRY JOHNSWEN, 20th Century-Fox producer, and his wife, SALLY EILES, leave tomorrow for the Coast. MISS EILES has been in Summer stock at Cape Cod.

AL ROSEN, manager of Loew's State, yesterday underwent a tonsillectomy at Medical Arts Center, his second operation in three weeks.

JOE PINSUS, 20th Century-Fox talent chief, and JOE HULTER and CHARLES GERTZ of his staff are back from scouting Summer stock.

CHARLES BUCKLEY, Fox West Coast legal counsel, has returned to Los Angeles after conferring here with Syros SKOURAS.

JULES KOENIG, manager of the Liberty Theatre, and MRS. KOENIG are the parents of a seven-pound boy.

OSCAR MORGAN returns to New York from Chicago this morning by United Airlines.

PAUL ROSS and GERTRUDE LANE of the CBS Artists Bureau have resigned from the staff.

JACK BUNNY is due in town today. He will be here two weeks.

KENNETH CLARK of the M.P.P.D.A. returned from vacation yesterday.

JIM CUNNINGHAM is on a vacation.

CLIFF WORK, vice-president of Universal in charge of studio operations, left for the Coast last night.

W. FRENCH CITIZENS, head of Newswreel Theatres, Inc., is expected in New York today after having been in San Francisco during the past six weeks for the opening of the new Tele- news Theatre by the Pacific Coast Newswreel Corp.

GARY COOPER plans to attend the opening day's performance of "The Real Glory," in which he is starred, at the Guild on Broadway on Thursday, coming from Southampton for the screening.

JOSEPH VOGEL, CHARLES E. MCCARTHY, WILLIAM ORR, WILIAM ROGERS, EDWARD SAUNDERS, RUSSELL HOLMAN, JOHN HICKS, TOBY SCHREIBER at Nick's Hunting Room in the Astor for lunch yesterday.

B. M. SILVER, president of Colonial Pictures, Ltd., Toronto, has gone to New York to close for Canadian distribution of a number of independent features.

STANTON GIFFRIS, chairman of the Jules Koenig committee, is believed to have obtained passage on the "Washington" which is due here Saturday.

HERMAN WOBER, 20th Century Fox sales chief, and WALTER J. SCHAEFER have returned from the Coast yesterday.

REDIMOND RUSSEL, film importer and exporter, whose headquarters are in London, is in New York on business for about six weeks.

JOHN DACKY, RKO short subjects salesman, returned to his desk yesterday after a week's absence due to illness.

Two Attorneys Held In GTE Bond Theft

WILMINGTON, Sept. 11.—Court of Chancery here has been notified of the arrest in New York of two attorneys charged with violation of the national Stolen Property Act, in connection with the alleged theft of $20,000 in bonds of General Theatres Equipment. The bonds disappeared from courtroom files late in 1935 during the G.T.E. receivership case, but were recovered five months later. Men arrested were George Turek, a New York attorney, and Chester G. Bollenbach, Broomfield, N. J., attorney. The hearing was set for Sept. 18.

Settlement Looms In Endicott Strike

Hearing before the State Labor Relations Board yesterday on the complaint of M. P. Division of Theatrical Managers of an unjust labor practice Union against the Endicott circuit (Nelson & Remer) was postponed until tomorrow. The union is now readjusting its strike, according to reports. Entered houses. Discussion yesterday centered around possibility of a settlement. IRA MEHARIK represented the union and Ralph Wein represented Endicott.

War Revision Faces British Rule on Films

(Continued from page 1) conversation. The C.E.A. branch will meet Thursday.

The weekend opening of film houses in areas of greatest safety was most successful, although the 24-hour rule of the evening, presenting transportation problems in view of the blackouts, reduced attendance.

The results of opening the new theatres under the wartime schedule have resulted in the suggestion that theaters operate under the wartime schedule in some areas, it might be more practicable to set the closing hour at dusk instead of 10 P.M. A new film now in work at the Denham Studios is believed to be the first of the British propaganda films. Details are released but still sent to newspapers by the caption, "Merle Oberon and Ralph Richardson in a film now being made at Denham showing Britain prepared."

Miss Oberon appears in the uniform of a British nurse, with Richardson as a British flying officer. No mention is made of the title of the picture or of the producing company of the film being made at the Alexander Korda studio.

Caliyrg I Schaefer Sales Drive Winner

Calgary, Detroit and Buffalo branches of RKO finished in that order in the George Schaefer sales drive, according to final audited figures. Announcement of the winners was made by Jules Levy, general sales manager. H. F. Taylor is branch manager at Calgary, J. Sharkey at Detroit and C. Rossberg at Buffalo.

Thirteen branches went over their quotas, including Montreal, New Haven, Atlantic City, Albany, Toronto, Denver, Charlotte, Memphis and Los Angeles, beside the shining of the prizes.

San Francisco took first place in the "Fisherman's Wharf" contest. Cincinnati won the Ad Sales Bonus Plan.
NEW FAVORITES

EASTMAN'S three great new films back up their special characteristics with typical Eastman reliability and uniformity. Worthy successors to earlier Eastman emulsions, they are the new raw-film favorites of the motion picture industry. Eastman Kodak Company, Rochester, N. Y. (J. E. Brulatour, Inc., Distributors, Fort Lee, Chicago, Hollywood.)

EASTMAN

PLUS-X
for general studio use

SUPER-XX
for all difficult shots

BACKGROUND-X
for backgrounds and general exterior work
Theatre, Personnel Changes

Clarence Robson III
TORONTO, Sept. 11.—Transfer of R. S. Roddick to Halifax, N. S., where he will be studio manager, and the Maritime Province for Famous Players Canadian Corp. will not mean the retirement of Clarence Robson, for—according to the transfer is the illness of Robson and he will have to resign his duties after he recovers.

Open Florida House

FORT LAUDERDALE, Fla., Sept. 11.—The new Florida, $200,000 house just completed by Sparks Theatres, on Las Olas Boulevard, has been opened, according to A. R. Ninninger, director of Florida House.

Buy Theatre in Florida

TARPON SPRINGS, Fla., Sept. 11.—The Royal has been purchased by F. O. Mullen of Haines City, Fla., operator of the Mulco circuit. The local house was formerly owned by Nick Seys who had operated it about 10 years.

Lease Georgia Theatre

BRUNSWICK, Ga., Sept. 11.—Lucas & Jenkins, owners of the local Ritz and Bijou have signed a new long-term lease on the former house. The exterior is to be completely remodeled.

Set New Haven Vaudeville

NEW HAVEN, Sept. 11.—The Arena, sports theatre, will give another Sunday vaudeville with big-name bands this year, according to Nathan Pollof, manager of this year the presentations will be on a regular weekly basis.

Buys Colored House

SAVANNAH, Ga., Sept. 11.—The Star has been purchased by W. B. Braaswe and W. S. Scott. The play house, playing to colored patronage, is being improved by Braaswe.

Purchase in Florida

BUNNELL, Fla., Sept. 11.—The Flagler here has been purchased by L. Lamb, who as owner of Sarasota, Fla., from F. L. Alig, Jr.

Manages Green Bay House

GREEN BAY, Wis., Sept. 11.—George Hannon, former operator of the Grand, here, will manage the house upon its reopening Sept. 24 by Standard Theatre Co. The new operators have been renovating the theatre.

Delay Two Openings

NEW HAVEN, Sept. 11.—The 496-seat Cogswell that was scheduled to open Sept. 14, with Al Pickus, has postponed its opening until Sept. 16. The Joseph Quittner and Peter Perakos 700-seat State, in Everett, Mass., will be delayed until Sept. 14.

Jones Florida Manager

AVON PARK, Fla., Sept. 11.—W. H. Jones of Tarpon Springs, Fla., is now manager of the Palm, succeeding James Prentice, resigned.
Old Flickers
Prove Good
Chicago Stunt
By WILLIAM F. CROUCH

CHICAGO, Sept. 11.—Old-fashioned films presented as they were 20 years ago proved a good box-office attraction at the Many O’Connor manager of the Balaban & Katz here.

Hollywood stars at the Blackstone in Chicago over the weekend were Norma Shearer, William Holden and Gloria Jean. Miss Shearer dodged reporters at the train. Holden made several appearances with his "Golden Boy" while Miss Gloria Jean was en route to the coast after a personal appearance tour in the east.

Bette Grable and Rochester have been booked into the Chicago Theatre, starting Sept. 24. "The Coward" will be the screen attraction, according to present indications.

Now that the old Capitol building is history and a two-story "taxpayer" is being built where the 25-story structure once stood, Balaban & Katz have painted a huge sign on the south wall of the adjoining Chicago Theatre, which can be seen by thousands of persons daily. The new theatre now under construction next door to the Chicago is expected to open about the first of December.

The Balaban & Katz Employees Club staged their annual golf tournament at Bunker Hill Country Club on Tuesday. More than 150 competed in the meet, which was one of the largest the club has held.

Rose Tied and Helen Reese, Chicago girl winners in the "Typical Daughters" contest staged by Warners and the Chicago Sun-Times, are in Hollywood, guests of the Lane sisters. While on the coast the sisters will be given screen tests by Warners.

While standing in front of the Colfax theatre and looking at Norman Pyle, M-G-M exploiter, spoke to a woman customer come to the box-office. The cashier said, "How many, please? Two women and one child," the woman replied.

My Dear Children, the stage play starring John Barrymore, is slated to close shortly, Barrymore has not been in the best of health and has missed several shows of late.

Declares Dividend

TOLEDO, Sept. 11.—Marcus Loew’s Theatres, Ltd., here, operating Loew’s Yongs Street and leasing the Uptown Theatres to Famous Players Canadian Corp. has declared a further payment of dividend arrears on the preferred shares of the company, the latest distribution, payable Sept. 30, being the interest of 3 1/2 percent for the half-year period ending June 30, 1937.

War Safety Measure
In Ontario Theatres

TORONTO, Sept. 11.—As a wartime precaution, all Ontario theatres have been ordered to install immediately an independently-operated electric light system with lamps placed to illuminate the whole interior of the building.

The order gives until Sept. 30 for the complete installation of emergency lighting equipment, which will be approved by Government inspectors. Failure to obey the order will result in drastic action by the department, it is warned.

Already there has been one unintentional blackout in Ontario, when a hydro-power service was cut off by an electrical storm. It was pointed out that the sudden darkness, in the midst of a war, caused considerable excitement in the theatres.

Acquires Irish Film

William Alexander has obtained the American and Canadian rights to "Harney," Irish film starring Jimmie O’Donnell. The film will open at the Academy of Music, Brooklyn, on Sept. 17.

Studios Push Production
As War Anxieties Fade

HOLLYWOOD, Sept. 11.—Weekend saw Hollywood recovering a balanced tempo after a local outbreak of hostilities abroad sent studio executives into conference on ways and means of production. From the lot, 20th Century-Fox, came news of important immediate reduction of personnel. From three, Warners, Paramount and RKO, came assurance of present production and employment schedules. Elsewhere there was rumor of laid-off and bad, little official information.

Unofficial Hollywood was something else again. New York’s population is so interested in overseas developments, so directly conscious of conventions, so busy to maintain the front proclaimed by the Government. Here are nationals of all the belligerent nations, a province totaling a large and populous portion of the population than in any other American city, and these are, for the most part, intelligent, coherent and acute animators of national preoccupations. The demand for maps, colored pins with which to mark the tide of conquest, maps everywhere, in offices, on sets, wherever people gather. The war is waged on every street, and as usual, with peace and the prospects thereof at issue of heated debate on every hand.

Knowledge that picture personnel would be called to military service immediately, if at all, reduced executive concern on that point, but this was at last of the country-wide proportions the war will last, which side will win, whether America will be drawn in, what will happen to foreign goods, these are the items of chief concern, each the subject of endless discussion, as the work week drew to a close. The news in the interests of neutrality, refrains from reporting the present state of sentiment in the community but deems it no breach to report that a few weeks ago Adolf Hitler of Germany hadn’t been a Hollywood hero for a long time before he anunciated Austria.
**Hollywood Reviews**

**“Blackmail”**

HOLLYWOOD, Sept. 11.—The elements that make up M-G-M’s motion picture melodrama, “Blackmail”—name value, story power, production merit and acting quality—are shorn down assets upon which exhibitors can build exploitation campaigns. Edward G. Robinson is the star. He makes his role convincing and believable. The same may be said of Gene Lockhart, Geinna Williams, Ruth Hussey, Bobo Watson, John Wray and Arthur Hohl, who are the principal supporting players.

Robinson, after years of upright living, during which he has married and has become a great oil well finder, is suddenly crossed by Lockhart and forced back to the brutality of a prison farm. Despite cruelties inflicted upon him, the knowledge that his wife and child are in need and that his properties are being looted, makes him determined that nothing shall break his spirit. Escaping, he lures Lockhart to the brink of a flaming oil well, there to torture from his enemy a confession that clears his name, restores his fortune and brings happiness again to his family.

Among the thrilling highlights of the Endre Bohem and Dorothy Yost picture which Dave Hertz and William Ludvig made no attempt to tone down, and which John W. Considine, Jr., gave the benefit of a special production treatment, is the way the hazards encountered while dynamiting aListen oil well, the trickery by which the hero is returned to custody, the inhumanity of the prison camp, Robinson’s daring escape therefrom and the luring of Lockhart into a trap. They are naturally appealing to those who prefer their entertainment strong and meaty. Contrasting the melodrama to power and acting with these is Robinson’s tender regard and solicitude for his wife and son.

Running time, 80 minutes. “G.”

**“Calling All Marines”**

(Republic)

HOLLYWOOD, Sept. 11.—“Calling All Marines” is not a war picture even though it wages war on most of the formule of plausible story construction. Sensationalism and bizarre thrill action are stressed, yet one would have to be easily convinced to find much reason for what occurs.

The picture has one fight after another; an explosion and fire aboard a forest fire, a nimble chase and an attempted but frustrated plot to steal a valuable military device, with which to regale those who like to have their pictures wildly exciting.

Engaged by a spy ring, gangster Donald Barry uses gangster tactics to get into the Marine Corps and continues to be a rough, and incomparable mug in such ways as that the fine traditions about Marine pride and discipline are made to seem as so much poppycock. However, after the receipt for a beating at the hands of Sergeant Robert Kent, whose life he later saves, and begins to get a dim idea that Kent’s sister, Mack, loves him, and learns from comedian Warren Hymer that Uncle Sam is not a bad fellow after all, he turns on his gangster pals and their spy cohorts to prevent the theft of an aerial torpedo.

Harrison Carter thought up the original story idea which Earl Fenton developed into the screenplay. John H. Auer directed the Armand Schaefer production.

Running time, 65 minutes. “G.”

**Wisconsin ITPA Will Meet Sept. 27**

WASHINGTON, Sept. 11.—A variety of problems, including film buying and uniqueness competition from free labor boards, are expected to be aired at a two-day meeting Sept. 27 and 28 here of the ITPA of Wisconsin and Upper Michigan, Inc.

Exhibitors in this area have done little film buying with few contracts for new product reported closed. New officers for the ensuing year will also be named at this convention.

---

**Wisconsin ITPA Will Meet Sept. 27**

**Milwaukee, Sept. 11.—** A variety of problems, including film buying and uniqueness competition from free labor boards, are expected to be aired at a two-day meeting Sept. 27 and 28 here of the ITPA of Wisconsin and Upper Michigan, Inc.

Exhibitors in this area have done little film buying with few contracts for new product reported closed. New officers for the ensuing year will also be named at this convention.

**Grainger Returns From 6-Week Trip**

J. R. Grainger, Republic president, returned yesterday from a six-week trip around the country. Immediately before returning Grainger closed a deal directing the Meso- nota Amusement Co. (Public) for 80 houses in Minnesota, North and South Dakota and Wisconsin.

Grainger was present at Minneapolis. Max Roth, mid-west- ern district sales manager, and Gilbert Nathanson, Minneapolis territory manager, acted with Grainger for Republic.
The new 1939-40 International Motion Picture Almanac has been received throughout the industry with unanimous acclaim. Revised, enlarged and brought up to the minute, it includes more than 1100 pages crammed with facts and figures covering every phase of the business.

The Who's Who section alone, records over 11,000 biographies of industry personnel. Statistical data includes "Corporate Structures," "Producing and Distributing," "Film Editors," "Equipment," "Abroad," "Radio" ... and countless other items of daily importance to every showman the world over.

SEND FOR YOUR COPY TODAY—$3.25 POSTPAID

INTERNATIONAL
MOTION PICTURE ALMANAC

ROCKEFELLER CENTER
NEW YORK
Film Stocks Show Loss; Others Gain

Concluded from page 1)

Prefered dropped 3½ to 41. Decent-
ment of 1.5% to 81, and common was off from 3½ to 6%. Columbia Pictures preferred was off 1½ to 18 and common last 3½ to close at 6%. Loew's common slumped 1½ to 31%, preferred was off 1¾ to 102 but debentures 3½'s at 46 were unchanged at 92½.

RKO was unchanged at 1½. Paramount 1st preferred lost 3 to close at 73, common lost ¾ to 6½. 1½ per-

Other issues were: American Seating, 10, unchanged, B. F. Keith's 6½, 999½, ¾, off 2½ to 11. Ohio, 1½, off 10 to 14. Universal Corp., 2½, off ¾.

Warner Managers Meet Here Today

Warner theatre zone managers will meet today at the Hoover office to discuss new season plans. Joseph Bernhard, general manager of the circuit, will preside.

Attending the meeting will be James Costers, the Chicago manager; Thomas H. Connolly, manager in Cleveland; L. J. Hoffman, New Haven; Don Jacobs, Newark; Moe Silver, Albany; Ted Schwalbe, Buffalo; Harry Kauffman, Pittsburgh; John Payette, Washington, and Herb Copel-

Atlantic City.

Among the office executives who will participate are: Clayton Bond, chief film buyer; Ed Hinchy, Leonard Seigle, Chicago; E. O. Wells, New York; C. Patterson, Frank Phelps, Nat Fell-
am, Abel Vigard, W. Stewart Mc-

Donald, Harry Rosequcst, Louis Korson, Herman Maier and Frank Cahill.

Dr. Hugo Riesenfeld Dies in Los Angeles

Los Angeles, Sept. 11.—Dr. Hugo Riesenfeld, music conductor, died here yesterday at the Hollywood hospital. Funeral arrangements had not been completed at a late hour tonight.

Dr. Riesenfeld was noted particu-
larly in Los Angeles for his work as managing director of the Rivoli, Rialto and Criterion on Broadway from 1919 to 1925. Born in Vienna, Riesenfeld came to this country after a connection with the Imperial Opera House here. In 1927 he was man-

aging director of the Colony Theatre, and from 1928 to 1930 he was general music director at the United Artists studio.

In recent years he was engaged in composing and arranging music for various pictures in Hollywood.

Summer Theatres Fail to Yield Stars

This year's crop of Summer stock producers is showing a decided talent of noticeable star caliber, according to film talent scouts who have returned from their annual tour of "barn theatres."
Battle Isn’t Settled Yet, AFA Warns

Acts Union to Carry On
Says Whitehead

Asserting that the American Federation of Actors is still “the same old union fighting the battle of its members,” Ralph Whitehead, executive secretary, advised his membership by letter last night that the council had decided to continue its fight against American Guild of Variety Artists, the affiliate of Associated Actors and Artists of America.

Referring to the recent settlement reached between the A.G.V.A. and L.S. under the terms of which the A.F.A. lost its affiliation with the American Federation of Labor, Whitehead declared: “Thousands of our loyal members resent this bold attempt to destroy our union, and there is an overwhelming nationwide demand that the A.F.A. ‘carry on’ and, so your council has voted to do so.”

Enforce Closed Shop Pacts

Whitehead stated that all closed shop agreements would be enforced. He implied that A.G.V.A. members would be required to join the A.F.A. in night clubs where A.F.A. contracts are in force. After pointing out that lawsuits were being continued, and that economies were being effected, Whitehead declared: “This battle is not over by any means.”

Effect of the declaration was the subject of speculation along Broadway yesterday, Derivation of A.F. L. affiliation means the probable loss of cooperation from the teamsters, stagehands, waiters, musicians and other groups which formerly aided the A.F.A.

Meanwhile, A.G.V.A. held its first

(Continued on page 11)

Bioff to Direct IA’s
Studio Negotiations

Hollywood, Sept. 12—William Bioff, I.A.T.S.E. “minister without portfolio,” today accepted chairmanship of the negotiating committee for 11 studio locals and notified Joseph M. Schenck, A.M.P.P. president, he would confer with him Thursday on “long overdue” wage scale and working conditions agreement. In taking the post at the behest of the 11 locals, Bioff is not joining the Alliance in an executive position, it was explained.

Newsreels Suffer War Gag

With the European war under way 12 days, the newsreels are being left at the post in coverage of the conflict, through circumstances beyond their control.

Action shots of the war are admittedly difficult to obtain because of censorship conditions. Meanwhile, the reels are running whatever British, French and few Polish preparedness newsreels are available, as the country fills the gap, newsreel theatres are using pictures made up of library shots of the World War.

Newsreel editors believe that so soon as supply channels are established, films will be coming through more or less regularly to the French Government, which already has taken steps to assure a weekly release, which will be given to all companies uniformly.

The Government has pooled all newsreel facilities.

Metro Denies War Slashes InProduction

No Salary or Personnel Cuts By Monogram

Nicholas M. Schenck, president of Loew’s, Inc., and Metro-Goldwyn-Mayer, Pictures, yesterday declared that his company at the present contemplates no curtailment in production or other reallocations because of the war emergency.

Schenck said “it is foolish to think that any major company will revise production budgets or schedules because ‘the producing companies are themselves large exhibitors.’”

Schenck’s statement follows:

There has been considerable speculation in the industry and in financial circles, regarding the position of the motion picture industry in the present world crisis. Many in the industry have expressed a fear that there would be a lowering in the quality of products, and reduced employment.

“I, personally, have refrained from forming any snap judgment but have Choose to await developments so that one could see the way ahead more clearly. At this moment it is foolish for anyone to think that our company, or any other major companies, will curtail production or lower the quality.

(Continued on page 11)

MPPDA Directors
Convene Sept. 27

Quarterly meeting of the board of directors of the M.P.P.D.A. has been scheduled for Sept. 27. Will H. Hays, president, is expected back in New York from the Coast about Sept. 26 to attend the meeting.
Independent Plan Reissue Of War Films

Major companies, with the exception of Universal, are planning no reissues of old war pictures, a check of home offices revealed.

Universal plans to reissue "The Road Back" and "All Quiet on the Western Front," but no other major company plans to issue, to have any intention of attempting to cash in on the obvious public interest in war stories.

New prints of "All Quiet on the Western Front" will be prepared by Universal immediately, and a release date will be set as soon as it is known when the prints will be available.

Among independent companies, Principal Film Co. is releasing "The Dead March," produced by the Imperial Pictures. It is a compilation of actual World War II shots, with narration by Doake Carter, and an off-screen voice, supposed to be that of General Joffre. The film runs about 60 minutes.

Astor Pictures reports heavy bookings on "Hell's Angels," Howard Hughes' 1930 release. It was released originally by United Artists in 1930. Astor, headed by R. L. Savini, has been reissuing the film for three years, but withdrew it six months ago. Bookings have been set at the St. Louis Theatre, St. Louis, and the New Baltimore. The company also is reissuing "Sky Devils," a Hughes film.

Jewel Productions is reissuing "Forgotten Men," a World War I film, originally distributed in 1933. The new title is "It Can Happen." The Rialto on Broadway has completed a week's run of the film and is reissuing "War Is A Racket," released in 1934.

Goetz Quits England

Indications that Metro-Goldwyn-Mayer has decided to suspend all production in England is seen in the news that Ben Goetz, director of Metro production there, and Richard Thorpe, director, are sailing on the Washington from England. Work was halted on the Robert Montgomery-Maureen O'Sullivan film, "Busman's Holiday."

Goetz junior}

5 Flights Daily NEW YORK TO LOS ANGELES

It's Cool All the Way!

THE PLAINSMAN
Lv. 7:10 A. M.
THE SATURDAY EVENING POST
Lv. 5:10 P. M.
THE SUNDAY INquirer
Lv. 10:00 A. M.

Ask your travel agent or phone TRAVEL DIVISION, 45 Vanderbilt Ave., and Rockefeller Center at 988 to 2500.

AMERICAN AIRLINES Inc.

3 Flights Daily NEW YORK TO LOS ANGELES

It's Cool All the Way!

THE PLAINSMAN
Lv. 7:10 A. M.
THE SATURDAY EVENING POST
Lv. 5:10 P. M.
THE SUNDAY INquirer
Lv. 10:00 A. M.

Ask your travel agent or phone TRAVEL DIVISION, 45 Vanderbilt Ave., and Rockefeller Center at 988-2500.

AMERICAN AIRLINES Inc.

MOTION PICTURE DAILY

Wednesday, September 13, 1939

Majors Fight Aim to Speed Trust Trial

(Continued from page 1)

of those working on the defense is to give the Government's defense to the interrogatories. It added that the Government's queries confirm the independent producers' motion for a preference originally, filed the scope of the issues involved in the case requires careful and time-consuming preparation.

A 30-day extension of the time in which the defendants may answer the Government's motion has been sought by attorneys for the companies and Paul Williams, Assistant U. S. Attorney General. The extension will give the companies until Oct. 7 to answer or make objections to the Government's queries. After objections have been filed, the Government's queries must be held by the court and a decision made as to whether or not the objections are obj ected to must be answered.

If the defendants' affidavits prevail with the court, no preference may be given to the companies, and a trial would be reached for trial some time next March.

Most defendants who have decided by now on their policy in replying to the interrogatories will answer as many questions as they think able, will object to others as being improper, and will respond to others by declaring, as the Government did in answering the defendants' questions, that the issues are particular, and recently, that they lack the information sought.

Schine Asks Details In Anti-Trust Case

BUFFALO, Sept. 12—Schine Chain Theatres, Inc., through its attorney, William McKay, today filed a motion for a bill of particulars in Federal court here in the anti-trust action of the Justice Department against the Schine circuit and eight major companies alleging conspiracy.

Bureau of Investigation has filed a preliminary injunction to restrain the circuit from alleged block booking with the major companies was filed by U. S. Attorney George L. Grobe. The motion will be argued next Monday.

Purely Personal


JOHN FABROW, director, has received word that his wife, MAUREEN O'SULLIVAN, will leave Ireland on the Yankee Clipper today. Maureen O'Sullivan had been in London to work in "Busman's Holiday" for M-G-M.

ROY HAINES, Warner's eastern and Canadian sales manager, left last night for a visit to the company's branches in Boston, Detroit and Buffalo. He returns to his home office on Monday.

EDGE DOWLING and JULIE HAVEN will have the leading roles in "The Time of Your Life," which is being produced by Dowling and the Theatre Guild, William Saroyan have written the play.

IRVING DASHKIN, manager and film buyer of the Savoy, Jamaica, New York, was married Monday to SYLVIA SAGAZS. Couple are spending several days in Atlantic City.

ASHLEY ABEL, GEORGE STORSTEDEL, JAMES DELLELY and WALTER LANGE have been assigned to work on "The Ramparts We Watch."

AL WEISS, jr., manager of the Olympia, Miami, Florida, is here on a visit.

MR. AND MRS. MENDYL SILBERBERG leave New York tonight for the Coast.

RICK RICKETSON, National Theatres division head at Denver, is in town.

MR. AND MRS. JOHN D. Hertz have returned to New York.

Ed Sullivan Loses Wanger Suit Plea

A motion by the News Syndicate Co., Inc., and Ed Sullivan to dismiss the $1,000,000 libel action brought against them by Walter Wanger and Walter Wanger Prod., was denied yesterday by N. Y. Supreme Court Justice Frank B. Feury, who ordered that the case be brought to trial.

The Wanger action was based on an article by Sullivan in the N. Y. Daily News which he alleged was injurious to his productions and his reputation as a producer. Justice Benvenga held that it was "a close question" whether the article was a fair and honest comment or an actual criticism of Sullivan's production.

Schwartz & Frohlich, attorneys, are acting for Wanger in the case.

U. A. May Have 5 Films On Broadway

United Artists may have three pictures playing on Broadway simultaneously. The company decided on the booking of "Eternally Yours" into the Roxy to follow "The Rains Came." Earlier bookings will be "Intermezzo," at the Music Hall and "The Real Glory" at the Rivoli.

Last United Artists picture to play the Roxy was also a Walter Wanger production, "I Met My Love Again," which played the house about a year ago.

CHARLES SCHWARTZ of the Schwartz & Frohlich law firm found frost on his pumpkins yesterday and moved back into town with his wife, the St. Ambrose home where he spent the Summer.


CLARA Bockelager, secretary to JOSEPH OULAHAN, Paramount Cincinn- tain, arrived yesterday, and will return to Paramount offices in Los Angeles on Sept. 18.

BARNEY McGILL, 20th Century-Fox cameraman, who had been visiting here, has been recalled to the studio.

GENE AUTRY is due in Hollywood tomorrow from New York, with a stopover in Chicago.

BIL AL SAAL, Republic representative, returns today from a visit with relatives in Texas.

GENE Murphy of Loew's publicity staff is recuperating from an operation.

Stars to Aid Jewish Benefit Show Nov. 15

The sixth annual "Night of Stars," theatre benefit for the settlement of Jewish refugees in Palestine, will be held Nov. 15 at Madison Square Garden, by arrangement with the United Jewish Appeal, Nathan Straus, Administrator of the United States Housing Authority, is chairman.

Preliminary plans will be discussed at a luncheon at the Hotel Astor on Monday, arranged by Joe Scherschel, associate chairman of the producing committee, will report.

Stars of screen, stage and radio who have already accepted the invitation to volunteer again this year. They include Paul Muni, George M. Cohan, Leslie Howard, Jack Oakie, Kate Smith, Ger- trude Lawrence, Edward G. Robinson, Alexander Smallens, Sophie Tucker, Walter Huston, Raymond Massey, Orson Welles and Irving Berlin.

Anna Eiller Feted; 25 Years at Loew's

Anna D. Eiller, office manager of Loew's projection and publicity depart- ment, was honored at a testimonial luncheon yesterday at the Hotel Edi- son. About 40 were present, including members of the department and others from the company.

The occasion celebrated Miss Eiller's 25 years of service with the company. She started in Loew's vaude- ville booking office under Joseph M. Scheck.

Miss Eiller received a desk set. Among those present were OSCAR A. Rouss; ERNEST EMERLING, Eddie Dow- den, Art Schmidt, Gene Murphy, Hattie Helborn, Len Cohen, Matie Hammerstein, Pete McCarthy, Arthur Herschman and May Stalow.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

Published daily except Saturday, Sunday and holidays by Quigley Publishing Company, Inc., Rockefeller Center, New York City. Telephones: ALCAPONE 5-2472. Cable address: "Quigpubo, New York." Martin Quigley, Editor. Distributed this week in a motion for a preliminary injunction to restrain the circuit from alleged block booking with the major companies was filed by U. S. Attorney George L. Grobe. The motion will be argued next Monday.

MOTION PICTURE DAILY

(Continued from page 1)
TO OUR FRIENDLY CUSTOMERS!

Each year at this time M-G-M takes opportunity to address a heart-to-heart message to its customers.

Your confidence and faith, for which we are so deeply grateful have already been answered in practical terms.

M-G-M answers your loyalty with the most optimistic studio outlook of any past period.

We reaffirm what has been known for years: The Friendly Company policy of fair selling, friendly dealing in all phases of operation.

Our new product is literally the Talk of the Industry.

"THE WOMEN" has established itself in its first engagements as a glorious box-office hit!

"BABES IN ARMS" is already rated in the trade the most sensational attraction which has ever launched a new year.

"NINOTCHKA", "BLACKMAIL", "THUNDER AFOAT" won trade acclaim in previews. They are smashing entertainments, each one of them!

They are just the beginning!

We will not side-step our responsibility to bring glamour, magic, spectacle to the screen ... the inspiration that lifts the motion picture from the humdrum and keeps public interest alive. Only M-G-M with its willingness to dig deep into its resources does it!

The new season begins auspiciously. Your encouragement spurs us on. Your success is necessary to our success.

To Our Friendly Customers we dedicate ourselves!
Rise of Peso
Is Benefiting Distributors

Mexico City, Sept. 12.—The strengthening of the peso since the outbreak of the war in Europe has been of considerable benefit to American distributors here, because with the slump in the market, they are able to sell to the dollar from the rate of six to a dollar which had maintained over a period of about two months, they are able to send money to the United States more advantageously. Dollars were strengthened somewhat owing to the accumulation of large amounts of dollars thrown into this market by Germans who are trying to possess the money of American banks placing an embargo on German funds, as well as heavy buying of raw material and the purchase of Mexican farms by Spanish refugees.

Picture production has picked up here, large pictures being under way in local studios that have been idle for some time.

Radio stations throughout Mexico have been warned to be strictly neutral with regard to war news and comments. In the Ministry of Communications and Public Works, director of air affairs in this country, this same rule applies to politics.

Censorship to help censorship has been established by Mexican picture producers and film laborites with the intention of the national pictures classification council. No Mexican-made films must be reviewed by this council—before they can be exhibited. The only Mexican-made films that will be shown in the United States will be the highest domestic films shall be screened. Manuel Rivas is president and Juan Rezet is secretary-manager of the council.

Large-scale distribution of made-in-Mexican pictures has been started in Spain by Antonio Soria, a Mexican, who has opened offices in Madrid. He plans 32 productions.

Republic at Highest
Three Months’ Peak

Hollywood, Sept. 12.—Pushing ahead its production schedule despite a possible drop in foreign grosses, Republic today announced that with the start of three pictures Friday the studio will be at a three months’ shooting peak. Two pictures are now shooting.

Herbert J. Yates, guiding hand of Republic, is expected to arrive Monday for conferences on future activities of the studio.

To be started Friday are “Zorro’s Fighting Men,” “Roxy’s Tumblin’ Weeds,” and “Covers and Traills.” In work now are “Abraham Lincoln Boggis” and “Jeepers Creepers.”

Delay Fox West Reply

Hollywood, Sept. 12. Alfred Wright, attorney for 20th Century-Fox, and several other defendants in the federal contempt on the issue brought by the government against Fox West Coast and major distributors here, sold today that no reporters would be allowed until Sept. 25 or later.

Hollywood Preview

“Honeymoon in Bali”

Hollywood, Sept. 12.—This is as smart, sophisticated and diverting a comedy as has come from a camera this year. It is built for adult entertainment and its situations and dialogue take their punchy frankity from the thing scientists refer to as the biological urge. Fred MacMurray portrays the courtship of a young, gullible American male in a pair of manly and brilliantly humorous ‘though realistic and outspoken performances. In no sense a film for the kiddies, it is in every sense a must-for the mature and intelligent film fan.

Miss Murphy and Miss Carroll have seldom if ever performed so well and Akim Tamiroff, playing two widely separated bits, joins with Allan Jones, who gets in a couple of song numbers without stopping the story. Helen Broderick, Osa Massen, a stage recruit for potent glamour, and Carolynn Lee, a four-year-old who believes who steals the picture repeatedly round out a sparkling support. Dialogue is supplied by Virginia Van Upp, who based the screenplay on stories by Grace Sartwell Mason and Katharine Brush, is unfailingly bright, occasionally brazen, invariably fitted like a glove to situation and speaker and never for an instant unamusing. E. H. Griffith’s direction is flawless and Jeff Lazarus’ production work leaves nothing for anyone interested in finely staged comedy to desire.

The story is at bottom a boy-meets-girl affair, but the treatment is unlike any the meeting has been given in ready memory. The boy is an American resident of Bali vacationing in New York and the girl is boss of a department store, independent, infallible and determined to stay that way. He sets out to convince her that she can’t get along without a mate, she digs in to prove that she can, and each persists in defense of theory until the girl’s doctor tells her, after an otherwise explainable illness, that she needs a husband and children. By this time the boy’s crestfallen and the girl decides to marry another man, but they get together meanwhile. The male has displayed his interest in the female by more and blunter blandishments, oral and moral, than have been portrayed on the screen since Gable convinced Shearer in “A Free Soul.”

Running time, 95 minutes. “A.”

ROSCOE WILLIAMS.

**“A”** denotes adult classification.

Hearing Postponed
On Oklahoma Writ

Oklahoma City, Sept. 12.—Continuation of the hearing of Oklahoma Theatres, Inc., on its application for an injunction against major distributors has been granted by Federal District Judge A. P. Murray. The injunction seek to compel distributor to return film to the firm. The next hearing date is Oct. 2.

Action was filed here last week by operators of the Odeon Theatre. They was served with process and subsequent run pictures. It is alleged that there are many films in the distributors’ vaults here upon which the rights have not been sold and which distributors refuse to sell to the plaintiff at any price.

B. W. Monahan, whose anti-trust suit against the producers, distributors and the Griffith Amusement Co. is pending in the same court, is owner-operator of Oklahoma Theatres, Inc.

Legion Approves 11
Of 13 New Pictures

National Legion of Decency for the current week has approved 11 of 13 new films reviewed, nine for general patronage and two for adults, while two have been classified as objectionable in part. The new films and their classification notes are:


Broadway Clinging
To Strong Grosses

Broadway first runs continued to show strong grosses over the past week. “The Star Marker” closed its second week at the Paramount yesterday reaching a box-office of $21,750. It holds over for a third week.

First five days of “The Rains Came” brought an estimated $55,000 to the Astor Theatre. The 100,000 advertisement campaign was passed at 10 a.m. At the Globe, “Angels Wash Their Faces” drew an entrance of $7,500 and it is continuing for a second. “Goodbye, Mr. Chips” fell off somewhat in its 17th week at the Astor with an estimated $9,000.

‘Beau Geste’
Leads in Hub

With $21,000

Boston, Sept. 12.—“Beau Geste” and “Quick Millions” took a smash at the Metropolitan. “In Name Only” and “Frontier Marshal” drew $19,000 at the Keith Memorial. Largest total gross was draw $55,000 “Black Sheep of Paris” at Loew’s Orpheum and State—$33,000; $18,600 and $2,200 respectively.

Estimated takings for the week ending Sept. 11:

- “Exile Express” (G. N.) (4 days with vaude.
- “Bad Lands” (RKO) (4 days with vaude.
- “The Kokomo Kid” (W. B.) (3 days.
- “Shelley Chimes in Reno” (20th-Fox) (3 days.
- RKO KEITH BOSTON—$10,000 (35c-35c-35c-35c-35c) 3 days. Gross: $1,000. Average: $7,000.
- “In Name Only” (RKO) (4 days).
- “Fad” (20th-Fox) (4 days).
- “The Star Maker” (Param.) (4 days).
- “The Three Musketeers” (20th-Fox) (5 days).
- “Duel of a Champion” (Param.) (5 days).
- “Quick Millions” (20th-Fox) (5 days).
- METROPOLITAN — (4,320) (35c-35c-35c-35c-35c) 7 days. Gross: $19,000. Average: $5,400.
- “Lady of the Gods” (M-G-M) (5 days).
- “Some Glamour Girls” (M-G-M) (5 days).
- LOEW’S—(2,500) (35c-35c-35c-35c-35c) 7 days. Gross: $18,000. Average: $4,000.
- “Angels Wash Their Faces” (W. B.) (5 days).
- “The Magnificent Fraud” (Param.) (3 days).

‘Maker’ Is $7,500
New Haven Winner

New Haven, Sept. 12.—“The Star Marker” and “Unmarried” at the Paramount grossed $7,500 in 10 days. The former with "The Women," and the latter with "They All Come Out" were $10,000. Labor Day week end was good but not notable.

Estimated takings for the week ending Sept. 8:

- “The Wizard of Oz” (M-G-M) (10 days).
- HOBART COLLEGE—(1,499) (35c-35c) 7 days. Gross: $2,000. Average: $275.
- The “Tatoo” (RKO) (5 days).
- “They All Come Out” (M-G-M) (10 days).
- LOEW’S—(3,200) (35c-35c) 7 days. Gross: $10,000. Average: $1,400.
- “The Star Marker” (Param.) (4 days).
- Paramount—(2,548) (35c-35c) 10 days.
- “They All Come Out” (M-G-M) (7 days).
- ROGER SHERMAN—(2,900) (35c-35c) 7 days. Gross: $3,000. Average: $400.
- “The Angela Wash Their Faces” (W. B.) (4 days).
- ”The Last Gang” (20th-Fox) (4 days).
- “In Name Only” (RKO) (5 days).

‘Cavell’ in Loop Monday

Chicago, Sept. 12.—The midwestern premiere of “Cavell” will be held at the Palace on Monday. An elaborate premiere is planned with the mayor, members of the city council, and surrounding cities invited to attend. Herbert Wilcox, producer, and Anna Nagel, star, will arrive here Saturday and stay for the premiere.
NO WAR OF NERVES FOR PARAMOUNT EXHIBITORS

Because ...
There will be absolutely no number one or two for Paramount Pictures.

1. What effect will the European War have on picture production?
2. Will production schedules be curtailed?
3. Will product be cheapened?

These are the most important questions in the picture business today!

OKAY, Mr. Exhibitor

...here's Paramount's answer!
None of Paramount’s huge line-up of pictures for 1939-40 will in any way be affected by the foreign situation!

Paramount will not back down... on Paramount promises!

No Paramount picture is, or will be, cheapened in production!

On the next two pages we proudly print Paramount’s amazing product story for the 1939-40 season. Read it and you’ll know why the European War cannot hand any Paramount exhibitor the PRODUCT JITTERS!
Your insurance against a short

PARAMOUNT PRODUCTIONS

COMPLETED 100%

“Death of a Champion”
“Range War”
“Beau Geste”
“$1,000 a Touchdown”
“Honeymoon in Bali”
“What a Life”
“Jamaica Inn”
“Television Spy”
“Disputed Passage”
“Rulers of the Sea”
“The Cat and the Canary”
“St. Martin’s Lane”
“Seventeen”

“French Without Tears”
“Geronimo!”
“Happy Ending”
“Our Neighbors—the Carters”
“The Light that Failed”
“Parole Fixer”
“Dr. Cyclops” [In Technicolor]
“Untamed” [In Technicolor]
“Diamonds Are Dangerous”
“Emergency Squad”
“The Llano Kid”
“Law of the Pampas”
“The Medicine Show”
ge of big pictures this season...

SCHEDULE 1939-1940

SHOOTING

<table>
<thead>
<tr>
<th>Started</th>
<th>&quot;Remember the Night&quot;</th>
</tr>
</thead>
<tbody>
<tr>
<td>July 27</td>
<td></td>
</tr>
<tr>
<td>July 31</td>
<td>&quot;Typhoon&quot;</td>
</tr>
<tr>
<td>Aug. 14</td>
<td>&quot;Gay Days of Victor Herbert&quot;</td>
</tr>
<tr>
<td>Aug. 25</td>
<td>&quot;Campus Wives&quot;</td>
</tr>
<tr>
<td></td>
<td>Max Fleischer's &quot;Gulliver's Travels&quot; [in Technicolor]</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Started</th>
<th>&quot;Knights of the Range&quot;</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aug. 29</td>
<td></td>
</tr>
<tr>
<td>Sept. 5</td>
<td>&quot;The Farmer's Daughter&quot;</td>
</tr>
<tr>
<td>Sept. 5</td>
<td>&quot;Strange Money&quot;</td>
</tr>
</tbody>
</table>

SCHEDULED FOR PRODUCTION

<table>
<thead>
<tr>
<th>Shooting Date</th>
<th>&quot;Opened by Mistake&quot;</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sept. 13</td>
<td></td>
</tr>
<tr>
<td>Sept. 25</td>
<td>&quot;Road to Singapore&quot;</td>
</tr>
<tr>
<td>Sept. 28</td>
<td>&quot;The Way of all Flesh&quot;</td>
</tr>
<tr>
<td>Oct. 2</td>
<td>&quot;Safari&quot;</td>
</tr>
<tr>
<td>Oct. 10</td>
<td>&quot;Texas Rangers Ride Again&quot;</td>
</tr>
<tr>
<td>Oct. 15</td>
<td>&quot;Buck Benny Rides Again&quot;</td>
</tr>
<tr>
<td>Nov. 8</td>
<td>&quot;Comin' Round the Mountain&quot;</td>
</tr>
<tr>
<td>Nov. 15</td>
<td>&quot;The Golden Gloves&quot;</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Shooting Date</th>
<th>Jan. 2 &quot;Royal Canadian Mounted Police&quot; [in Technicolor]</th>
</tr>
</thead>
<tbody>
<tr>
<td>Jan. 10</td>
<td>&quot;Hot Ice&quot;</td>
</tr>
<tr>
<td>Jan. 17</td>
<td>&quot;The Broken Heart Cafe&quot;</td>
</tr>
<tr>
<td>Feb. 14</td>
<td>&quot;Woman From Hell&quot;</td>
</tr>
<tr>
<td></td>
<td>Colbert Production</td>
</tr>
<tr>
<td></td>
<td>&quot;Light of Western Stars&quot;</td>
</tr>
<tr>
<td></td>
<td>Three More &quot;Hopalong Cassidys&quot;</td>
</tr>
<tr>
<td></td>
<td>... others to be announced</td>
</tr>
</tbody>
</table>

 Paramount Pictures
The Paramount Seal is Your GUARANTEE of QUALITY of PRODUCT

QUANTITY of PRODUCT

This Year More Than Ever Before!
Metro Denies War Slashes In Production

(Continued from page 1)

ity of pictures for the reason that the producing companies are themselves large exhibitors, and have three to four times as much capital invested in exhibition as in production. If we were to operate our theatres successfully, we must have outstanding pictures and plenty of them.

"Furthermore, I believe that the orders closing theatres in England and France will gradually be relaxed as lax as they are lax, made possible for making the various films in the making by France, and by various countries. However, should our foreign losses exceed present expectations, we will not at that time consider ways and means of meeting the emergency."

Monogram Denies Salary, Personnel Cuts

Hollywood, Sept. 22—W. Roy Johnston, president of Monogram, today declared that the company will institute no reductions in salaries or personnel because of war conditions.

Johnston regards the war as favorable rather than unfavorable to Monogram prospects. He has started conferences with S. B. Dunlap, vice-president in charge of production, with a view to increasing budgets on major pictures, which it is believed can be sold in territories and theatres not formerly available to Monogram.

One possibility being explored is the abandonment of some of the lower budget films and the addition of funds to budgets of higher pictures.

Johnston's belief is that cessation of foreign production will create a shortage of the limited-priced product in South America, Spain and parts of Europe still open and that Monogram can expect to expand distribution in those areas.

The Monogram president will remain in Hollywood 10 days.

20th-Fox 'Near Normal' In 60% of Paris Area

Operations of 20th Century-Fox are near normal in 60 per cent of the Paris area, Ben Miggins, European manager, and Ben M. Muir, foreign service manager.

The two held a telephone conversation late last week, this being the first contact with the Paris office since war was declared. Miggins said that the Paris office was prepared to make a quick and easy change to a suburban town if it became necessary.

Ninety per cent of the French organization's personnel has been enlisted, and the gaps are being filled with women.

��

BANNER RADIO LINES

By Jack Banner

JIMMIE FIDLER CAME BACK TO THE AIR last night—bells, open letters, little black book and all—over 61 CBS stations in a program that looks like trouble ahead.

Unless the motion picture industry and the networks have changed their attitude, Fidler is again going to be highly unpopular around the motion picture studios and in the headquarters of the networks. That is, of course, if he pursues the program outlined for him in a statement issued by the H. W. Kastor & Sons Advertising Co., which handles the account for Fidler, Gamble, Fidler's sponsors.

In his new series (according to the agency's statement) Fidler will "hit the ban of censorship" and will once again "blow the airwaves with Hollywood's history." Here are excerpts from the statement by the Kastor agency:

"Fresh from a vacation in Honolulu where he took a long distance view of himself, Jimmie Fidler came to the conclusion that something had to be done about the censorship ban on his program. Almost as soon as the boat landed back in California, he at once boarded a plane for Chicago, where two days were spent behind closed doors with executives of Procter & Gamble, makers of Urine Shampoo, H. W. Kastor & Sons Advertising Co., broadcasting officials and others. The result was that the old Fidler will once again blast the airwaves with Hollywood news that makes history."

"Fidler will go back to One Bell and Two Bell pictures again after last year's trial period, during which he praised practically every motion picture. Hollywood produced, in order to help the motion picture industry through a depression period. That period, Fidler now says, has passed and the time to tell the public the truth about one bell and two bell pictures has come back. That is what he promises to do in his new program." "Among other special features, Fidler also proposes to come on with his famous Open Letter. He has several planned already—one to Walter Wanger ... another to Bette Davis. And, of course, the famous Fidler 'Little Black Book' will be in the Fidler program once more."

It will be remembered that Fidler caused such trouble for the motion picture and radio industries a season ago, that Major Lohr and Nile Trammell, president and executive vice-president of NBC, and later, Bill Lewis, CBS vice-president, took Fidler off the airwaves, specifically to talk with the heads of the major studios about Fidler and his weekly broadcasts.

RIVALRY Between Lux Radio Theatre and Orson Welles had CBS wedged in a cross fire yesterday, with the network's program heads driven nearly daffy. Radio Theatre and Welles both intend to offer dramatizations of the Bronte story, "Wuthering Heights," a week apart, and each wants the other to desist from doing the story. Thus far it's a no-decision affair.

Associates' Dinner, Dance in November

Plans for the Motion Picture Associates' annual dinner and dance were discussed at the organization's first luncheon meeting of the season at the Hotel Astor yesterday.

It has been decided to have the affair late in November. Meetings will be held weekly to plan for the affair, the next luncheon being scheduled Sept. 21 at the Hotel Lincoln, Moe Sanders, chairman of last year's event, is serving as committee chairman pro tem.

Jack Ellis, president, reporting on the Associates' charitable activities, said that more money had been distributed to the distressed in the industry in the last six months than in any previous similar period.

An effort will be made to obtain the cooperation of the organized industries and individual major film companies in the charity work.

The annual dinner and dance has been the chief source of income for the purpose.

Paramount Dividend

Paramount board of directors yesterday declared the regular quarterly dividend of 15 cents per share of the second preferred stock. A dividend of $1.50 per share on the first preferred and 15 cents per share on the second was authorized for payment on Oct. 2 to holders of record on Sept. 22.

Warner Club to Elect

The annual election of the board of governors and officers of the National Television Club, Inc., will be held at the Warner Home Office on Sept. 30. Delegates from all branches of the Club will take part in the election.

WGEA Expands Air Schedule to Europe

September, Sept. 12—An increase in the number of programs for General Electric's WGEA that will provide European listeners with three more hours of American programs daily, has been instituted.

Directional antennas will be used, pointed on London, for the additional time from 3 to 6 P.M. General Electric's service to Europe heretofore has been confined to WGEA, which transmits from 11:15 A.M. to 6 P.M. This station will retain the same schedule in addition to the new service from WGEA.

KGEI, the company's station at the Golden Gate Exposition, will add a new frequency to its two already in use.
**'Star Maker'**

**Gets $2,000**

In Twin Cities

MINNEAPOLIS, Sept. 12.—The combination of the "Folies Bergere" and "Mickey's Saloon" has been the best business getter in Minneapolis, taking $5,000 at the Orpheum. "The Star Maker" has taken $7,500 in St. Paul.

In St. Paul, the best business also was done by "The Star Maker," which drew $4,500 at the Paramount.

Estimated takings for the week ending Sept. 7th:

**Minneapolis**

-Woman Is the Judge** (Col.)

AVERAGE—$4,000

**The Wizard of Oz** (M-G-M)

CENTURY—4,000 (25c-40c) 7 days. Gross: $14,000. (Average, $2,000)

-Fortress Marshal** (20th-Fox)

ORPHEUM—4,000 (25c-40c) 7 days. Gross: $13,000. (Average, $1,700)

-Miracle For Sale** (M-G-M)

MINNESOTA—$1,000 (35c-50c) 7 days. Gross: $5,000. (Average, $600)

-The Star Maker** (Paras.)

PARAMOUNT—$1,000 (25c-40c) 6 days. Gross: $9,000. (Average, $1,500)

-Back Door to Heaven** (Para.)

WORLD—$1,000 (25c-40c) 6 days. Gross: $3,000. (Average, $500)

-St. Paul:

-Each Dawn I Die** (W. B.)

ORPHEUM—$1,000 (35c-50c) 7 days. Gross: $7,000. (Average, $1,000)

-The Star Maker** (Paras.)

PARAMOUNT—$2,000 (25c-40c) 7 days. Gross: $14,000. (Average, $1,900)

-Miracle For Sale** (M-G-M)

RIVIERA—$1,000 (35c-50c) 7 days. Gross: $7,000. (Average, $1,000)

-News Is Made at Night** (20th-Fox)

-**Million Dollar Legs** (Para.)

WORLD—$1,000 (50c) 7 days. Gross: $7,000. (Average, $1,000)

-The Hobby Family** (W. B.)

-Tower** (M-G-M)

POWER—$1,000 (35c-50c) 7 days. Gross: $7,000. (Average, $1,000)

-Back Door to Heaven** (Para.)

-**Three Little Words** (M-G-M)

WORLD—$1,000 (35c-50c) 6 days. Gross: $3,000. (Average, $500)

-Oz** Gets $9,000, Milwaukee's Best

MILWAUKEE, Sept. 12.—"The Wizard of Oz" was the week's best with $9,000 at Fox's Wisconsin. Second money went to the Fox Palace where "The Star Maker" and "Back Door to Heaven" collected $6,100.

Estimated takings for the week ending Sept. 7th:

**Reopen Brooklynd Strand**

The Brooklyn Strand reopenstomorrow with its former policy of double bills. The house, one of the Polish circuits, has been closed since late Spring. William J. McLaughlin returns as house manager.

**Theatre, Personal Notes**

Reopen Chicago Theatre

CHICAGO, Sept. 12.—The renovated Lex, formerly known as the Lexington, has been reopened by the new owners, the Indiana-Illinois circuit headed by Alex Mirska and Jack Rose. This makes the 27th theatre in the circuit. The Lex is being managed by Ray Wheeler.

Move Tri-State Managers

DE SOTO, Ia., Sept. 12.—Edward Forrester, manager of Tri-State's Omaha theatre in Omaha, has reorganized. Other changes in the circuit management include the following: A. Don Allen, manager of the Des Moines, will manage the Omaha, and Harry Hildesley, formerly manager of the Paramount here, has been named manager of the Des Moines. Eddie Johnson, manager of the Strand in Waterloo, Iowa, has been named manager of the Paramount in Des Moines; Maurice Crew, manager of the Highland, will transfer the Strand to a theatre in Waterloo; and Robert Leonard, manager of the Garden, will manage the Hyland and Tony Abromovitch, assistant manager of the Strand in Des Moines, will manage the Garden.

Buy Savannah Theatre

SAVANNAH, Ga., Sept. 12.—W. B. Brussell has purchased the Star theatre from W. S. Scott. The building was purchased a year ago, Brussell lived in Columbus where he was a member of the Martin theatre staff and general manager of the Liberty for 10 years.

Sells 2 Washington Houses

SEATTLE, Sept. 12.—Ted Wilson has sold the Vale in Cashmere and Alpine in Leavenworth, Wash., to the Bottling Airplane Co., here. C. L. Faslin has purchased the Royal in Cashmere from Bert Williams.

Martin Friedman Promoted

Martin Friedman of the Warner home office playdate department has been promoted to the booking staff of the Cleveland branch office, under Branch Manager Herb Ochs.

Stars "Family Night"

MASON, Ia., Sept. 12.—W. H. Smith, owner of the Mason, has billed his family nights, starting Wednesday and Thursday of each week, when the entire family may attend at bargain prices.

Roosevelt Opposed To Air Censorship

WASHINGTON, Sept. 12.—President Roosevelt is opposed to any censorship of radio program and the press on an equality, it was said at the White House today.

Ragtime the agreement announced last night by the networks, under which safeguards are to be placed around the war news, did not appear to have been shelved. The President is reported to have had no hand in the ending of that program and that it was entirely a voluntary move by the industry.

Ragtime comments were made in response to questions as to censorship charges which have been made by isolationist members of Congress.

Musicians Ask New Studio Jobs Payroll

American Federation of Musicians is requesting Oct. 17 as a date for another conference with film companies regarding the measures for reemployment of musicians by the industry.

Several such conferences have been held during the past year but no definite proposals for aiding the musicians in solving their unemployment problem have resulted.

Members of the musicians' executive board will attend the American Federation of Labor convention, Oct. 2 to 14, as delegates, before again conferring with the film company heads.
“Finest”

“IN MY ESTIMATION THE MOTION PICTURE HERALD IS THE FINEST PUBLICATION THE INDUSTRY HAS AND I HAVE ALWAYS FOUND IT A GREAT AID IN SO MANY WAYS.”

CLARENCE F. WALL
Manager

BAY THEATRE
GREEN BAY, WISCONSIN

MOTION PICTURE HERALD
ROCKEFELLER CENTER • NEW YORK
**Feature Reviews**

**The Housekeeper's Daughter**

(U. A.-Hal Roach)

HOLLYWOOD, Sept. 12.—It takes "The Housekeeper's Daughter" a slow red or so to get warm up. Thereafter the offering is a whirligig of nonsensical farce comedy. Under Hal Roach's direction the amusingly drawn characters, the absurd situations, and the inevitable klutziness of slapstick farce are strictly the order of the day. Any attempt to develop a plot is in the nature of an afterthought.

Even a distant relative of pie-throwing is rung in. Much of what happens comes under the meaning of what is technically defined as "low comedy."

Basically it is a comedy-drama newsmagazine gangster yarn from which stem several such stories. One concerns the bizarre adventures of Cub John Hubbard. Another has to do with Joan Bennett. Adolphe Menjou and William Gargan are the pivotal life of the next. Gangster Marc Lawrence, who never knows whether or not he is being kidded, is the focal point of the fourth. Psychopathic case George E. Stone moves menacingly through it all.

Not quite knowing what he is doing Novitiate Reporter Hubbard turns in a sensational gangster-killing story which makes him a front page celebrity. The circumstance is embarrassing to Veteran Newsman Menjou and Gargan, but they make the best of it. It's most bothersome to Gangster Lawrence, the killer, who, not sure whether or not Hubbard knows what he is writing about, nevertheless embarks upon a course of intimidation. Everything turns out happily, if ridiculously, when Menjou transfers his fireworks shooting celebration to the gangster-besieged parlor, where Poisoner Stone has terrorized everyone.

The housekeeper's daughter, Miss Bennett, a reformed moll, gives the real low down on the killing.

Donald Henderson Clarke's novel is the basis of the Rian James and Gordon Douglas screenplay.

Running time, 70 minutes. G. **G. McC.**

**The Angels Wash Their Faces**

(Warner)

The "Dead End Kids" are, of course, the hero of this melodramatic and lively film yarn of civic corruption and the successful efforts of the kids to correct the error and at the same time save a pal from a long and unjust prison sentence.

The young actress with rare cohesion, offering a high measure of entertainment by reason of their undeniable acting ability and the smoothness with which they work together. Ann Sheridan, as the sister of the youngster in trouble, and Ronald Reagan, as a young aide to the district attorney, provide the subordinate romantic interest.

David Graveline makes a pleasant adjunct to the kids, as the young sister of one of them, and Eduardo Ciannelli and Bernard Nedell are eminently satisfactory villains.

At times leaning dangerously near to the incongruous, as when the kids take over City Hall in Boys' Week, at times delightfully amusing, the film is melodramatically exciting, and with good entertainment value. The film will do well, in my estimation, and will start a wave of social reform in their club, and incurs the enmity of Nedell because of Miss Sheridan's refusal to see him. Under Ciannelli's direction, Nedell is put in the practice of arson for a profit, and tries to pin one of his jobs on Thomas, since it caused the death of one of the kids. But when one of them wins the post of mayor for Boys' Week, the youngsters take things into their own hands, and with the assistance of Reagan, clean up the gang and cause the release of their pal. Ray Enright directed.

Running time, 82 minutes. G. **Charles S. Aaronson**

**Newsreel Parade**

The war continues to be an important newsreel factor, but strict censorship is being followed.


RKO NEWS, No. 16—Polish Red Cross units in training. War map of shipping of belligerent nations in neutral ports. Ikes discusses production. Naval race in Chicago. All-Star football game.


**Republic in Deals With Two Circuits**

Republic has closed a deal for its 1938-39 exploitation of Golden State- & T. & D. Theatres Circuit, covering 70 theatres in San Francisco, Oakland and northern California.

Republic was represented by J. R. Grainger, president; G. C. Parsons, western district sales manager; and Syl Weil, general manager branch manager. A. A. McNeil and M. Nally represented the two circuits in this deal. Republic has been closed with the Blumenfeld circuit in northern California.

Republic has closed with the Minnesottcone circuit, as its first run outlet there for the new season. The theatre, closed for two months because of the combination management of Gordon Green with a combination film and vaudeville policy.

**Theatre Attendants' Minimum Set in B.C.**

VICTORIA, B.C., Sept. 12.—Extensive minimum wage regulations in the Province of British Columbia now apply to women attendants in all theatres.

A new minimum wage order has been declared effective, providing a minimum of $14.25 per week for 40 to 48 hours, with 35 cents per hour for less than 40 hours per week. In cases where an employee works two hours or less in any one day, the minimum payment shall be 75 cents. Where two or more employees, they must be paid by the employer, and must be lauded by the employer.

**Newspaper Guild Fined**

CHICAGO, Sept. 12.—The CIO Newspaper Guild, which has been seeking to secure a series of business places which advertised in local Hearst papers where members have been on strike, was fined yesterday by Judge John Lape for "secondary picketing."
Coast Grand Jury to Hear Goetz First

Bioff and Joseph Schenck Also to Be Subpoenaed

Los Angeles, Sept. 13.—A new Federal grand jury was impaneled here today, and it immediately announced that it would launch its investigation into alleged film labor racketeering and income tax evasion next Wednesday.

The first witness to be formally subpoenaed is William Goetz, 20th Century-Fox executive.

Charles H. Carr, assistant U. S. Attorney General who was dispatched from Washington to conduct the investigation, said that subpoenas also will be issued for William Bioff, 20th Century-Fox president and for Joseph M. Schenck, president of 20th Century-Fox.

Carr said that plans for a special grand jury had been abandoned. The grand jury sworn in today consists of 25 men, most of whom are engaged in the insurance business.

Salary Cut Fights Promised Studios

Organized studio employees will resist any attempt to reduce salaries because of war conditions, the New York I.T.O.A. has been advised by the Screen Writers, Actors and Directors Guilds.

The guilds declare that they would be willing to discuss a "fair adjustment" in the salaries and bonuses of producers and executives were also taken into consideration. Should the industry's revenue and living costs increase, the guilds state they would expect to discuss salary increases.

The guilds' statement was in answer to a telegram sent to them by Harry Brandt, president of the I.T.O.A., inquiring what their attitude is in helping to meet the war emergency.

"Any such adjustment—downward or upward—would necessarily have to be based on full examination by the guilds of all financial data and other information available to the producing and distributing companies," says the guilds' joint answer.

"We believe that your assumption that a European war will decrease American film revenue by 35 per cent is totally inconsistent with past experience. On the contrary, we believe

One Big Union Plan Goes to Members Of 4A in 2 Weeks

A one big union plan will be definitely presented to the membership of Associated Actors and Artists of America within two weeks, according to Henry Jaffe, 4-A associate counsel.

Jaffe made the announcement at a mass meeting of the new American Guild of Variety Artists which ended early yesterday morning.

Jaffe explained that although the plan was completely formulated, every branch of the 4-A had been consulted and every branch of the membership had been aware of it. As a result, Jaffe said, all members realized that differences over the "one big union" principle, which have been argued for months, will now be forgotten and the details settled.

According to present indications, the plan will provide for one initiation fee and one set of dues payments. Any actor who becomes a member because of employment in any field in the profession will automatically be entitled to work in all fields without further payments. There will be only one treasury.

The indications also point to the preservation of branch autonomy for the purposes of administering working conditions and salary scales. In this way, actors working in particular fields will be able to decide their own immediate problems while major issues will be governed by the 4-A.

AFL Rallies to Aid IA in Sept. 20 Ballot

Hollywood, Sept. 13.—All American Federation of Labor locals, including the Screen Actors Guild and excluding Studio Painters No. 946, banded together to aid the I.A.T.S.E., in the N.L.R.B.-sponsored election to determine whether the Alliance or United Studio Technicians Guild will be bargaining agency for workers.

A.F. of L. groups will be asked to bring pressure and otherwise conduct campaigns for Alliance support in the balloting scheduled Sept. 20 at Gilmore Stadium.

About 250 representatives, including business agents and officers of A.F. of L. groups, met last night to discuss plans for the drive to keep the

WAR BARS FACING ANGLO-U.S. TRADE

Gross of $80,000 For 'Rains Came'

With more than 150,000 paid admissions in five days, "The Rains Came" was headed for a gross of $80,000 in its first week at the Roxy.

"Golden Boy" drew an estimated $55,000 at the Riverside Hall and holds over for a second week. "Blackmail" opens at the Capitol today.

Broadcasters Code Goes in Effect Oct. 1

CHICAGO, Sept. 13.—The National Association of Broadcasters' recently adopted code goes into effect Oct. 1.

N.A.B. directors announced today that the code will be put in effect at 11:59 a.m. on Oct. 1. A notice will be distributed to all members, setting forth the terms of the code.

"The code is more than an expression of radio policy," Miller declared. "It is an outstanding example of voluntary industrial self-regulation, conceived and executed in the public interest."

Adopted at the Atlantic City convention, the code requires that radio stations shall provide free time for discussion of controversial public issues in such a way that conflicting viewpoints in public matters will have a fair and equal opportunity to be heard. Time for such events, except political broadcasts, will be sold. The code also requires that news broadcasts be factual and without bias or editorial opinion. It also provides that children's programs be based on "sound social concepts" and that radio stations continue further development of radio as an educational adjunct.

"Attacks upon another's race or religion" are also barred by the code.

The board ruled that commercial contracts now existing shall be respected for their duration if they are not longer than one year.

Canadian Theatres Suffer Wartime

Toronto, Sept. 13.—The war budget of the Canadian Government has hit all theatres, with an eight per cent tax on all electricity bills and an increase in the tax on all companies, whichever incorporated or not, to 18 per cent on total returns.

In addition, a sliding tax of from 10 to 60 per cent on profits above five per cent is applied to companies whose fiscal year ends March 31. After that, otherwise effective on immediate returns.

There has been no addition to the present tax on surplus funds sent out of Canada by film exchanges. Personal income taxes have been increased for the current year 20 per cent.

The tax on electricity is entirely new and probably will result in marked economies in theatre marquees and sign illumination.
Trust Rules Revised for War Crisis

ATLANTIC City, Sept. 13.—Assistant Attorney General Thurman W. Arnold made no specific reference to the film industry in the course of a speech today before the annual convention here of the National Petroleum Association.

However, the official’s references to “bottle necks which restrain trade through artificial price levels” and an announcement of continuance of the anti-trust campaign were seen as indicative of a determination to continue the fight against the film industry.

Anti-trust policies of the Department of Justice are being revamped to meet new conditions resulting from the European war, but there will be no letup in the campaign against monopoly, Arnold declared.

Already flooded by protests against profiteering in food and other industries, Arnold said, the anti-trust division is preparing to ask Congress for a great increase in its appropriation. Much of this money will be used to employ investigators, needed because of the diversion of Federal Bureau of Investigation agents to espionage cases.

Oscar Brachman Dies

MILWAUKEE, Sept. 13.—Oscar Brachman, 52, widely known real estate man who was interested in the construction and operation of a number of Milwaukee’s neighborhood houses, is dead here following a long illness.

Purely Personal

COL. H. A. COLE, president of national Allied, left for his home in Dallas yesterday after a brief visit.


Mrs. James V. Silke, wife and associate of the theatrical photographer, returns to New York today on the President Monroe. She had been in Hollywood for a month on a combined vacation trip and photographic assignment.

Fred Jack, Warners southern district manager, and Doak Roberts, Dallas branch head, left last night for Dallas after attending sales meetings with Gradwell L. Sears, Carl Lesemek and Ben Kalmenson.

Ben Hersh, vice-president of General Film Co. left yesterday for Hollywood to join Lawrence Fox, Jr., president, on preparations for the planned new cartoon series on Bahar the Elephant.

L. O. Lee, of the Losa in Minneapolis, and William S. Wilder, in New York, are here for the World’s Fair.

William Rowland, Spanish language producer, is in town after completing his third film for RKO. It is “Odro” (“Hate”), made in Mexico City.

Francis Curley, brother of Jules Curley, Warner Albany advertising manager, is in from St. Louis for a fortnight visit with his brother.

Ray Powers, office manager and booking agent for Warners in Albany, and S. Powers have returned from their vacation.

Boris Moros arrives from the Coast today with a print of “The Flying Deuces,” his first picture for RKO.

Bernie Kranke, RKO Albany branch manager, has returned from a visit to the New York World’s Fair.

June Clyde, film player is on the Washington, due next week from England.

Pat Casey, producers’ labor representative plans to leave New York for the Coast early next week.

Jose Calero Paz, distributor in Lima, Peru, is here on business.

Jan C. Javal, Baird television executive, has returned to England.

Newsreels’ Cameramen In Wage Talks

Negotiations with Cameramen Local 644, New York, on a new contract for organizaed cameramen, will be continued tomorrow afternoon. Pat Casey, producers’ labor representative, is the spokesman for the wage demands of the local participating.

The former agreement expired a year ago, but terms have been continued in effect pending negotiations on the new contract, the terms of which are to be retroactive to last October. The negotiations sought by the cameramen is for a two-year period.

Higher Wage Scale Asked

The union is asking an increase in the present schedule of $55 per day and $100 per week minimum to $65 daily and $125 weekly minimum. It also asks for a maximum schedule of $110 per week period or place of the former maximum of $320 for an eight-week period. When the maximum number of hours has been worked the cameramen cannot be reassigned until the end of the basic period, as overtime assignments are given.

Other proposed changes in the pact are of minor nature, according to newswired officials, although new provisions for calculation of time consumed in traveling to out-of-town assignments as actual working time may add up costly in some instances, it was said.

Towns Fight Over ‘Drums’ Premiere

Officials and public-spirited citizens of several upstate New York cities, and towns have written to 20th Century-Fox asking that the world premiere of “Drums Along the Mohawk,” one of the towns even presented a petition carrying hundreds of signatures asking for the premiere. The locales of the picture is in the Mohawk Valley.

Among towns which have communicated with the company are Little Falls, Gloversville, Herkimer and Amsterdam.

Fly NON-STOP from CHICAGO

Two Flights—4:00 P.M.—5:30 P.M.

SIX OTHER FLIGHTS TO CHICAGO—TWELVE FLIGHTS TO PITTSBURGH.

10% Discount on Round Trips! Schedules Shown are Standard Time.

For Lunch, Dinner or Supper LaHFF’S TAVERN

The Industry’s MEETING and EATING PLACE

156 W. 48th St., Tel. Glickman-4-2200

United Air Lines

THE DISTINGUISHED WAY TO LOS ANGELES

Overnight to the coast.

Luxurious Mainliner

sleeper—the “Continental” leaving New York 5:45 pm, and the “Overland Flyer” leaving New York 9:45 pm.

For travel agents, hotels, or

PHONE MU 2-7300

UNITED AIR LINES

58 East 42nd Street
***Beau Geste***

Los Angeles, Sept. 13.—"Beau Geste" drew a strong $23,500 at the Paramount to lead here, although business generally was rather uneven. The movie was booked over many thousands to beaches and other resorts. "Four Feathers" continued strong, with $4,700 in the fourth week at the 4-Star. Estimated takings for the week ending Sept. 13:

- **Lady of the Tropics** (M-G-M)
  - Gross: $3,500, (Average: $875)
  - "Sidney" (Col.) 7 days
- **Four Feathers** (M-G-M)
  - Gross: $2,800, (Average: $700)
  - 4 STAR—(450) 7 days, 4th week.
- **Golden Boys**
  - Gross: $3,500, (Average: $700)
  - "Five Little Peppers and How They Grew" (Col.)
- **HILLSTREET**—(2200) (30c-65c) 7 days
  - Gross: $2,600, (Average: $371)
- **Lady of the Tropics** (M-G-M)
  - Gross: $2,000, (Average: $500)
- **Lady of the Tropics** (M-G-M)
  - Gross: $2,000, (Average: $500)
- **LOEW'S—** (M-G-M)
  - Gross: $2,000, (Average: $500)
- **Golden Boys**
  - Gross: $3,500, (Average: $700)
- **I Love You so**
  - Gross: $3,000, (Average: $600)
- **Three Little Girls** (M-G-M)
  - Gross: $2,500, (Average: $700)

---

**Wood Naved Schmidt Trust Counsel**

Frederick Wood of the Cravath, de Gersdorff, Swaine & Wood law firm, has been retained by the Schmidt Circuit as special attorney in its defense of the Government against suit pending against the circuit and major distributors in Federal court at Buffalo.

Wood will be assisted by Willard S. McKay, counsel for the Schmidt Circuit for many years, who was formerly counsel for Universal. Wood has had many years experience in antitrust cases and corporation law. He was one of the principal attorneys in the famous Universal poultry case which brought about the demise of N. R. A.

Wood and the Cravath firm have been prominent in the film industry in past years, having been counsel for Paramount for many years, and served as counsel for Warners in the St. Louis anti-trust suit of three years ago.

---

**Tropics’ at $9,800**

Leads Indianapolis

**Indianapolis, Sept. 13.—**"Lady of the Tropics" was out in front in a profitable week for all first runs, giving Loew's $9,800. "Three Little Girls" was dawiwed with it.
BANNER RADIO LINES

By JACK BANNER

SEEKING THE COLLECTIVE OBJECTIVE of New York's radio scribblers about television, NBC-RCA summoned them to the Victor diamond store yesterday afternoon to an informal luncheon. The consensus was that television, in its fourth month of regular operations, showed a vast improvement over what was transmitted at the beginning of the schedule. Content and program development—perhaps at not such an accelerated pace as at the start—is anticipated.

However, the radio editors banded out more than cream puffasts and offered numerous criticisms of televisual programming. Television production, it was their opinion, was far inferior to the technical standards achieved by the engineers; camera technique could stand improvement, as could lighting and direction, and performance. A majority of the editors agreed that programs would show improvement if the companies would depend less upon the services of producers and directors from the stage, and in their stead import Hollywood producing and directing talent.

There is for the first time being televised on a twice weekly schedule were merited efforts, but most of them stated that their chief pleasure was derived from witnessing feature motion pictures, liked for their smoothness and technical perfection.

Television as a threat to the motion picture industry was an exaggeration, it was indicated. Frank Mullin, RCA vice-president, said that television would not more ruin the motion picture industry than did motion pictures kill the stage, or the inclusion of news on the air ruin the newspapers.

FIRST EFFECT OF THE WAR on commercial programs is the two weeks' notice just given to Benay Venuta by her WOR sponsor, because the rising price of sugar caused the company to retrench. She had just received a 13-week renewal, but it had a two-week cancellation clause.

YOUNG & RUBICAM is giving a special luncheon for Jack Benny this afternoon at Sardi's. Benny and Mary Livingstone arrived here quietly the other afternoon to spend some weeks in New York before resuming broadcasting.


GABRIEL HATTER is to start a local commercial series Monday at 7:30 a.m. on WEAF for Peter Paul Co. The show will be on the air Mondays through Saturdays, offering commentaries on news.

Monogram in Deal On Anti-War Picture

Monogram yesterday closed for "The Story of Peace," anti-war film produced by Warwick Pictures. The picture will be immediately released.

Produced last year, the film is a plea for peace, dramatized in a stage production. Delores Lacey Collins was administratively in charge of the estate of Jimmy Collins. The suit charges the defendants with plagiarizing Collins' book, "Test Pilot," in the motion picture of the same title. The application will be heard on September 19.

Drive-In Verdict Due

Milwaukee, Sept. 13.—Indicating there was a strong possibility he would decide the 800-car Milford Drive-In Theater, which was a public nuisance, as claimed to by 12 Milford residents in a suit, Judge P. B. O'Sullivan of the Superior Court has asked attorneys for both sides to prepare a broad injunctive order that would abate the nuisance yet not deprive the corporation of the right to operate a theatre.

Metro Plea Fights Plagiarism Action

An application was filed yesterday in the United States Court by M-G-M Pictures Corp., M-G-M Distributing Corp., Loew's Inc. and the Culver Ex. Corp., requesting $1,000,000 plagiarism suit brought by Delores Lacey Collins as administrator of the estate of Jimmy Collins. The suit charges the defendants with plagiarizing Collins' book, "Test Pilot," in the motion picture of the same name. Practice was had on the application, which will be heard on September 19.

Congress to Debate On War Profiteering

WASHINGTON, Sept. 13.—Although President Roosevelt, in issuing a call today for a special session of Congress beginning Sept. 20, did not specify the nature of the business it will consider, it is believed probable that an attempt will be made to put some control over industries to prevent war profiteering. Congress is also expected to take action on the neutrality law and American defense measures.

Orders Bingo Case Quiz

MILWAUKEE, Sept. 13.—Circuit Judge back the state's previous attempts to suppress an adverse examination of the orders Bingo games and the rental fee. After the defendant's answer, the judge referred the matter to the Bahn Fred Trapp and tavern from conducting bingo.
Independents Face Lower Ascap Rates

Stations Will Negotiate Their Own Contracts

Ascap has discussed the possibilities of negotiating separate contracts with independent broadcasters which would embrace a new formula calculated to reduce the rates now being paid to the music licensing society by small, unaffiliated stations, it was learned authoritatively yesterday by Paul Siegel, Washington, D. C., attorney, who has been retained by a number of unaffiliated stations in various parts of the country, conferred recently with John G. Paine of Ascap on the subject and will continue the discussion in the numerous other unaffiliated units have advised Ascap by letter that they, too, wish to negotiate their own contracts, apart from any negotiations which may be held with N. A. B.

That the unaffiliated stations may obtain lower rates under any new contract which may be negotiated with them, was indicated by an Ascap official who pointed out that the society recognizes that under its present formula the independent stations originate

(Continued on page 6)

Newsreels Without War Action Shots

Week-end issues of all five newsreels appeared yesterday without any material on the European war. No action shots from any of the battlefields have been received by the reels from their European representatives since the start of hostilities.

Headquarters of the reels are completely in the dark about what, if any, action material has been obtained by their cameramen and what their chances are of receiving any part of it. Not even "official" or censored action material under current exchange conditions can be received from representatives advising of shipments en route but the scheduled time of arrival, much depending and

(Continued on page 4)

“The American Theatre Owner Has a Right to Expect . . . .”

— By MARTIN QUIAGLEY

THE war in Europe has highlighted a state of emergency in the affairs of the American motion picture industry.

The emergency is a challenge to the management of the industry, demanding that it face the realities of the situation and take, promptly and thoroughly, those steps which are imperatively necessary for the welfare of the industry and those who live by it.

Happily for this, an American industry, the situation is not desperate. It is not even alarming, provided only that those measures which judgment and foresight dictate are introduced and applied.

The immediate effect of the war in Europe is to illuminate a condition which has been asserting itself for some time. This condition comprises the lessening of revenues accruing to the American industry from overseas distribution. The condition comes not as a new development incident to the war. It has been an obvious fact for a considerable period of time; various parts of it has been the indication that a continuation of this downward trend is inevitable, due to influences at work in the various foreign markets.

The trend steadily has been toward rendering less profitable to the American producer his activities abroad. This is being brought about through various devices, including quotas, restriction against the exportation of money, multiplication of duties, fees and licenses and, of course, the nationalistic aspirations of the various governments.

It cannot of course be said that foreign demand for American films threatens to vanish. The essential merit of Hollywood product as entertainment and its deep-rooted popularity with the various foreign publics is such that a continuing demand is assured. But it must be said that its opportunities have diminished in extent and in profit.

AGAINST the darkening clouds of this threatening condition the industry management has just whistled—and hoped that somehow the trend would reverse itself. In the meantime the industry has whirled along its perilous course, facing increasing costs on one side and diminishing returns on the other.

The incidence of the European war increased materially the acuteness of the situation. It did not create it. Even in the absence of a war in Europe the security and welfare of the industry required things to be done which have not been done.

Now there is indeed no choice left.

Either the industry must proceed promptly and thoroughly toward putting its affairs on a sound business basis or disaster inevitably will overwhelm it.

This business as an American industry, blessed as it is with a domestic market of such great possibilities, is at this critical juncture in world affairs in a most fortunate position. Immediately available and almost equally assured are certain foreign markets, Canada, Latin-America, Scandinavian and other lesser territories. There are here opportunities for a continuing great and even more prosperous industry.

But—most emphatically—the industry will not be able to continue as either great or prosperous if it continues foolishly to assume that it is to enjoy revenues which will not be realized and on the basis of this assumption allows its cost of doing business to remain unadjusted to realities.

It is probably true that European revenues may after a few weeks be restored in part. They may even at times assume dizzy peaks of a wartime and consequently an artificial prosperity. But it would be the

[Concluded on next page]
height of bad business procedure for the industry to allow its costs to remain unadjusted against the fantastic speculation that its economic problems would be miraculously solved by a war-impoverished Europe.

There is but little point at this time in discussing how and why motion picture production costs reached, and were allowed to reach, present levels. It is enough that everyone knows that the cost of making motion pictures in Hollywood has reached a height that is without the sanction of reason, necessity or good business. However, it has been possible—but just barely possible—previously to support the prevailing costs. Every informed person now knows that it is no longer possible to do so.

Those in Hollywood who have contributed to the development of the American motion picture to its present artistic and entertainment standard have performed an accomplishment that has rightly won for them the laurel wreath of world acclaim. They have, as the whole world knows, been well-paid for what they have done. They have, it would seem, been dealt with royally.

But now in face of world conditions affecting the motion picture and in face also of new economic concepts applying not only to industries but to individuals as well, the time, which is indeed at long last, has arrived for production costs to be adjusted to levels which the traffic can bear.

WITH no violence whatsoever either to the individuals concerned or the quality of the pictures, production costs may be substantially reduced. No informed person denies that senseless competition in the midst of what may be briefly mentioned as the Hollywood merry-go-round alone accounts for compensation figures that have been spread and have never been approximated any time or place in the memory of man. Well over fifty percent of the cost of an average motion picture represents salaries and wages. Wage levels, that is, the compensation of craftsmen, artisans, clerks and laborers, cannot be lowered on account of union agreements. They should not be lowered even if there were no agreements. There have been no great extravagances there. But elsewhere in the cost of personnel together with the many incidental extravagances—amongst which may be included an army of figureheads, fixers and fakers—lies ample room for the needed readjustments.

The American theatre owner is decidedly a party at interest. He has a right to expect the necessary volume of product to supply his requirements. He has a right to expect that, irrespective of what conditions may obtain in foreign markets, he receive pictures of a quantity and quality which will afford satisfaction to his patrons. There can be no assurance of either the necessary quantity or the quality if film production is placed on a basis which reasonably justifies the ordinary principles of sound economics.

Beneficiaries of the increasingly high cost system of production would like to have it understood that any lessening of production costs necessarily means a lowering of quality. This argument is wholly false.

It is true that the production of a motion picture is a costly process. But costs are relative. No one sensibly expects an important motion picture to be produced for little money. But no explanation has ever been made of the present levels of production costs that they just grew out of the fertile soil of the Hollywood system.

Another pertinent concern of the theatre owner in the present condition is that he shall not be depended upon to supply additional revenues to cover the diminished factor in box office receipts.

Unless production costs are adjusted to meet existing conditions the theatre owner inevitably faces, (1) a product shortage; (2) a lower quality in the production delivered or, (3) higher rentals. It is therefore clear that exhibitor opinion inevitably stands solidly behind the demand for adjusted production costs.

Out of the American market and such foreign markets as continue assured to the American producer a great and prosperous industry in all future years may be maintained.

If this is to be done it must be done by acting upon the realities of today—not the conditions of yesterday or the visions of tomorrow.

Personnel Slashed At Fox Home Office

Dismissal notices, some for temporary periods and some permanent, will be issued to an estimated 125 home office employees of 20th Century-Fox today.

Action is being taken to effect economies imposed by the loss of foreign revenue due to the European war, a composer of which the move is in line with that imposed upon the company's studio last week.

It is virtually certain that all home office departments will be affected by the action, it was said, with department heads having been ordered to eliminate all employees whose services were not indispensable in order to avert general salary cuts within the company.

Para. Dismissals Too

Hollywood, Sept. 14.—Ten members of the Paramount studio publicity department, representing 25 per cent of the department personnel, were given dismissal notices today. Action resulted from the imposition of economy measures made necessary by the curtailment of foreign operations due to the war.

It was not known whether other studio departments would be affected, but it is believed that the economy order will continue at least to the extent of annual cutbacks, whereas never before were cutbacks were made without sacrifice of efficiency.

WARNERS IN READY DEAL

Walter Reade Enterprises have signed for Warners' complete 1939-40 schedule. The deal involves 40 New Jersey and New York theatres.

PURELY PERSONAL

JOE E. BROWN will come to New York for the premiere of "$1,000 A Touchdown," in which he is co-starred with Martha Raye, and will remain here for the World's Series and to see new Broadway plays.

LOUIS DE ROCHEMONT has assigned special production duties to Ray Hall on "The Rampage." We Watch."".

ARUTTO TOSCANNI sails for America Saturday on the U.S. liner Washington.

RUSSELL BIBBOW, arrives today by plane from Hollywood.

GIVEAWAY BAN VOTED BY WISCONSIN SENATE

MADISON, Sept. 14.—The Wisconsin Senate today passed the Paulson bill prohibiting theater games and give-aways. The measure was sent to the Assembly. A companion bill, defining lotteries as a nuisance, has been de-ferred.

Independent exhibitors in the state opposed passage of the Paulson bill on the ground that it would not prohibit lunchroom contests like bingo games.

CONNECTICUT ALLIED WILL MEET TUESDAY

NEW HAVEN, Sept. 14.—Allied The- atres of Connecticut will meet next Tuesday at the Holabean House to nominate officers for the coming year. Maurice Shulman, president, and Dr. E. Fishman, of the board of directors, will report on the recent Allied Theatres of New Jersey convention at Atlantic City, which they attended.

NEW IMPORT FIRM

Concord Films, Inc., has been incorporated in New York by S. R. Rosenthal and Harold Neuberger for the importation and distribution of foreign films. The company's first vehicle will be "Rasputin," starring Harry Baur, and is set for a mid-October release.

WILL TRANSFER MOEBEL SUIT TO FEDERAL COURT

An anti-trust suit which was filed about six weeks ago by Mobel Enterprises, Inc., operator of the Glen- wood, Brooklyn, against Century Cir-cuit and Warners, M-G-M, Paramo- shut, RKO and United Artists, will be discontinued in the state supreme court and filed in the Federal court, according to Morris Bohar, attorney for the defendants.

Charles Sussman, head of Mobel, charges in the suit that the Glenwood was unable to obtain product which had formerly had after opening of the new Century house, the College.

Motion Picture Daily

Registered U.S. Patent Office

Published daily except Saturday, Sunday and holidays by Quigley Publishing Company, 40 Rockefeller Center, New York City. Telephone Circle 7-3000. Cable address "Quigpico, New York." Martin Quigley, Editor-in-Chief and Publisher; Colvin Brown, Vice-President; Sam A. Green, Advertising Manager; Charles Bauer, 604 South Michigan Avenue, Chicago, Illinois. Entered as second class matter at post office at New York, N.Y., under the Act of March 3, 1879. Subscription prices per year to the Americas and $12 foreign. Single copies 10c.

Fridav, September 15, 1939
IN OVER 6 YEARS THE ONLY N.Y. STRAND ATTRACTION TO GO FIVE WEEKS IS 'THE OLD MAID'. AND A 6TH IS IN THE BAG! THE BROOKLYN PARAMOUNT HITS HIGHEST TWO WEEKS EVER! AND HOLDS FOR THIRD. DITTO AND DOUBLE DITTO EVERYWHERE. WARNERS’ FIRST FOR ’39-40 TOPS EVEN WARNERS’ TOP OF ’38-39! NEXT ‘DUST BE MY DESTINY’—AND MAGNIFICENT! STAY UP ON YOUR TOES!
Asks Repeal Of Delaware Sunday Laws

Hollywood Preview

"Thunder Afloat" (M-G-M)

Hollywood, Sept. 14—How sturdy Yankee seafarers fought and conquered the 1918 U-boat menace is graphically illustrated in "Thunder Afloat." Authentic fact and romantic fiction are blended in the stirring story which by reason of current events is of timely topical significance.

Personal differences existing between rival tug boat captains, Wallace Beery and Chester Morris, are subjugated but never forgotten in a time of danger and national emergency. Naturally resentful because Morris has been made his superior officer, thus permitting comedy, Beery considers the fight between U.S. and Germany a personal affair because the enemy sunk his tug.

Unanimous to discipline, the vengeful skipper annex a rash act that endangers shipping and service safety and so is reduced in rank. Beery's daughter, Virginia Grey, who loves her father greatly, comes to have a warm estimation for Morris.

Beery, reduced to the rank of a common seaman, is a major factor in a group of shadow fleet fighters which plays hob with submarines. In exciting sequences, he leads the crew which plays hob with enemy, sinking a submarine. He is restored to his officer rank when the sub chaser fleet is ordered to continue duty.

With a great majority of American theatre goers being war conscious whether willing or not, "Thunder Afloat" naturally is a timely attraction. Even with the world at peace, the exciting story authored by Ralph Wheelwright and Harvey Haislip, which Haislip and Wells Roberts transcribed will cause to the world will have high entertainment value by reason of its exciting quality story. Along with protection of the acts, the presence of Wallace Beery in the cast of any picture makes an attraction which many consider it a duty to see. In this he is the two-fisted Beery, rough and determined, yet whimsical. With Morris and Miss Grey heading the supporting cast, George B. Seitz directed the picture in a manner that should stir patriotism in all who see it.

Running time, 90 minutes. "G." M. G. McC.

"G" denotes general classification.

See War Shifting World
Television Center to U. S.

By ALFRED FINESTONE

With public television suspended in England, probably for the duration of the war, the center of development has shifted to America.

Television in Britain is controlled by BBC, which now has come directly in the Government's hands. Air has been cleared of virtually all radio broadcasts except those in line with national defense.

Baird Television Corp., will not be deterred, however, in furthering its plans to install television screens in New York theatres, according to Arthur A. Lee, vice-president of Gannett British. The company moreover is planning to put on programs of its own that will probably seek to tie up major sports events, he said.

Lee has received information from London that French planes reconnoitering Channel areas front and rear are experimenting with television sending apparatus. The pictures are received at field headquarters and photographed as they come in.

Meanwhile, Scophony, Ltd., another British manufacturer of television equipment, is attempting to establish itself here. Jack Davis, managing director of the Monseyeiner News Ticker Circuit of 16 houses in England and Scotland, is in New York seeking to interest capital in forming an American Scophony company.

Davis arrived here three weeks ago primarily on a vacation, accompanied by his two children. They now find themselves stranded, because the British consulate has advised against sailing for the time being, even for tourists.

Davis has pioneered in theatre television. His most unusual experience was when one of his newscast theatres in London received the Boise-Donalson fight. The theatre seats 500 and although tickets sold for $5, a crowd of 6,000 persons tried to get in.

Scophony has developed theatre screens up to 20 by 12 feet, Davis said, and home receivers show clear pictures up to 20 inches in width, with a four-foot screen available for the home. He has inspected television here and believes American development to be behind England's. He believes great interest will be shown in it in a short time and will continue to be made.

Television in England is surrounded by military possibilities, said Davis, such as who owns the air rights and if a theatre, to show a prizefight, must compensate the promoter. The question has also been raised whether a camera crew may work on private property without paying the owner for the privilege. It is expected that there will be clarifying test cases on such points.

Newsreel Parade

Prominent in the new issues are the raising of the submarine Squalus, recovery of the Neutralia Law under dispute, and the survivors of the Athenia arriving in New York. The reels and their contents follow:

MOVIETONE NEWS, No. 2—Neutralia Law: Showing the survivors of the Athenia are inability to obtain immigration papers. Squalus survivors tell of attack. Squalus survivors tell of attack. Nothing is known of survivors of U.S. Navy. A photograph showing the boat. Photos show the boat. Photos show the boat. Photos show the boat.


UNITED PRESS NEWS, No. 85—British allow in Congress. Navy recruiting. Red Cross speeded for medical supplies to tanks to Fort Knox. Spanish fishing in Oregon. A scene of the film.

AUGUSTA TELEVISION, No. 86—Miss Alice Morford has a birthday. Squalus raised and towed. Athena survivors reach port. Athena survivors reach port.

Newsreels Without an Action Shot
(Continued from page 1)

Several have obtained passports and visas for American camera men who have delayed starting the men abroad because of inability to obtain passports that these men would be admitted. The lack of doubt in the event Poland was conquered by the time of their arrival in Europe.

There is nothing impossible now to land a cameraman in Poland before Sept. 28, by which time the situation there might be such that their passports would be canceled and they would be without rights to enter another country at the scene of events. France has not agreed to admit news cameramen from America.

The new issue of News of the Day includes some shots made aboard a German submarine. This, however, was authorized by Reich, official prior to the imposition of rigid censor at the start of the war.

Curiously, despite the inability of reels to obtain war material, some report that they are receiving complaints from exhibitors that the reels are getting over too much footage to material pertaining to the war.

WKRC Mutual Outlet

Effective Sept. 24, WKRC, Cincinnati, has become the only outlet for the Mutual outlet in the Cincinnati area. Operating with 5,000 watts day and 3,600 watts night, on 550 KHz., WKRC is a privately owned and operated by CBS, but it is under contract of sale to the Cincinnati key station, subject to approval of license transfer by F.C.C.
HATS IN THE AIR!

UNTOLD STORY
- now reveals Yankee heroism against U-boat terror in the last war!
  Timely! Thrilling!

THUNDER AFOAT

JUST LIKE THE HEADLINES!
Now it can be told how two-fisted smuggling Yachts fought German U-Boats involving American pilots in the last war! Beery's back with hulls and thrills in today's timelast picture!

ANOTHER MGM HIT!
(One after another. Oh boy!)

TIMELY AS THE HEADLINES!
Independent Assn. Ascap Rates

(Continued from page 1)

only about 40 per cent of the Ascap music used on the air. The industry, and cur- rently, are paying for television experimentation, which will also be a new factor for Ascap. Ascap admits the justice of this argument, but views the matter as something related not so much to the various circuits, but to the various national broadcasters, which should be settled among themselves. It declines to accept it as an argument for reduced rates for the networks.

The Independent Radio Network Affiliates have not communicated with Ascap in any way relative to a new contract.

N. A. B. will consider at its Chi- cago meeting today the possibility of setting up a special counsel for financing its proposed music cataloging service to make the networks "independent of Ascap or less dependent on it." It has been reported that a budget of $1,000,000 minimum will be proposed.

Grosses Stand Up
For Oklahoma City

Oklahoma City, Sept. 14.—With the temporarily closed RKO-Paragon, the 100 degree mark and with no relief in sight, air-conditioned theaters enjoyed good business during the week ended Sept. 7. Total first run business was estimated at $18,300 as compared with the average of $17,400.

Estimated takings for the week end- ing September 7:

- **Star Maker** (Para.)... [details]
- **Pajama Lady** (RKO)..... [details]
- **Bad Lands** (Radio).... [details]
- **Code of the Secret Service** (W. B.).... [details]
- **Stanley and Livingstone** (20th-Century).... [details]
- **Flute of the Wind** (20th-Century).... [details]
- **The Wizard of Oz** (M-G-M).... [details]

Hollywood

Hollywood, Sept. 14.—"Refugee," 45-minute picture photographed by William A. Seiter and directed by Irving Lerner for the Spanish Refugee Relief Campaign, was previewed last evening at the lounge of the Hollywood Roosevelt Hotel this week. Said to have been seen by conscientious citizens, it presents the plight of Spanish refugees who fled to France toward the close of the war. Spanish National Officers of the SRF of America, Harold L. Icks, Mrs. Casper Whitney, Philip Merivale and Dr. Sher- man Adams are among those who viewed this picture and are working hard to obtain the release of this picture.

Universal's "Tropic Fury" is set for preview Sept. 27 under circumstances paralleling the far-away ex- ploits of the preview play of "Men of Pro- perty"—now less prevalent due to this and that—the studio transporting press to the home of the studio, and that the studio will be on hand. Andy Devine, the picture, is May. "More to the point today than we have had before," says Universal's publicist. "We're a bit of everything."

Bert Sternbach, general manager of Producers Pictures Corp. studios in construction at Prescott, Arizona, has notified Ben Julesi, president, that work is being proceeded with and that it is expected the new plant will be ready for production Oct. 1.

Not one but four sea pictures are to be produced in the new Warner tank stage, construction of which has been stopped temporarily when "Sea Hawk" was temporarily sidetracked, and when "Sea Hare" was scheduled to go into production. In addition to the Warner schedule, "John Paul Jones" and "Captain Ho- ratio Hornblower" are the salt water topics to be shot in the new enclosure.

Glady's Cooper, British star active in stage affairs on this side since 1924, will make her picture bow in David O. Selznick's "Rebecca," for U. A. distribution.

Katharine Hartley, fan magazine writer, has been signed by Paramount for a three-picture deal as a writer for a Movie Producer," her own story, which will be produced by Arthur Hornblow, Jr.

Carole Lombard has recovered from her recent illness and RKO-Radio's stage, Stevens, has resumed treatment of "Vigil in the Night," which was suspended for several weeks after 30 days of shooting due to the star's illness.

Edward Arnold, whose 35 years as an actor has included everything from Shakespeare on Broadway to melodrama in the sticks when "the road" was first heard of, after nine weeks of shooting due to the star's illness.

War Effects on Film Trade Called Weak

The Central Theatre, Broadway gatehouse, which was forced to close in October into a first run for French pictures, serving as an outlet for the Film Alliance of the United States, foreign film distributor, the company was formed last year, but is now start- ing operations, with 18 franchised ex- change houses.

After extensive remodeling, the Central will inaugurate its new policy of booking pictures from foreign sources. Among the films now scheduled for release to the public are "The Pirate" and "The Woman" by Charles Boyer, both of which have been released in Europe. The company's French al- liate is Synnex.

Harriett Brandt is a vice-president of Film Alliance, and both the Central and the Globe, which is the English picture outlet, are Brandt houses. In the picture the public will be impressed with the Central circuit, contingent on deals made with other circuits. Indefi- nite, for example, is the foreign picture for the French pictures at the Central.

Nat Wachsbach, Foreign producer for Alliance, is a vice-president of the company and has been with the company. Nat Well, formerly exploitation manager for Universal, is publicity director. Nat Brandt is in charge of New York sales.

Wachsbach is working with Boris Morros, Foreign Director, to develop French picture material for possible remakes. Three stories have been abroad which are made in Holly- wood. More is to be produced for RKO release.

CBS and NBC, as well as their West Coast regional networks, have asked the Radio Dramatization Department of Radio Actors a revised sched- ule of minimum fees for performers. The new schedule covers performers appearing on regional commercial programs originating in Hollywood, Los Angeles or San Francisco and not available to stations other than those in the WA S states. The revised rates are approximately 60 per cent of the national A.F.R.A. rates.

The new schedule will be put into force immediately and will hold until Feb. 14, 1941. Mark Woods and Law- rence Lowman, CBS and NBC vice- presidents, acted for their respective networks and Emily Hilt for A.F.R.A.

The rates for actors are to be as fol- lows: $7.50 for a 15-minute strip; $10 for the half-hour; $12.50 for the full hour. Announcer's fees are $8.50 for 15-min- utes; $12.50 for 30 minutes; $17.50 for the full hour. Rehearsal fee per is $3.50. An- nouncers' fees are $8.50 for 15-min- utes; $12.50 for 30 minutes; $17.50 for the full hour. Rehearsal fee is $3 for the first hour.

War Effects on Film Trade Called Weak

The war's effects on film distribution abroad will soon be more noticeable than those felt at the outbreak of the conflict, according to John W. Hiles, Paramount chief of foreign opera- tions, who returned to New York last week-end after 10 weeks in Aus- tria, New Zealand and the Pacific.

"Having been in constant communication with Paramount's foreign office and representatives, I find that the war has found a definite feeling that normal film distribution abroad will soon be eased," Hick said.

Hicks added that American motion pictures would share in the increased prosperity felt by countries such as Australia and New Zealand, but not in South American countries, all of which would share in the war boom as a result of increased consumption of their products.

Cruelty to Animals

Charged to Studios

ALBANY, Sept. 14.—The film indu- stry was accused of practicing cruelty to animals today in reporting to the national convention of the American Humane Society here the doings of films in which they appeared.

He asked that an end be put to the use of pitfalls on locations. Hansen said he had ascertained that camou- flage was used in single scene, and that birds and forced animal fights became seri- ous offenses through nation-wide ex- hibition of films in which they appeared.

The association will send a field representative to Hollywood to attempt to obtain industry cooperation in training to the use of animals in films.
Two Columbia Latin America Parleys Billed

J. A. McConville, Columbia foreign sales manager, said that Columbia's last big Latin American venture, which was to be made last year to date has exceeded any similar activity in the past several years. In the last year, the studio has built or is in the course of construction, with a total of 10,130 seats. The old Times-Star building, likewise, in a prominent downtown location, is being demolished, and a new 700-seat movie palace will be built. The project is expected to be ready for completion by the fall season.

"The Day the Bookies Wept" (RKO)

Hollywood, Sept. 14.—When producer Robert Sisk, writers Bert Granet and George Jessle and director Leslie Goodwins got their hands together to do the Bookies Wept," they must have had the prophetic vision that along about the time of the picture's release people would be in the mood for a lot of hearty laughs.

Anyway, they cooked up a nonsensically funny race horse story, recruited competent funsters Joe Penner, Richard Lane, Tom Kennedy, Thurston Hall, added Betty Grable and Bernadene Hayes for the necessary feminine touch and told them to get out there and be as funny as they could be.

The result is a full hour of farce hokum, jam packed with laughter in lines, situations and characterizations. Bled white by long shots that never win, the Lane-Kennedy gang of taxi drivers thirst for vengeance on the bookies. They buy a horse and commission pigeon fancier Joe Penner to get and train it.

Penner is a hopeless trainer and the horse is a hopeless runner until Miss Grable learns that the steed likes its beer and that, when full of it, can run faster than a hurricane. Wanting marriage with Penner and a suburban cottage, she commandeer's Penner's savings and the taxiliner's kitty, buys the steed a keg of high-powered brew which it consumes away, giving the bookies the boot.

That's why the bookies wept, and the preview audience laughed.

Running time, 60 minutes. "G." *

V. McC.

15 New Film Houses Built In Cincinnati

CINCINNATI, Sept. 14.—New theatre construction here and in the Cincinnati vicinity last year to date has exceeded any similar activity in the past several years. In the last year, the studio has built or is in the course of construction, with a total of 10,130 seats.

Locally, the new Grand, which will replace the Grand Opera House, an old landmark in the heart of the theatre sector, is the largest project, with seating for 3,700 persons. Other theatres are also being razed, upon completion of which work, building operations will be

Next Galaxy and Atlantic Picture are about ready to open the 900-seat Elsmoor, a suburban unit, which is being designed by Robert Cooper, in the last 12 months, as was also the Silverton, with 600 seats, operated by J. W. Nordholt, at Silverton, a suburb. Willis Vance, who opened the 450-seat Ohio in suburban Norwood during the year, is building the State, the last 12 months, as was also the Silverton, with 600 seats, operated by J. W. Nordholt, at Silverton, a suburb.

The old Miami-Webster, an 800-seat at Ohio, Ohio, was built recently. The district, Rappold Brothers are building a 600-seat house on Parsons Ave., a neighborhood lo-

041.

Three Brothers have started work on a theatre with 525 seats at Eaton, Ohio. A new theatre to have 500 seats is being built by Harry Schwartz, at Paris, Ky., and work is starting on a 300-seat house, at Beverly, Ohio, with C. O. Dixon as the builder.

Peacocks Arrive In East for Week

At Pearce and Mrs. Pearce arrived by train Wednesday from California. They will return here one week to complete plans for the new radio series Pearce has been signed to do, and the California campaign of the series will commence. Originaire Haas of the Fanchon & Marco office came to New York last week to talk over the affair, and will accompany them on the return to the coast. The new Pearce program is to start in October over CBS.

Howard Allen Dead

DENVER, Sept. 14.—Howard Allen, manager of the Pace theatre at Gor-

den, Neb., died of a heart attack. Blue Hills Amusement Co. owns the Pace theatre.

"Oz" Hits $16,500, Leads in Capital

WASHINGTON, Sept. 14.—"The Wizard of Oz" took $16,500 at Loew's Palace. "Lady of the Tropics" was $18,500 at Loews Capitol, and "In Name Only," $10,000 for $9,500 at the RKO Keith's.

Estimated takings for the week ending Sept. 14, were $17,000,000. In 1938, the same week, the takings were $17,000,000, for 1,800 of the best showing, which is only one of the Latin American conventions the company has held in Latin America.

Because of the war in Europe, McConville believes that business in the Latin American countries will be materially improved. The effort required to build up maximum revenues.

In addition to the Hollywood products, which it is stressed, will not be curtailed because of the war, the company has four Spanish films made in Mexico, and a number of others, of which will be shown in Latin America.

Conventions will be held in Havana from Sept. 20 through 22 and in Buenos Aires from Oct. 3 through Nov. 1.
HENDRIK WILLEM VAN LOON'S

"THE FIGHT FOR PEACE"

THE HORRORS of WAR!
BOMBS FOR BABIES!
TORTURE FOR WOMEN!
NATIONS GONE MAD!

It tears at the mighty heart of humanity—it makes you gasp at its daring realism—its emotional impact will shock the world!

A
WARWICK PICTURE
Narratted by
DAVID ROSS

AVAILABLE NOW AT MONOGRAM EX
DEATH AND DICTATORS
MARCH HAND IN HAND!

"OVERPOWERING... MUST BE SEEN..."
— Nugent
3½ STARS
N. Y. Times
— N. Y. Daily News

"AN ORCHID TO THE FIGHT FOR PEACE"
— Walter Winchell

"HAS GREATER DIGNITY AND POWER THAN PREVIOUS WAR SPECTACLES"
— Johanson, N. Y. Daily Mirror

ANGELS • RUNNING TIME 65 MINUTES
### Motion Picture Daily's Booking Chart

#### Motion Picture Daily's Booking Chart

**Book these PARAMOUNT SHORTS when you book your features!**

<table>
<thead>
<tr>
<th>Universal</th>
<th>Warners</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>U. A.</strong></td>
<td><strong>20th-Fox</strong></td>
</tr>
<tr>
<td><strong>RKO Radio</strong></td>
<td><strong>Republic</strong></td>
</tr>
<tr>
<td><strong>Para.</strong></td>
<td><strong>Monogram</strong></td>
</tr>
<tr>
<td><strong>M-G-M</strong></td>
<td><strong>Columbia</strong></td>
</tr>
</tbody>
</table>

#### Release Dates

- **September 1**
- **September 8**
- **September 15**
- **September 22**

#### Plot Summary

- **The Man from the Missouri Border**
- **The Man from the Missouri Border**
- **The Man from the Missouri Border**
- **The Man from the Missouri Border**

#### Cast

- **Charley Chase**
- **Ginger Rogers**
- **Carole Lombard**
- **Robert Taylor**

#### Film Descriptions

- **Flight Over Kansas**
- **The Man from the Missouri Border**
- **The Man from the Missouri Border**
- **The Man from the Missouri Border**

#### Production Company

- **Warners**
- **M-G-M**
- **Columbia**

#### Poster Design

- **100% BOX OFFICE tested**
- **Paramount Color Cures**
- **Artie Shaw's Class in Swing**
- **Popular Science**
- **Public Hobby Number One**

---

**Dates Are Based on National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After Titles Denote the Following: (A) Adult, (G) General, (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action.**
"Life Begins for Andy Panda" (Universal)
The customary newspaper flurry caused by the birth of a baby panda in a zoo is utilized to make a lively outdoor cartoon. A baby panda is born in the forest and all the animals celebrate. However, Andy's desire to get into the newswires causes trouble and he has a narrow escape. Running time, 9 mins.

"Silly Superection" (Universal)
Here is a Walter Lantz Cartoon which is sure to please the screens. The super-heroes of Walter Lantz are popularistic. John S. Martin supplies the narrative in English. Running time, 10 mins.

'Violin' (French Cinemat Center)
Credited with winning a Paris short subject prize, this subject, produced by Films Jean deCavignes, pictures the making of violins in France. With a background of effective stringed music, the subject is extremely interesting and full of instructive. John S. Martin supplies the narrative in English. Running time, 7 mins.

"Stranger Than Fiction, No. 66" (Universal)
Five varied items make up the current issue of "Stranger Than Fiction." A collector of fishing tackle who has been forbidden by his doctor to indulge in fishing; a hand-carved miniature circus; a collector of President Roosevelt's press clippings; a tame quail; and a man who can place several billiard balls in his mouth, are included. Running time, 9 mins.

"Going Places, No. 66" (Universal)
Here is an unusual tropical forest designed and cultivated in Florida by a fruit grower and an industrialist. The state of Florida offers tourist spots which the eight acres abode in tropical plant and animal life. Monkeys and sensitive tropical plants are there in profusion. Running time, 9 mins.

Hollywood Review

"Rules of the Sea" (Paramount)
Hollywood, Sept. 14.—Exhibitors will find Paramount's "Rules of the Sea" a showman's dream come true. A moving story of the birth of steam's use in trans-oceanic travel, Paramount will release it late in November, at a time when, perhaps, the world will more thoroughly realize the perils confronting merchantmen and other vessels through the world. It is fiction, based on fact, and with a measure of romance. The film is the dramatization of the dream of two men that steam would supplant sails and wind as the driving power for boats which would ply the seven seas. The picture affords the widest of current opportunities for exploitation, and its content justify the expenditure involved.

The top cap is Douglas Fairbanks, Jr., in Andy's best characterization to date. Making their American film debuts are the British favorites, Margaret Lockwood and Will Fyffe. Both of the portrayals augur well for their American film future.

Exhibitors can tell their prospective patrons that "Rules of the Sea" was made by Frank Lloyd, the same producer-director who brought forth "Majesty on the Desert" and that Talbot Jennings, one of those credited with the screenplay of "Bounty," worked with Frank Cavett and Richard Collins on the story and script of this film. "Rules of the Sea" is the grim conflict of men against nature, harnessable and otherwise.

Supporting the top trio is a cast of character players, headed by George Bancroft, Montagu Love, Vaughan Glaser and David Torrence. Laid in the early 19th Century, the story is of the vision of Fyffe, Scotch foundryman, that steam would be used for trans-Atlantic travel. Scoffed at, Fyffe finds new hope in enlisting the aid of Fairbanks, a sailing- vessel mate. Fyffe's daughter seeks to realize his dream. They labor hard and their efforts are for naught, until a lucky turn of events finally enables them to win success. Fyffe is outstanding as the mechanic whose humble Scotch philosophy is poignant.

"Smurfy's Party" (Universal)
Poor little Smurfy Skunk invites all his friends to his birthday party but they arrive with their gas masks and shut him out. He watches the festivities from the wind in a while a rain storm breaks. His chance to become a hero arrives when the dam bursts and his friends welcome him back. A Walter Lantz Cartoon. Running time, 7 mins.

'Maid at $7,500 In Montreal Lull

MONTREAL Sept. 14.—"The Maid at $7,500" stars Kate Nield in a comedy exploitation with a gross of $7,500 at the Palace. "Goodbye, Mr. Chips" registered $4,000 for its seventh week at the Forum.

Estimated takings for the week ending Sept. 8.

CAPITOL — (2,424) (28-4c-5c-56c) $7,200. (Average, $7,200.)

"Goodbye, Mr. Chips" (M-G-M)
LOEB S. ($2,000) (28-4c-56c) $7,000. 7 days, week, gross: $1,400. (Average, $200.)

Four Feathers" (U. A.)
ORPHEUM—(999) (28-3c-50c) 7 days, 4th week. Gross: $200. (Average, $30.)

"The Old Maid" (W. B.)
PALACE—(2,000) (28-4c-56c) $7,000. 7 days. Gross: $1,000. (Average, $143.)

"These Glamour Girls" (M-G-M)
INDIANAPOLIS—(2,100) (28-4c-56c) $7,000. 7 days. Gross: $1,000. (Average, $68.)

Form Radio Company

DOVER, Del., Sept. 14.—Independent Radio Affiliates, Inc., has been incorporated here to engage in radio broadcasting. Stock has no par value. Initial stockholders were J. Vernon Finley, Albert G. Bauer and Albert S. Roebuck, all of Philadelphia.

Joins Columbia Artists

Larry Puck has joined the personal appearance department of Columbia Artists. He was conducted here by his own agency for a number of years, brings with him several artists, including the Diamond Brothers, Nelia Groodelle, Al Trahan and Marty May.

Warner Club Elects

SEATTLE, Sept. 14.—The local Warner Club, comprised of employees of the Warner exchange, has elected 1939-40 officers as follows: president, Morton J. Crocker; vice president, Goldfield; and Aldean Hawk; secretary-treasurer, Mary Smith; field representative, Craig Turner, Margaret Crow, Guy Maxey.

Monograph Names Goldberg

KANSAS CITY, Sept. 14.—Stanley Goldberg has been named booker, in charge of film operations for Monograph here by Douglas Desch, manager. Goldberg has been in the theatre premium field the past two years, but Goldberg is a booker for the Monograph exchange.

RCA Shifts Johnson

KANSAS CITY, Sept. 14.—Carl Johnson, for five years service manager for RCA at Dallas, has been named service manager here, succeeding Gus Holly, who has been transferred to Camden, N. J.

New Kansas City Lease

KANSAS CITY, Sept. 14.—Deal involving the lease of the new downtown theater for the next two years, for Vernon's, has been closed and will be remodeled.

Remodel, Rename Theatre

The Liberty, Sayreville, N. J., closed for some time, is being remodeled and will be reopened about Oct. 1 by Alvin Theatre Co. of which Max L. Rothman is president. The house will be renamed the Colony.

Open New House by Dec. 25

Theatre under construction on Broadway and 43rd St., Manhattan, on the site of the old George M. Cohan theatre, is expected to be ready for use before Christmas. Consolidated Amusement Enterprises will operate.

Burlesque House Reopens

Irving Place Theatre has been reopened after a Summer shutdown and is operating with burlesque.

Summer Closing Ends

Avalon, Brooklyn, has been reopened by Consolidated Amusement Enterprises. It was closed for the Summer.

Burlesque and Films

Shubert, Brooklyn, has been taken over by the Salmon Amusement Co., Inc., and has been reopened for burlesque and films.

Remodel in San Antonio

SAN ANTONIO, Sept. 14.—The Princess will be closed for a short time for complete renovation. L. W. Oppenheimer is the owner.
BANNER RADIO LINES

BY JACK BANNER

The divided twain. Ascap and the networks are standing proudly aloof from each other on the subject of a network broadcasting schedule for the music association's Music Festival, which is to be held Oct. 1-6 inclusive. Despite the enormity of the Festival (it will cost Ascap a third of a million dollars to produce it) neither side has approached the other about the possibility of broadcasting. It is almost certain that in the networks will not broadcast the Music Festival events, but if both sides persist in their present uncompromising attitude it might very well develop thus.

If that is how it works out we will have a ridiculous situation in which a national event will be carried no farther than the walls of Carnegie Hall, from whence the concerts will originate. Ascap will be the loser in that its festival will be cut short. And a tremendous amount of musical interest will be wasted, a presentation of light opera by Frank Black; an evening devoted to the creative works of Negro musicians; an evening devoted to Symphonic Jazz, Melody and Swing, with Paul Whiteman and his orchestra, Benny Goodman and band and Fred Waring's orchestra and choir; an evening devoted to band music presented by Edwin Franko Goldman's band and other bands; and an evening devoted to popular songs written by composers of the Society in whose companies I ivirgin, Richard Rodgers, Cole Porter, and others, will sing and play their own works.

There is still time for Ascap and the networks to temporarily forget their differences and get together in the good cause of the Festival. Their ill-will for each other will be insignificant in the ill-will the public will hold for both sides if they persist in their present attitude until it is too late to arrange a network broadcast schedule.

OL CHARLES A. LINDBERGH, speaking on the radio for the first time since his disappearance over the NBC Red network from Washington tonight at 10:45 o'clock, Eastern daylight saving time, CBS and Mutual also will broadcast the speech.

TO OPEN SEASON for sponsors to go hunting newspapermen for their programs. With Burke Marshall signed by the networks, the wills now have been signed by General Electric to make the 'Woman of the Week' on the Phil Silon program, which is to take the air on Sunday.

PERSONALS AND NOTES: John Gunther and Hugh Gibson, who have covering phases of the war in Europe for NBC, are returning to the United States. . . . The Three Marshalls have signed a management contract with RKO Radio Pictures to give public performances, and RKO's, and will be confined to a location service.
**STUDIOS ADOPTING SHARP ECONOMIES**

**New Censor Setup Placed By Britain Over Newsreels**

*London, Sept. 17.—Statements in the House of Commons Friday indicated that newsreels in England are being censored by the British Ministry of Information, instead of by the British Board of Film Censors, as originally intended.*

*Indications of a change in the operation of newsreel censorship came in Commons Friday when Earl Winterton, spokesman for the Lord Privy Seal Office, stated that he could not agree with the report that the newsreels were being edited by the British Information Service, which is functioning as an independent body. He stated that the British Board of Film Censors has been reinforced by representatives of the Ministry of Information, Winterton accepted the responsibility of his department for the security of the country's films.*

*Considerable dissatisfaction has existed among the newsreel companies relative to the censor board's censorship, and a demand recently was made for censor operation, with respect to newsreels, by the Ministry of Information.*

*It was the contention of the reels that the present circumstances newsreels should be treated as news.*

**Foreign Revenue Losses Cause Production, Staff Slashes**

*Hollywood, Sept. 17.—Some of the major studios are clearing their decks to effect sharp economies designed to balance lost in foreign revenue resulting from the war.*

*Reduced shooting time and less expensive printing, an understanding of foreign markets are being scheduled, in addition to substantial payroll revisions. All studios seek to avoid salary cuts.*

*More optimistic than most executive voices heard in Hollywood is that of Louis B. Mayer, M-G-M vice-president and production chief, who has held long sessions with M-G-M producers.*

*Production Up to Par*  

*After hearing reports of department heads and individual producers, it has been decided at this studio that by maintaining a constant level of production activity, instead of having a dozen films in work and then dropping to one or two, and by increased care in the preparation of product while in the studio, economies adequate to the requirements of the situation could be effected without reducing the executive personnel or cast.*

*Meanwhile, reports of M-G-M studio layoffs in lower earning brackets number in hundreds, and the studio, which has been operating on a six-months' vacation period,*

*While an unofficial count had 300 off the payroll at 20th Century-Fox, 400 dismissed at Warners, 300 at Paramount, a proportionately number at other plants, upper bracket men were being retained practically everywhere.*

**Go Off Fox Payroll**

*An exception to this is 20th Century-Fox where Louis B. Mayer, associate producer, Robert Fairbanks, construction engineer, and Aiden Roark, member of Darryl F. Zanuck's advisory staff, have gone off the payroll. Munnally Johnson, writer and producer, has gone on half-pay basis for a six months' vacation period.*

*About half of the reader department staff has been dismissed.*

*While planning building of a $400,000 tank stage for sea pictures, have abandoned plans to extend its studio laboratory and will continue to use its external facilities for that work.*

*Lowered outlays for elaborate sets in staging spectacles is one of the economies contemplated at all studios.*

**New Regulations on Film Shipping Adopted By U. S.**

*Washington, Sept. 17.—New shipping regulations adopted by the U. S. Department of Commerce providing for the shipment of all motion pictures and equipment to foreign markets, as well as other goods, have been disclosed here by N. D. Golden, chief, Motion Picture Division.*

*The following amendment to existing shipping regulations provides that all shippers' export declarations shall be filed after Oct. 1, 1939, in advance of clearance:*  

*"Any vessel taking on cargo for a foreign port, or a port in non-contiguous territory, and all shippers' export declarations covering cargo laden on board shall be cleared before Oct. 1, 1939, in advance of clearance.*

*The Assistant Collector of the Port of New York issued the following notice Sept. 7 clearing all exports centralizing with the Port of New York:*  

*"Effective immediately Shipper's Ex*  

(Continued on page 6)

**Broadcasters Vote Own Music Source**

*Chicago, Sept. 17.—The National Association of Broadcasters, determined to fight what it called the "motion picture-dominated" A.S.C.A.P., will organize a corporation, Broadcast Music, Inc., to build an alternative source of music for broadcasting purposes.*

*A resolution calling for establishment of this corporation was passed Friday during the N.A.B. convention here.*

*The corporation will issue 100,000 shares of stock at $1 a share. All N.A.B. members are to buy stock in*  

(Continued on page 6)

**Knox Delays Setting Trial Of Trust Suit**

*Waits Until Interrogatory Issue Is Settled*  

*Federal Judge John C. Knox on Friday filed a memorandum in the U. S. District court here in which he agreed not to rule on the Government's motion for a preference on the trial calendar for the New York anti-trust suit until the question of whether the Government's recent interrogatories has been disposed of.*

*Judge Knox's action grants the defendant film companies' request in reply to the interrogatories can be given the complainer and of the necessity of defendants as regards their further preparation for the trial. When I can be so informed," the memorandum concludes, "let the counsel for the parties then appear before me."

*The defendant companies, by agreement with the Department of Justice, have until Oct. 7 to make objections to the Government's 68 comprehensive interrogatories relative to the history and trade relations of the defendant corporations and their subsidiaries.*

**Producers, T.M.A.T. Agree on Contract**

*With "stalling" tactics apparently abandoned, the League of New York Theatres, composed of Broadway producers, and the Theatrical, Managers, and Treasurers Union are reported ready to sign a contract this week, probably of three years' duration and covering company managers and press agents.*

*Both sides have indicated that the problem should be settled separately.*

*It is indicated that a contract for the theatres may be ultimately signed by the I.A.T.S.E., the T.M.A.T., containing itself with agents and managers.*

**U. S. May Disband Trust Office Here**

*Semi-official reports are that Thurman W. Arnold, assistant U. S. attorney general, may disband the anti-trust office in New York within the next week.*

*The local anti-trust staff, including Buckley W. Henderson, New York chief, and William McGovern, his assistant, and others may be transferred to other points, once the court's ability to consider the case has been restored.*

*A anti-trust litigation in the New York area will be handled by John T. Kahill, U. S. district attorney for the southern district of New York under the new setup.*

**Alert, Intelligent and Indispensable to the Motion Picture Industry**
Trade Facing Crucial Time
Silverstone

Referring to the next few months as "a crucial period for the industry," Murray Silverstone, United Artists chief executive, predicted in a statement issued over the weekend that the public will lose its preoccupation with news of the war and will return to the screen its first choice again.

Conceding that motion pictures, like other media, cannot escape a propaganda campaign, Silverstone asserted that the propaganda of the screen "will remain on a high plane" and will be a propaganda "of spirit and of morale."

"The fact is," he states, "that there is nothing in our present civilization that can stand the test of time to bring people together, at least temporarily, more effectively than the screen. The individual sitting in the movie house, to what he sees in pictures very much as his neighbor does."

"The next few months," he concludes, "commit a crucial period for the industry. If we recognize, as we must, that we have a tremendous contributory to the freedom of the screen will maintain the high, vital character it has been developing for the past three decades."

Delaware Undecided On Blue Laws Action

WILMINGTON, Del., Sept. 17—Conflict of views on the advisability of another special session of the Delaware legislature to consider revision of the blue laws was expressed today by J. Carl McGugan, Democratic floor leader of the House, pointed out that each meeting of the legislature "to passing the buck to the 1941 session."

Governor McMullen said that the committee appointed by the legislature last month to study blue law revision should be allowed to finish its work before the legislature is convened.

Test Suit Planned On Transcriptions

Arrangements have been made whereby a test suit will be started immediately to settle the controversy which has existed for many years between the music publishers and transcription companies on electrical recordings used by broadcasters.

The controversy involves renewal provisions under Section 1 E of the Copyright Act. Harry Fox of Music Publishers' Protective Association has advised all Thesaurus selection subscribers that restrictions on the NBC Thesaurus have been removed.

These arrangements will enable a new clarity the relationship between the publishers, transcription companies and the broadcasters.

'Agent' to Strike Friday

"Espionage Agent" goes into the New York Strand Friday following the current run of "The Old Maid." "Dust Be My Destiny" was originally scheduled for that date. "Dust Be My Destiny" is slated to follow "Espionage Agent."

Purely Personal

WILLIAM F. RODGERS, general sales manager of M-G-M, has moved his family from a central Park West apartment to a home in New Rochelle.

FLORENCE CHAMBERLAIN, secretary to Herb Friedan, Denver branch manager, for M-G-M, is visiting here.

LOUIS PHILLIPS of the Paramount legal department left for Chicago yesterday to be on hand when Master in Chancery Eldridge hands down his decision today on the strike of theDetail Factory in Hollywood.

LILLIAN D'ACOSTA, secretary to Al Wilke, Paramount public manager, is on vacation.


Annabella, one of the Century-Fox player and wife of Tyrone Power, arrived yesterday from Europe on the Clipper with her mother.

SAMUEL CUMMINS, independent distributor, has returned from the Coast where he set up a new production company.

Harry Buxbaum, Jr., son of the 20th Century-Fox Metropolitan district manager, is vacationing at Shelter Island, New York, where he had the use of a fishing boat of the Open Air Theatre all summer.

PHIL REISMAN, general manager of RKO's foreign department, arrives from South America today on the Brazil.

Erol Flynn termina a vacation tomorrow when he leaves New York for the Coast.

Howard Hill, champion archer featured with Erol Flynn in a series of archery shots made by Warners, has left Hollywood for Chicago to attend the premiere of the first of the series.

Edward Everett Horton winds up a tour of the southwestern circuit next week and will resume screen work at the RKO lot.

John Hodge, assistant at the Strand, Providence, has returned from a brief visit to New York.

Frank R. Stich of the RKO home office is on vacation On special ex- confusion.

Stuart Walker, Paramount associate producer, plans a vacation by motor to last a month. He and his son, Arthur, will drive East, planing to spend some time in Connecticut.

James R. Grainger, Republican president, left yesterday by plane for Dallas, St. Louis and Chicago. He returns next Monday.

HERMAN WOBBER, general distributor of 20th Century-Fox, has designated this week as "M-G-M Week in New York, next week in the S. R. Kent Drive.

Sidney Kaufman has returned from the South where he made a four-week trip and filmed color for the Allied Chemical Corp. It is called "The New South."

Bert Reisman, RKO's manager in Peru, and Mrs. Reisman are the parents of a girl, Penelope Margaret.

Among recent visitors here for the World's Fair were Fred Carr and family from Ardmore, Okla.; Dave Caineaux of the New Orleans branch, and Amy Poynter, Minneapolis booker.

Edwards, of the RKO stage play, the Rex, Canada's only theatre playing news reels and shorts, at Havana, is visiting here.

A. A. Schubert, manager of the exchange operations for RKO, returned to the home office Friday after a business trip to Montreal, Toronto and Buffalo.


130 in Warner Club Golfing Tournament

More than 130 players are expected to participate tomorrow in the sixth annual golf tournament of the New Warner Club at the Glen Oaks Club, Greentree, L. I. Many prizes will be offered.


Gradwell L. Sears will be master of ceremonies at the dinner in the evening. Jerry Keyser is chairman of the program committee.


Gradwell L. Sears will be master of ceremonies at the dinner in the evening. Jerry Keyser is chairman of the program committee.


Gradwell L. Sears will be master of ceremonies at the dinner in the evening. Jerry Keyser is chairman of the program committee.


Gradwell L. Sears will be master of ceremonies at the dinner in the evening. Jerry Keyser is chairman of the program committee.


Gradwell L. Sears will be master of ceremonies at the dinner in the evening. Jerry Keyser is chairman of the program committee.


Gradwell L. Sears will be master of ceremonies at the dinner in the evening. Jerry Keyser is chairman of the program committee.
The selection of Leo, Jr., was the biggest national publicity stunt ever staged for a short subject. A nation-wide hunt by International Lions Clubs! The winner at Lions' international convention at Pittsburgh! Crowned at New York World's Fair! The flight to Hollywood to become the living symbol of M-G-M's superior short subjects.

They can't hold Leo, Jr.! He's roaring to go! Here are a few of his new shorts!

**War!** Athenia Sunk by Submarine

**FOOTBALL THRILLS of 1938**

*Pete Smith's* annual review of U.S. gridiron classics. 176 pigskin stars in 8 breath-taking games from Coast to Coast. Release date Sept. 16.

**Set 'Em Up**

Pete Smith bowls 'em over with a natural for exploitation. (Remember "Strikes and Spares"?)—Release date Sept. 30.

**Drunk Driving**

His crime does not pay, please! 1001 Troops! Guaranteed to make "Hit and Run Driver!" Coming soon.
**Iron Mask**

*Hub Winner*  
*With $44,000*

Boston, Sept. 17.—"The Man in the Iron Mask" dually with "Coast Guard" opened in the Theatre Square Thursday at 7:30 p.m. at Loew’s Odeum and State. Beauteous and "Quick Millions" did well with $7,000 at the Metro
dy. "In Name Only" and "Frontier Marshal" drew $15,000 at Keith Memorial in the second week. 

*News Highlights* for the week ending Sept. 14:  

*News Made at Night* (20th-Fox) (3 days)  
*The Zero Hour* (Rep.) (3 days with vaude.)  
*Naughty But Nice* (W. B.) (4 days)  
*The Warning* (but 3 days)  
*RKO Keith BOSTON* (1:20) (20c-30c-40c) 2nd run. Gross: $7,500. (Average, $7,500.)

*In Name Only* (RKO)  
*Fess Parker* (20th-Fox)  
*KEITH MEMORIAL—(25c) (25c-35c-50c) 7 days, 2nd week. Gross: $10,000. (Average, $14,500.)  
*Blackmail* (M-G-M)  
*Every Day* (W. B.)  
*PARAMOUNT—(1:27) (25c-35c-40c-50c) 7 days, 2nd week. Gross: $7,000. (Average, $7,000.)

*Blackmail* (M-G-M)  
*Every Day* (W. B.)  
*FESWAY—(1:32) (25c-35c-40c-55c) 7 days, gross: $4,500. (Average, $4,500.)

*Blackmail* (M-G-M)  
*Quick Millions* (20th-Fox)  
*Metropolian—(2:02) (25c-35c-40c-55c) 7 days, 2nd week. Gross: $17,000. (Average, $18,500.)

**The Man in the Iron Mask** (U. A.)  
*Coast Guard* (Loew’s)  
*Loew’s Odeum—(2:00) (25c-35c-40c-50c) 5 days, 2nd week. Gross: $25,000. (Average, $7,500.)  
*The Man in the Iron Mask* (U. A.)  
*Coast Guard* (Loew’s)  
*Loew’s State—(3:00) (25c-35c-40c-50c) 9 days, 2nd week. Gross: $11,000. (Average, $1,222.)

**The Star Maker** (Para.)  
*Death of a Champion* (Para.)  
*SHINKLEY—(2:00) (25c-35c-40c-50c) 7 days, 2nd week. Gross: $5,200. (Average, $740.)

*Museum Screening For Music Society*  

Museum of Modern Art on Friday at a luncheon held a special screening of motion pictures of musical interest for members of the Ira. Congess of the Muscological Society. Films screened included "Adoration of the Mystic Lamb," excerpts from "A View from the Bridge," "Little Pig's," in French and "Colour Box." Since it was founded in 1935, the Museum’s Film Library has collected musical scores for silent films as well as compositions which have been composed for sound pictures. The Museum has set the following pictures for screening this week: today, The Outlaw and His Wife" and "The Story of Gusta Berling" Tuesday, films by Louis Lumiere, "The Runaway Horse," "Fantomas" and "The Crime" Wednesday. "Hamlet" and "The Last Laugh." Thursday, "Greed," Friday, "Dream of a Raving Calm," "High and Dizzy" and "The Navigator." and on Thursday, "The Big Parade."  

*Joins CBS Publicity*  

George Cramond, who has for years been a member of the Wofford, CBS radio division and with concert programs in managerial capacities, has joined the CBS publicity department as field representative. He left one the week
d for a tour of Eastern, Southern and Middle Western cities.

*New York Review*  

"Betrayal"  

(William Pictorico)  

This is strong dramatic material, one of the finer things to come from France, and offering, in the person of Anny Vernay, one who must win a wide, if limited audience at the flickering star-lights of Hollywood. She is extremely young, but likewise extremely self-possessed, poised, and appears well on the way to being a performer. 

Produced for Nero-Chronos Films in Paris, the picture is amply equipped with subtitles in English, making for ready understanding of the French dialogue. 

Fedor Ozep directed from a screenplay by Compancze and Jaycel, and imparted much of technical skill and care to the production. It is a well-turned effort, produced elaborately and handsomely. 

In support of the youthful star are Pierre-Richard Willim, Suzy Frini and Cali. Willim is the attempt of a young girl to succeed to the throne held by the imperious Catherine II, Emperor of Russia. Miss Vernay is guided by Karl, and Miss Prim sends her most trusted officer, and lover, Willim, to bring Miss Vernay back from Venice a prisoner. But the officer meets the girl at a carnival when neither knows the identity of the other, and they fall in love. 

The officer attempts to rescue her when the Russian warship is about to leave Venice, but his officers make them both prisoners, only returning Willim’s sword when they near port. When Catherine refuses Willim’s plea to spare the girl, he attempts to rescue her, and the two are sentenced to death. The film ends as the two, close together, go to their death. The triumph of their otherwise hopeless love in death makes more acceptable the tragedy of the concluding note. 

Running time, 78 minutes. "G."

Charles S. Aaronson

*Folies’ Milwaukee High in Slow Week*  

MIWLELUKE, Sept. 17.—The "Folies Bergere" on the Riverside stage with the film, "Blind Alley," was the week’s biggest grosser with $19,000. It was the only run for a film to do better than the week’s average. Estimated takings for the week ending Sept. 13—-  

*Wizard of Oz* (M-G-M)  
*LOEWS—(2:00) (25c-35c-50c) 6 days, 2nd week. Gross: $8,000. (Average, $8,000.)

*The Star Maker* (Para.)  
*Grand Jury Secrets* (Para.)  
*SHINKLEY—(2:00) (25c-35c-40c-50c) 7 days, 2nd week. Gross: $4,000. (Average, $4,000.)

*Stanley and Livingston* (20th-Fox)  
*New Coronet*  
*SHINKLEY—(2:00) (25c-35c-40c-50c) 7 days, 2nd week. Gross: $4,000. (Average, $4,000.)

*The Old Maid* (W. B.)  
*WARRIS—(2:00) (26c-35c-50c) 7 days, 2nd week. Gross: $6,000. (Average, $1,222.)

*Strategic Notes*  

DES MONKS, Ia., Sept. 17.—M. A. Levy of Minneapolis, national leader for the S. R. Kent annual drive, and W. C. Gehring of New York, division manager, were in Des Moines for a joint meeting of salesmen, bookers and ad sales managers of the Omaha and Des Moines Twentieth Century-Fox exchanges. 

Conrad Curtis, ad sales manager for the Des Moines exchange, was recently married to Peggy Novak of Des Moines. 

Grace Moore has been booked to sing at the Shrine auditorium on Oct. 17. 

The Central States Theatres’ Forest theatre in Forest City, has been closed for a complete enlarging and modernizing program that calls for a new front, new lounge and rest rooms, enlarged boxoffice and redecorating.

*Milo Engberston has become manager of the Tivoli theatre at Hawarden, replacing Emerson Kennedy, who has resigned and moved to LeMars. *  

*Trade Seeks New Japan Import Pact*  

Discussion of a new film import agreement, with Japan has been started in Tokyo between the film the Japanese government and industry representatives there, home office and foreign department heads have been, 

At the present time, nothing of a definite nature has evolved from the discussion concerning new import quotas and regulations on remittances to American distribution companies. 

*Short Subject Reviews*  

"The City"  

(Loew)  

Produced from an original essay by Pare Lorentz, and bearing the imprimatur of Franklin D. Roosevelt’s New Deal by the memory of "The City" is a dramatization of the need for urban planning made in Smash, industrial and social mechanism that has swept the American city. 

Originally made for the American Institute of Planners, through Civic Films, Inc., filmed and directed by Ralph Steiner and Willard Van Dyke, and supported by a grant from the Carnegie Foundation, the film is the documentary technique at its best. 

Aaron Copeland’s musical score enhances the effect of the whole picture, which falls into the category of the lengthy short subject, and which will well prove worthy of marquee attention on the part of the alert showman. He should have no difficulty in securing the air and exploitable support of the civic leaders in the showing of the film. Running time, 40 mins.

*Boy Meets Joy*  

(Universal)  

A varied and pleasant musical headed by Pimly Tomlin and his orchestra and narrator, "Tomlin puts on," provides the music and Miss Hodges the singing. Outstanding is a bit of piano playing by six-year-old Mary Ruth Hodges, which tells the heart of any audience. Lucille Page does an eccentric dance, and a grandmothers and grandsons’ dance, which provide an eccentric dance, and a grandmothers’ and grandsons’ dance, which provide an eccentric dance, and a grandmothers’ and grandsons’ dance, which provide a vocal number. A real novelty. Running time, 17 mins.

*Filming the Navy*  

(20th-Fox)  

This is another of the Adventures of a Newsreel Cameraman series. A group of photographic artists are on aphotoing maneuvers, the soldiers combat a treacherous storm at sea and ultimately battle the "enemy." Shown are the dropping of underwater bombs and firing of the big guns. Paul Douglas’ narration assumes timeliness with casual reference to the European conflict. Running time, 10 mins.

*Monkeys Is the Wackiest People*  

(20th-Fox)  

Low Lehr presents another of his Dribble Puss Parade shorts. The amusing antics of monkeys in various zoos are shown, the artists sets out for a time with his wacky chopper. Should be a hit, particularly with youngsters. Running time, 10 mins.

*Vvuyven Donner’s Fashion Forecast*  

(20th-Fox)  

The film displays the latest in ladies’ suits, with added appeal to style-minded women. Producer Truman Talley has put at Vvuyven Donner’s disposal lavish settings and beautiful models and has augmented it all with color. Running time, 10 mins.
Motion Picture Daily

Women’ $14,500 Providence Lead

Providence, Sept. 17.—Strong attractions gave this town its best week in some time with “The Women,” paired with “Trapped in the Sky,” giving Loew’s State a fine $14,500, “Golden Boy” and “Should Husbands Work?” garnering a nice $5,700 in the first four days at the Strand, and the Majestic’s double, “The Old Maid” and “Everybody’s Hobby,” clicking off $600.

Estimated takings for the week ending Sept. 12:—

“The Women” (M-G-M)
Trapped in the Sky (Col.)
LOW’S STATE—$3,850 (25c-35c-50c) 7 days. Gross: $21,500. (Average, $3,000)
The Old Maid” (W. B.)
EVERYBODY’S HABIT—$1,250 (25c-35c-50c) 7 days. Gross: $8,500. (Average, $1,214)
The Star Maker” (Para.)
(1st run) (4 days)
Heritage of the Desert” (Para.)
(1st run) (4 days)
“Golden Boy” (Col.)
(1st run) (4 days)
Shoulnds Husbands Work?” (Rep.)
(1st run) (4 days)
STAND—$2,100 (25c-35c-50c). Gross: $19,000. (Average, 7 days, $2,714)
I Stole a Million” (Univ.)
UNEXPECTED MOTHER” (RKO-ALBEE—$2,250 (25c-35c-50c) 7 days. Gross: $14,600. (Average, $2,157)
The Chicken Wagon Family” (20th-Fox)
TAYLOR’S BOX—$2,150. (Average, 7 days, $300)
“Lady of the Tropics” (M-G-M)
A Woman in the Tropics” (Col.)
CARLTON—$1,850 (25c-35c-50c) 7 days. Gross: $10,450. (Average, 1,500)
“King of the Turf” (U. A.)
(2nd run) (5 days)
Clouds Over Europe” (Col.)
(2nd run) (7 days)
“Four Feathers” (U. A.)
(2nd run) (4 days)
“Hated for Women” (20th-Fox)
(2nd run) (4 days)
”EMPIRE”—$2,300 (30c-50c). Gross: $1,400. (Average, $180)

Plotenauer in New Post

OKLAHOMA CITY, Sept. 17.—B. H. Plotenauer, manager of the State Theatre here, has resigned as manager of the Westland Theatres, Pueblo, Colo., which will be opened Sept. 22. His successor here has not been named.

Gene Curtis Transferred

GLOVERSVILLE, N. Y., Sept. 17.—Gene Curtis, for more than a year head of the Schine circuit advertising and publicity department, has been transferred to Rochester, where he will be special home office representative in Rochester, East Rochester and Fairport. His offices will be at the Riviera theatre Rochester.

In connection with the change, Robert Quinlinav goes from the Riviera to the Avon, Watertown, N. Y., as manager. Lou Levitch continues in the post as Schine city manager in Rochester.

Plan North Carolina House

CLINTON, N. C, Sept. 17.—A new $30,000 theatre will be erected here for Clinton Theatres, Inc., according to Henry Van, one of the principal stockholders.

Colonial Resumes Stage Shows

UTICA, N. Y., Sept. 17.—The Colonial is resuming stage presentations. An amateur contest is being run in conjunction with the vaudeville performances.

Indianapolis Lyric to Re-open

INDIANAPOLIS, Sept. 17.—The Lyric, which closed July 7 when the management refused to accede to stagehands’ demands for a $5 weekly increase, will reopen Sept. 22 with Ben Bernie featured in the stage show. Ted Nichols will resume as manager of the 2,000-seat house; with the opening said to involve the formation of a new company backed by Nicholas, Charles Olson of the Olson Circuit, and local businessmen. The stagehands’ requests are believed to have been granted.

Booker Hurt in Crash

DENVER, Sept. 17.—Severe injuries as the result of an auto accident near Montrose, Colo., sent Bob Garland, Fox Intermountain booker, to St. Luke’s hospital in Denver. His car collided with a dead horse in the road.

Buys Nebraska House

DENVER, Sept. 17.—The Leroy theatre at Wallace, Neb., has been bought by Francis Cohen from Robert Lee. Cohen will take over the house Oct. 1.

Manager at Selma, Ala.

SELMA Ala., Sept. 17.—Roger C. Butler, Jr., formerly of Johnson City, Tenn., has succeeded the late Lloyd Townes as manager of the Wilby here.

Managing Knoxville House

KNOXVILLE, Tenn., Sept. 17.—Sam Davis, formerly of Selma, Ala., is the new manager of the Bijou here.

‘Old Maid’ Biggest Magnet at Seattle

SEATTLE, Sept. 17.—“The Old Maid” flourished at the Palomar, grossing a strong $8,900. “Beau Geste” and “Night Work” at the Paramount, were good for $7,300 at the Paramount. The weather was cool.

Estimated takings for the week ending Sept. 15:

“The Star Maker” (Para.)
A Woman in the Tropics” (M-G-M)
BLUE HOUSE—$90 (25c-30c-40c) 7 days
$5,000. (Average, $1,429)
“Lady of the Tropics” (M-G-M)
NEWS IS Made at Night” (20th-Fox)
FIFTH AVENUE—$2,800 (25c-30c-40c) 7 days
$7,300. (Average, $1,043)
“Golden Boy” (Col.)
LIBERTY—$1,000 (25c-30c-40c) 7 days
$4,400. (Average, $629)
“Four Feathers” (U. A.)
MUSIC BOX—$900 (25c-30c-40c) 7 days
$3,000. (Average, $430)
“I Stole a Million” (Para.)
OPHEUM—$1,450 (25c-30c-40c) 7 days
$4,400. (Average, $629)
The Old Maid” (W. B.)
PALOMAR—$1,000 (25c-30c-40c) 7 days
$3,000. (Average, $430)
“Beau Geste” (Para.)
“Night Work” (Para.)
PARAMOUNT—$900 (25c-30c-40c) 7 days
$2,700. (Average, $390)

Music Hall Books 3

Three new pictures have been booked to follow the current run of “Golden Boy” at the Music Hall. Films slated are RKO’s “Nurse Edith Cavell,” U. A.-Selznick International’s “Intermezzo” and Columbia’s “Mr. Smith Goes to Washington.

What Does It Mean?
INTERMEZZO

To the Husband it meant a fluming interlude to recapture the happy delirium of youth...

To the Wife it meant an additional year of free labor.

To the Children it meant: ‘Now you can have a bath!’

To the Nanny it meant: ‘The hell with the little bastards!’
Hollywood Reviews

"Kid Nightingale"  
(Warner's)  
Hollywood, Sept. 7.—A rollicking farce of the prize fight game, with its chief character a boxer who fights so that he may sing, is "Kid Nightingale," a lively feature teaming John Payne and Jane Wyman.  
It's rich in comedy dialogue and situations and is designed to make an audience forget itself for the 58 minutes required to tell the story.  
George Any, former film editor, drew the picture as his first directional assignment and paced it neatly to get maximum value out of the terse screenplay of Charles Belden and Raymond Schrock, who adapted Lee Katz' story.  
Mark Hellingen was Bryan Foy's associate producer.  
Catlett, a fly-by-night promoter, picks up Payne and attempts to make him into a boxer.  
Payne wants to be a singer, but upon promises of lessons from a great coach, agrees. He is sent burlarming about the country, knocking over "setups" in a campaign that interests many women.  
In the finale, the tricks his managers are exposed, Payne wins the championship and deserts the fight game for singing.  
Running time, 58 minutes.  "G."  
VANCE KING

"Call a Messenger"  
(Universal)  
Hollywood, Sept. 7.—Featuring two Dead End Kids and four Little Tough Guys supported by such staple personnel as Robert Armstrong, Victor Jory, Mary Carlisle, Anne Nagel, El Brendel and Larry Crable, this plausible and pleasant comedy drama based on the messenger service stacks up as satisfactory entertainment for practically all purposes.  
It derives for no tremendous heights of melodramatic or emotional power and seeks to prove no greater point than that paid employment is the best sponsor and releaser of young men.  
It achieves an effectiveness beyond that commonly attained by determined underscoring.  
The screenplay is by Arthur T. Horman, based on a story by Sally Sandlin and Michel Krase, opens with Billy Halop leading a band of youthful ruffians in an attempted burglary interrupted by police. Halop is captured and offered a choice of going to work as a messenger boy or to reform school. He accepts the job as a lesser evil but follows it to the ultimate employment of his ruffianly associates, redemption of his criminal self and similar benefits for all.  
The associate producer Ken Goldsmith and art director Jack Otterson have given the picture thoroughly adequate mounting and director Arthur Lanzin has made it a smoothly running, evenly paced narrative.  
Running time, 60 minutes.  "G."  
ROScoe WILLIAMS

New Regulations For Film Shipping  
(Continued from page 1)  
port Declarations, Customs Form 7255 (Identical with Commerce Form 7255) will be filed in duplicate instead of duplicate as hereetofore.  
"All cargo must be laden under the supervision of Customs officers. It is, therefore, essential that export declarations must be received by the importer prior to the landing of the packages.  
"The triplicate copy will be used as a notice of shipment. The landing invoice will be transmitted to him by a Customs messenger.  

Robert Poole Elected  
Los Angeles, Sept. 17.—Robert H. Poole has been elevated to the position of executive director of the Independent Theatre Owners of Southern California and Arizona. Practically the entire old board has been re-elected.
NEW!!  
NOW READY 
THE MOST SIMPLIFIED THEATRE BOOKKEEPING SYSTEM YET DEVISED

SECTIONS
- Holiday and Date Record
- Film Clearance Chart
- Insurance Record
- Equipment Purchase Record
- Fixed Expense Apportionment
- Income (Ticket Numbers, Prices, Cash, Taxes, Costs of Features, Shorts)
- Payroll and Check Record, Bank Record, Social Security Tax Deductions by Individual and complete listing of all expenses
- Profit & Loss, weekly and cumulative Summary Sheet
- Contract Record for each exchange

FEATURES
- Running Times
- Entire Week's Transactions on one page
- Complete Contract Information
- Complete yearly and departmental summaries
- Varicolored stock throughout for speedy reference
- DuPont Fabkote Cover
- Hammermill Paper
- Special "Wire-o" Binding that holds sheets firmly and keeps them absolutely flat
- Size of Book is 13" x 10"
- Entire book a miracle of convenience and simplicity

$2.00 POSTPAID

ALL SECTIONS ARE DEVISED SO THAT FULL TAX INFORMATION IS READILY AVAILABLE

QUIGLEY BOOKSHOP, ROCKEFELLER CENTER, NEW YORK
Here is my check for $2.00. Send me "Theatre Management Record".

Name
Address
City and State
Theatre

TEAR OUT AND MAIL COUPON ← TODAY
CINCINNATI, Sept. 17.—"The Old Maid" was the top grosser with $1,060, 700 at the Albee. "The Women" grossed a big $6,800 on its second downtown week at Keith's. Weather was the hottest on record for September.

Estimated takings for the week ending Sept. 13-16:

- "The Old Maid" (PR, NJ) $6,800, 7 days, Gross: $53,000, Average: $7,571.
- "Golden Boy" (Col.) $5,600, 5 days, Gross: $3,900, 5 days, Average: $780.
- "Eve of the Informers" (20th-Fox) $5,400, 5 days, Gross: $2,700, Average: $540.
- "Woman of the Year" (CBS) $4,800, 4 days, Gross: $2,400, Average: $600.
- "Man in the Iron Mask" (U.A.) $4,000, 5 days, Gross: $1,200, Average: $240.
- "Red Lights" (RKO) $4,000, 4 days, Gross: $1,000, Average: $250.
- "The Mating" (20th-Fox) $3,000, 4 days, Gross: $800, Average: $200.

Theatres in Canada Will Aid Red Cross

Toronto, Sept. 17.—Following a conference presided over by Lord Tweedsmuir, Governor General of Canada, the approximate $10,000 was made of the appointment of Col. John A. Cooper, president of the Motion Picture Distributors of Canada, as vice-chairman of the Red War Organization of the Canadian Council of the Red Cross Society. In connection with an early drive for funds, the Society is expected to mobilize the co-operation of theatres across Canada for patriotic purposes, as a method of providing entertainment for the troops. Norman Somerville, a Toronto lawyer, is chairman of the Red Cross war organization.

General Mills Sets Three CBS Series

General Mills is returning to the CBS network with three series of programs. Starting Oct. 9, the company will sponsor a program of Kathleen Norris dramatizations, 5 to 5:30 P.M., Mondays through Fridays. "Billy and Betty" is to be broadcast from 5:35 to 5:30 P.M. for the East; and in the same period, "Caroline's Golden Store" will be broadcast to the West Coast.

Kennedy to WLW-WSAI

CINCINNATI, Sept. 17.—Paul Kennedy, radio editor of the Cincinnati Plain Dealer, was named general manager of WCPD-WSPR. Since Howard affiliate, has joined WLW-WSAI, where he will do a twice-weekly magazine program on radio, amusement and similar comment.

Study Release Prints

Hollywood, Sept. 17.—The Research Council of the Academy of Motion Picture Arts and Sciences has named a committee, of which S. J. Twining of Columbia is chairman, to consider possible revisions of the specifications for the standard release print leader.

Television Football

NBC has been experimenting with television football. Next week sessions of the gridiron teams of Columbia and Fordham will be broadcast. The unbilled reporters are calling "sensational results."

It is expected, in consequence, that the networks will present the most important of the New York games via television this fall.

Philadelphia Asks Television Permit

Philadelphia, Sept. 17.—The WCAU Broadcasting Company today filed application with the Federal Communication Commission for permission to construct a television transmitter in Philadelphia.

U. S. Films Seeking Relief from Triple Argentine Taxation

Some relief from the triple taxation burden imposed upon American producing and distributing organizations by Argentina is hoped for through the medium of the trade treaty which the U. S. State Department is now negotiating with Argen-

"Harvest' Approved; Censors Overruled

ALBANY, Sept. 17.—The five-member reviewing committee of the Board of Regents of New York State on Friday handed down a decision approving its entirety and with a single deletion the French film, "The Harvest," which had been barred as immoral by the New York State censor board.

The French Cinema Center, Inc., which is distributing the picture in this country, took an appeal to the Board of Regents from the censor board's recent ban on the film. This is known to have been lifted with the approval of the Board of Regents became New York State's first line of appeal from censor decisions, that the censor had been overruled so emphatically.

"Old Maid" Scores Big $7,200, Omaha

OMAHA, Sept. 17.—"The Old Maid," dialled with "Way Down South," took a smash $7,200 at the Brandeis.

Estimated takings for the week ending Sept. 13-14:

- "The Old Maid" (W. B.) $7,200, 5 days, Gross: $1,440, Average: $288.
- "Way Down South" (RKO) $4,300, 5 days, Gross: $860, Average: $172.
- "Our Town" (Par) $1,500, 5 days, Gross: $300, Average: $60.
- "H. O. S. for Women" (20th-Fox) $1,300, 5 days, Gross: $260, Average: $52.
- "The Pioneers" (20th-Fox) $1,300, 5 days, Gross: $260, Average: $52.

Tea to Manage WKRC

CINCINNATI, Sept. 17.—Hubert Tea, jr., whose father is publisher of the Times-Star, will be manager of WKRC radio station, effective today, through recent purchase. Until the sale is approved by the F. C. C., now believed to require about 60 days longer, the station will continue under CBS sponsorship, although CBS programs will switch on Sept. 24, to WCKY, now an NBC affiliate.

Judy Garland with Hope

Judy Garland will appear with Bob Hope in the new Pepsodent show which will return to the air tomorrow at 10 P.M. on the NBC-Red.

Hearings Set On Broadcast Power Pleas

WASHINGTON, Sept. 17.—The Federal Communications Commission today announced the dates of the rate public hearings for the current week as follows:

- Sept. 19: Application of W. H. Sherrill Co., Inc., for a new 1200-kilo-
cycle station at Worcester, Mass., with 100 kilowatts 1.000 watts.
- Sept. 21: Applications of Spartanburg Advertising Co. for a 1370-
cycle station at Spartanburg, S. C., and 100 watts; and W. H. Sherrill Co., Inc., for a 990-kilowatt, 1.000-watt station at Bridgeport, Conn., and station KRRV, Sherman, Tex., for change of frequency from 1310 to 1510 kilocycles, extension of time from day to day, and $1,000,000 of power from 250 to 1,000 watts.
- Sept. 27: Application for construction of three new broadcasting sta-
tions at Modesto, W. Va., whose basic ten million dollar investment was announced that it had tentatively set Oct. 9 for hear-
ings on the applications of Mayflower Broadcasting Corp., for a 1310-
cycle station at Reno, Nev., with 500 watts, or, 1,000 watts, or, 2,000

Comedy Called Best Radio Entertainment

DES MOINES, Ia., Sept. 17.—A survey made by WHO to learn the type of programs listeners wanted for Fall and Winter indicates that good comedy ranks first with their public. Programs telling how to get a job, how to keep it, and how to make more money, also a better one placed second. More good music came third. More good comedy in demand...Daytime programs telling how to do things came in fourth.

Trout in New Series

Bob Trout, CBS public events broadcaster, has inaugurated a regular weekly program, "Trout Fishing," over WCBN, New York, from 9:45 to 10 P.M. The new broadcast is sponsored by the Dodge division of Chrysler Corp.
Films Show First Actual War Scenes

Paramount Wins Scoop; Material Censored

First action shots of the European war were received by Paramount News late Sunday night and shown on Broadway at 1:30 P.M. yesterday afternoon.

The material ran about 1,250 feet and consisted of censored material of German and Polish origin. The attack was carried out by the trans-Atlantic flying boat Carlilou to Montreal and by special plane from Montreal to Newark, arriving in New York in time for preparation of a special release.

The Embassy Newsreel theatre was the first to show the film yesterday afternoon. The house was packed and standees crowded the rear of the auditorium but there was no demonstration at all during the showing of the first action film of the war to reach America.

The footage included shots of the German training ship, Schlesy-Heil-stein, bombarding Westerplatte fort in Danzig, the scene which were probably the mightiest pictures in the release. The bulk of the material is confined to shots of the German supply of any kind during the showing of the first action film of the war to reach America.

The Polish material included considerable footage on ruins following air raids, a German plane which had been brought down and an earth mound purported to be the grave of the pilot. The Polish shots were obtained by German planes and were passed by the Polish censor. Some German material depicted

Producer Contracts Slow on Broadway

Legitimate stage producers are having slow going in their efforts to establish contractual relationships with unions involved in production, according to James F. Reilly, executive secretary of the League of New York Theatres.

Reilly points out that an unusual situation is presented with the League waiting for a decision from Actors Equity, instead of Equity waiting for the League. A meeting today with Stagehands

Ontario May Vote Amusement Taxes

Toronto, Sept. 18.—Reliable sources indicate that the Ontario Government is seriously considering the restoration of the amusement tax as a war measure.

A special session of the Ontario legislature has been called to open at Toronto tomorrow, when the Provincial Government's proposals will be presented for rapid action. One of these may authorize a tax on admission tickets, such as was done for the first time in 1916. There has been no amusement tax in Ontario for three years.

Canada's New Rules Restrict Exchanges

TORONTO, Sept. 18.—Control of international exchanges and trade has been effected by Order-in-Council of the Canadian Government in the creation of the Foreign Exchange Control Board, with Graham Towers, Governor of the Bank of Canada, chairman. Provisions of the new regulations have a direct effect upon the film distributors and theatre supply houses in the Dominion.

Cash payments in excess of $100 in any month either to or from the United States are now permitted only by license to be issued by authorized representatives of the board who are recognized banks and postmasters and, in some instances, customs officers.

Foreign exchange activities are to be in keeping with normal business.

No Defense Offered By B-K and Majors

CHICAGO, Sept. 18.—Trial of the Government suit against Balaban & Katz and major companies was concluded suddenly today when Robert Golding, defense counsel, rested the defendants' case without offering any testimony.

Time until Dec. 2 was granted for the filing of briefs, and oral argument on the law and facts may take place before Master-in-Chancery Edgar Eldredge thereafter.

Golding pointed out that the Government, by waiving its charge of conspiracy, had reduced the case to an interpretation of the consent decree and, Golding said, would decide the case, thus making defense testimony unnecessary.

The Government was granted 30 days to submit its findings of fact conclusions of law, and supporting briefs. The defense will have 30 days after receipt of these papers to serve the findings and conclusions. The Government will then have an additional 15 days for preparation of reply briefs. If oral argument is then found necessary, Master Eldredge will set a date for a hearing.

One Government witness, Sam Myers, an independent exhibitor, will be recalled tomorrow to correct testimony he gave several weeks ago regarding the release of films.

“Babes in Arms”

[Hollywood, Sept. 18.—“Babes in Arms” is screen entertainment nothing short of sensational. It has everything that makes for enjoyment by class-mass, old-young, rural-urban and all in-between divisions of film-goers. It is a picture that every showman will be happy to play and every audience will be happy to see.

Mickey Rooney and Judy Garland have the principal roles in the musical comedy, teamed for the first time since the record-smashing “Love Finds Andy Hardy.” The story is from the Rodgers and Hart Broadway hit of the same name. Rooney, No. 4 box-office star in the Film Musician’s poll of 1938-39, is given many opportunities to prove his metier beside and he does his best to date the “Andy Hardy” roles notwithstanding. Miss Garland, whose latest appearance was in “The Wizard of Oz,” is an able partner.

The story concerns the death of vaudeville due to the birth of sound. Thrown out of work, a troupe of vaudevillians attempt a comeback and

‘BIG 5’ BACKS CIO IN STUDIO BALLOT

Screen Directors, Writers Guilds Aid in Battle Against I.A.T.S.E

Hollywood, Sept. 18.—The “Big Five,” organizations unaffiliated with organized labor and including the Screen Directors Guild, Screen Writers Guild, today went on record as favoring the CIO-financed United Studio Technicians Guild over the I.A.T.S.E. in Wednesday’s collective bargaining agency election.

The organizations, in local advertisements, declared:

“This secret ballot election is truly your chance of a lifetime. Many Guilds in Hollywood are free from emergency control, international control and have obtained excellent collective bargaining contracts. We know that you can do likewise.

“A victory for United Studio Technicians Guild means that all Guilds and crafts can be voluntarily united in a motion picture Council, thus realizing a major goal of Hollywood unionism and winning better conditions for all.”

The “Big Five” who signed the advertisement are Screen Set Designers, Screen Directors Guild, Screen Publicists Guild, Art Directors Guild and Screen Writers Guild.

Wednesday’s election will involve 7,500 studio workers. The election is

Odeon Deal Stopped By War, Says Griffis

Deal for Odeon Circuit’s acquisition of Paramount’s London theatres has been postponed by the war, probably indefinitely. Stanton Griffis, chairman of the Paramount executive committee, reported on his return yesterday to the Washington.

Griffis negotiated final stages of the deal just before the outbreak of war, according to Frank Terry, his brother-in-law. He said he did not know how long a period consummation of the deal has been postponed by Odeon, but Barney Balaban, Paramount, president, met Griffis at
**Businessmen! Want More Time at Home?**

**Fly TWA! Make Your Longest Trip Home in a Few Hours!**

**Los Angeles or San Francisco—Overnight via TWA's Skyliner Leave at 1:30 p.m.—fly the fastest route to the Coast—arrive in either office at breakfast.**...........$149.95

**Kansas City—New Daily afternoon service—Leave at 1:00 p.m.—arrive in Kansas City at 8:15 a.m.**.............$66.45

**Chicago—4 hrs. 38 min.—New Daily “Commuter Air Service” to Chicago—8 flights a day (2 Nonstop).**...........$44.95

**TWA IS THE ONLY AIRLINE THAT FLIES DIRECT TO BOTH FAIRS VIA GRAND CANAL!**

**10% Discount on Round Trips**

All Schedules on Standard Time

Phone Travel Agent or MO 6-1640
Transcontinental & Western Air, Inc.
70 E. 42nd St.—Air Desk, Penn Station

**Shortest, Fastest Coast-to-Coast**

**Films Show First Actual War Scenes**

(Continued from page 1)

bombers taking off and action shots of the air release of bombs with subsequences of Chinese fighting. The real states plainly that the German material originated with official German sources and that no uncersored shots are shown. The real states that the material was passed by the British sensors also.

A. J. Richard, Paramount News editor, said: “Obviously, we can give no assurance that these pictures tell all the story. They are, however, presented as the first authentic battle pictures.” Richard said that prints of the special issue were shipped by air yesterday to all exhibitor accounts of the real.

Other rels received several thousand feet of war film on the Washington, which arrived in New York late yesterday. The material, mostly from France, will be included in the regular midweek issues being shipped tonight and Thursday.

Russell Math, European director for Movietone News, plans to return to Paris on the Washington, which is scheduled to sail tomorrow. Bonne Powell, Movietone cameraman, will sail with him if he receives a French visa in time. Powell organized Movietone’s coverage of the Sino-Japanese war.

Gerald Magner, Movietone News editor in England, has been called to service and is awaiting assignment to active duty.

**Motion Picture Daily**

**Purely Personal**

R. Robert T. Kane, in charge of British production for 20th Century-Fox, has returned from studio conferences. He plans to leave for England on the Clipper Sept. 30.

Ann Sheridan will undertake a personal appearance tour, beginning Oct. 1, in New York Strand, coincidentally with the opening there of Warners’ “Dust Be My Destiny.” After two weeks there, she will appear in Philadelphia, Washington, and Pittsburgh. She is due in New York Sept. 27, following a stop in Chicago.


Jackie Coogan and James Cross-dancer, arrived in New York from the Coast yesterday on the TWA Skychief, to appear in George Abbott’s Tony Award-winning production of “What a Life.”

Anna Neagle and Herbert Wilcox will make a personal appearance at the RKO Palace in Columbus, in connection with the opening of “Nurse Edith Cavell” tomorrow night.

Loy L. Lind, assistant to George W. Weeks, director general sales manager, is mourning the death of his wife, Lawrence O. Lind, at Westport on Sunday.

Bob Harris, chief projectionist for United Detroit Theatres, Inc., has returned to work after an illness of several weeks.

H. J. Yates, president of Consolidated Film Industries, leaves for the Coast tonight by plane.

George Barry, of the Paramount legal staff, left yesterday for a two-week vacation.

Jack Schindlin has engaged William Moore as associate composer and arranger.

John MacQuire, former Broadway producer, is now working for Paramount.

Martin Wagner of the William Morris office has returned from the coast.

Margaret Sullivan left for Hollywood on the TWA Skychief yesterday.

Edgar Duchen flew to Hollywood Sunday on the TWA Skychief.

Cole Porter is at the Waldorf Astoria for the Winter.

Gene Fowler has returned to the Coast from New York.

**New Canada Restrictions On Exchanges**

(Continued from page 1)

cial transactions and there is an implied demand to curb unusually large payments to head offices or others located overseas, but provisions are being made for heavy flues and turmoil for subversive methods.

The import of all goods and merchandise, as well as securities, can be done only under official permission. When transactions exceed $100 in any month, while parcels to be mailed across the border must be submitted to the local post, official. If placed in a post box the articles are subject to search. A provision is made for the receipt of salaries, commissions or similar claims and limited traveling expenses from a foreign head office through an authorized representative of the Foreign Exchange Control Board.

**Restrictions Upon Travelers**

Travelers into Canada may bring an automobile, goods to the value of $100 up to a dollar amount but cannot transport large quantities of securities or any amount in one month except when such taxes are formally declared. No Canadian resident may transfer a sum in excess of $10 per month or foreign securities to a non-resident, so residents who own more than $1,000 in foreign securities on any stock not exclusively payable in Canadian dollars must make a declaration of their holdings.

The new regulations place an immediate obstacle in the payment of excess funds by a Canadian film distributor or theatre company to a head office operating in the United States or any other country, except the exception of Newfoundland.

**Open Pix in November**

Brandt circuit plans to open the new Pix in the week of Nov. 20, between Sixth and Seventh Aves, in November or December. It will seat about 900 persons.

A contract has been signed for RCA Photophone equipment. Policy of the house has not been decided.

**Four Win Ward Prizes**

Four exhibitors have been awarded $50 each by the Ward Baking Co. as prizes for the best displays in connection with Warners’ “Jane Arden” films. The winners are H. C. Rhyan, Times Theatre, Waukegan, Ill.; Ben Schen, Schan Kraft Food Co., R. I.; Julius Lamm, Uptown, Cleveland, and J. B. Shuman, Empress, Jacksonville, Fla.

**Bellman in Buffalo**

Post for Republic

Jack Bellman, Eastern district manager for Republic, has been assigned as manager of the Buffalo branch in the first move of a realignment whereby the company’s six district managers will be given branch or home office appointments.

The Buffalo office recently was taken over by Republic from the franchise owner and is one of five operated by the company. Nat Marcus, who has been manager in Buffalo, returns to the sales staff.

Under the new setup, franchise owners will handle and approve their own shows, without supervision or assistance from district managers.

District managers, who are due in New York this week for home office conferences, besides Bellman include Max Roth, Chicago; William Benyam, Chicago; Grover C. Peskin, San Francisco; Harry LaVine, Philadelphia, and Clair Higlers, Atlanta.

**MOTION PICTURE DAILY**

(Licensed U. S. Patent Office)


**For Lunch, Dinner or Supper**

LaHiff’s TAVERN

The Industry’s MEETING AND EATING PLACE

156 W. 48th St. Tel. Chickerling 4-4200

**LaHiff’s Tavern**

The Industry’s MEETING AND EATING PLACE

156 W. 48th St. Tel. Chickerling 4-4200

**Perez Building House**

Luis Enrique Perez, Republic distributor in Venezuela, who is now in New York, has under construction a theatre in Caracas, to be known as the Cailandia. It will seat 1,000 and will open in January with a Republic picture.

**MOTION PICTURE DAILY**

(Registered U. S. Patent Office)

Ascasp Chief Leads Battle In Nebraska

Lincoln, Sept. 18.—President Gene Buck of Ascasp was the principal witness in Federal court here today as Ascasp sought to have declared unconstitutional a Nebraska law passed by the 1937 Legislature which outlawed ascap, the Kansas City, Mo., trial at which 25 authors who seek to collect royalties.

Under questioning by Louis Frohlich, New York ascasp lawyer, Buck told of the conflicts resulting from the law. He told of the fight to get the Motion Picture Exhibitors Association, cabinet operators and phonograph companies to pay royalties to composers and authors, who, before 1914, seldom collected a cent for their efforts.

Part of his testimony was to show that the various users had continually tried to get amendments to the Copyright laws to permit them to pay ascasp. Broadcasting, he testified, has been the latest inroad of a mechanized world into the musician's life. He said radio had cut music sales 70 per cent and cut the life of a hit tune from two years to six weeks.

He testified that ascasp has collected from 391 Nebraska users $68,789 in 1938, $54,474 in 1937 and up to June 1, 1939, over $38,000. He said it would take a dozen lawyers, "fighting tooth and nail," to collect the same royalties if ascasp was operative in Nebraska.

Before testimony began, the 15 lawyers and other ascasp witnesses were greeted with the words. It was decided that jurisdictional matters could be stipulated and the main question would be whether ascasp is an organization within the definition of the law in question, whether it is a monopoly and if so whether or not the law outlawing it is constitutional.

Aiding William J. Holtz, Omaha, special state's attorney, was Andrew Bennett of Washington, D.C., counsel for the National Association of Broadcasters and former Special U.S. Atto- rney in charge of the now dormant anti-monopoly suit against ascasp.

Others who testified briefly were T. J. Topol of Omaha for ascap, Hermaan C. Hasbrouck, assistant attorney for ascap, and John Riddell, As- sistant Attorney General, for the state.

Vick Buys Program

"Confidentially Yours," assembled and written by Transradio Press Ser- vice, and presented as a sustaining feature over WOR, has been pur- chased by the Vick Chemical Co.

Warners Will Add Historical Shorts

Hollywood, Sept. 18.—War- ners plan to increase its pro- gram of historical shorts for the new season. Extent of the increase in the two-reel- ers will be announced later in the month when Norman H. Moray, Vitaphone sales man- ager, arrives from New York for conferences. The prettatty schedule calls for six in color.

Lincoln, Sept. 18—President Gene Buck of Ascasp was the principal witness in Federal court here today as Ascasp sought to have declared unconstitutional a Nebraska law passed by the 1937 Legislature which outlawed ascap. The suit was brought by 25 authors who seek to collect royalties.

Under questioning by Louis Frohlich, New York ascasp lawyer, Buck told of the conflicts resulting from the law. He told of the fight to get the Motion Picture Exhibitors Association, cabinet operators and phonograph companies to pay royalties to composers and authors, who, before 1914, seldom collected a cent for their efforts.

Part of his testimony was to show that the various users had continually tried to get amendments to the Copyright laws to permit them to pay ascasp. Broadcasting, he testified, has been the latest inroad of a mechanized world into the musician's life. He said radio had cut music sales 70 per cent and cut the life of a hit tune from two years to six weeks.

He testified that ascasp has collected from 391 Nebraska users $68,789 in 1938, $54,474 in 1937 and up to June 1, 1939, over $38,000. He said it would take a dozen lawyers, "fighting tooth and nail," to collect the same royalties if ascasp was operative in Nebraska.

Before testimony began, the 15 lawyers and other ascasp witnesses were greeted with the words. It was decided that jurisdictional matters could be stipulated and the main question would be whether ascasp is an organization within the definition of the law in question, whether it is a monopoly and if so whether or not the law outlawing it is constitutional.

Aiding William J. Holtz, Omaha, special state's attorney, was Andrew Bennett of Washington, D.C., counsel for the National Association of Broadcasters and former Special U.S. Atto- rney in charge of the now dormant anti-monopoly suit against ascasp.

Others who testified briefly were T. J. Topol of Omaha for ascap, Hermaan C. Hasbrouck, assistant attorney for ascap, and John Riddell, Assistant Attorney General, for the state.

Vick Buys Program

"Confidentially Yours," assembled and written by Transradio Press Service, and presented as a sustaining feature over WOR, has been purchased by the Vick Chemical Co.

Ban 'Beau Geste' In Ontario Again

Toronto, Sept. 18.—Once more bookings of "Beau Geste" in Ontario have been cancelled, and it is under- stood that further pressure has been brought to bear on the Ontario Gov- ernment for withdrawal of the feature, which deals with a French Fort. The feature was recommended by the provincial censor board just prior to its scheduled Canadian pre- miere on Sept. 4, but was passed by the Appeal Board, headed by Premier M. F. Hepburn, after further revision as requested by a representative of the French Government.

Another opening date in Toronto was set but this was cancelled with the intimation that the picture was not available. The Government has with- held any further announcements regard- ing the fate of "Beau Geste" which, incidentally, has been perma- nently banned by the Quebec Board of Moving Picture Censors.

Gary Suit Due in October

Chicago, Sept. 18.—The suit of Gary Theatre Corp. against Balaban & Katz, Warner Theatres and the major companies probably will start early in October, with the taking of depositions from B. K. & Warner officials slated for Oct. 5.

Sees Television Not Supplanting Radio

Cincinnati, Sept. 18.—Although television is becoming a big commer- cial development, and possesses tre- mendous possibilities, it never will replace radio, but will be a supplement- ary service," declared E. J. Dykstra, general manager of the Farnsworth Television and Radio Corp., manufac- turers, Ft. Wayne, Ind., addressing distributors here.

"Both will have their respective fields, and, while television appears destined to make big strides, radio, with its enormous capital investment and ramifications in business and ad- vertising, will retain its place in the picture field. Since we must give undivided attention to receiving a television program, but can listen to radio while doing something else, television will, undoubtedly, change our habits, but it will not interfere with radio," he said.

Para. Wins Ball Title

Paramount's team won the champion- ship of the Motion Picture Base- ball League Saturday, winning the final game of the season from Consolidated Films, 6 to 5, at the George Washington High School Stadium. Consolidated Films won the championship for the 1938 season.

War Checks

Odeon Deal, Says Griffis

(Continued from page 1)

the pier, declared that "it is now in the hands of the Odeon people." Griffis said his office had been a witness of the situation in Europe, adding: "You over here know more than I do—O-M production chief in England, he spent only one day in England, and that was at Southampton, where the Odeon passenger liners dock. Odeon passengers, Griffis embarked at Havre.

The Paramount official was over-joyed at being home. "I never was more glad to be anywhere than I was to be back in New York," he said. "The skyline looked grand to me, and I felt like looking for the Paramount Building."

Roger Clenten, Paramount home office attorney who went to England to close the Odeon theatre deal, is still stranded in Paris where he went on a holiday after completing the legal papers.

Robert Montgomery, who was to have starred in "Busman's Holiday," M-G-M's first film on radio, returned on the boat with Mrs. Montgomery. The film was to have started shooting on Sept. 4, now delayed, & was to be released Dec. 26. The picture may be lost in Hollywood, and a decision will be reached upon the arrival of Ben Goetz, M-G-M production chief in England, who is due to sail with his wife on the Manhattan tomorrow and arrive here Sept. 22.

Richard Thorpe, assigned to direct "Busman's Holiday," returned with his wife, Maureen O'Sullivan, co-star of the film, not back last week from England.

Another passenger was William T. Tilden, tennis ace, who disclosed he had written a play with Stephen Vern called "Net Profits," which he described as a comedy drama of tennis. Tilden said his plans are indefinite.

Among other passengers were Ka- therine Donet, Edel Reym and Claire Carleton of the London company of "The Women"; June Clyde, film player; Sol Haruk, agent; Fritz Kreisler, Hebrew and concert tour, and Mrs. Joseph P. Kennedy, wife of the U.S. Ambassador to Great Britain, and three of her nie- children.

Brockington to Get Canadian War Post

Toronto, Sept. 18.—L. W. Brockington, chairman of the Board of Gov- ernors, of the Canadian Broadcasting Corp., is slated for appointment by the Dominion Government as chairman of the National Broadcasting Commission, which is being established for the distribution of news of an official nature to the newspapers and other news outlets of the country during the period of the war.

Brockington is scheduled to retire as head of CBC in November and had intended to devote his attention to legal business at Winnipeg, where he has his home, but will take over his new duties at an early date.

The Bureau of Information has assigned T. W. H. Fyfe, chief censor in an operating sense and the censorship of films in Canada will continue to be vested in L. Clare Moyer, on the Canadian Senate staff.
New Contracts For Broadway Stages Pushed

(Continued from page 1)

Union, Local 1, is expected to see its efforts to complete the new contract, and lawyers will then draft an agreement. It will be a one-year contract with no hour or wage scale changes.

The agreement was signed by the Theatrical Managers, Agents and Treasurers Union, which is now being drafted, and will take effect for an immediate change in hours or pay but stipulates arbitration at the end of each year for its final determination. The T.M.A.T. contracts cover only managers and press agents.

The I.A.T.S.E. has formally notified the League that it represents a majority of the treasurers, but the negotiations are being held up until after Labor Day in an effort for them to complete the contract before the end of the current season. The League has indicated that the agreement would be reached within 30 days at Equity's request. Possibility of an amended code, or a central ticket agency run by the League, awaits Equity's decision.

Ohio I. T. O. Praises Universal Precedent

COLUMBUS, O., Sept. 18.—In a bulletin to members, the I.T.O. of Ohio commends Universal for its action in notifying exhibitors that "First Love," which can be released only if the moral code is met, will be delivered under 1938-39 contracts regardless of release date.

"This action by Universal is high commendable and we hope that it establishes a precedent that other distributors will follow," the organization says.

The bulletin also reminds members that the State Department of Industrial Relations insists on compliance with the law which makes it mandatory upon all employers to enter into wage agreements with all employees under 21 years of age. This statute was enacted in 1936 and has not been generally enforced. There will be a effort to prosecute employers for past violations.

War Action Hinders Canada Film Board

TORONTO, Sept. 18.—Further organization of Canada's CIO is being hindered by the Dominion Government, members of which at recently appointed by W. Norwegian Seaman, Minister of Trade and Commerce, is to be held in abeyance because of war's demands on government services.

Members of the board had been instructed to appoint a National Film Commissioner, the only salaried official of the committee, to direct generally-outlined film developments, but the war broke in the meantime.

Theatre, Personnel Notes

Quits Cincinnati House

CINCINNATI, Sept. 18.—Roy L. Ferron, manager of the RKO Family, has resigned to become manager of the Plaza, Independent suburban. He is to be succeeded by William Wiggerink Jr., who gave up his post to join a suburban police force. Eugene Workes, chief of service at the family, has become manager of that house.

Building in North Carolina

MARIANNA, N. C., Sept. 18.—Barger Brothers of Mooreville, N. C., have been awarded the general contract for the new Star Theatre here for North Carolina Theatres, Inc.

Promote Joseph Mazer

PHILADELPHIA, Sept. 18.—Joseph Mazer, assistant manager of the Prince, has been appointed assistant manager of the Family.

Leases Wisconsin House

SLINGER, Wis., Sept. 18.—Ed Bowen, Mayville, Wis., has leased the Slinger here and reopened the house.

Buys Savannah Theatre

SAVANNAH, Ga., Sept. 18.—The Exchange here has been purchased by W. B. Braswell from W. S. Scott.

Television Theatre Planned

HALLS, Tenn., Sept. 18.—The Ruffin Amusement Co. is planning a theatre here, to cost $25,000.

Plan Georgia House

CALHOUN, Ga., Sept. 18.—J. M. Burdett has been awarded the general contract for the new Gem, here, which will seat 800.

Installs New Equipment

AUSTIN, Tex., Sept. 18.—The Cactus has installed complete new sound equipment.

Zanuck Summoned

In Lincoln Play Suit

Darryl F. Zanuck was ordered yesterday by N. Y. Supreme Court Justice Noonan to appear for examination before trial in Los Angeles and to produce the records of Twentieth Century-Fox Film Corp in the suit of Robert E. Sherwood and the Playwrights Producing Co. The plaintiffs, however, were directed to pay $510 over 90 day counsel fees, $25 daily living expenses and $300 transportation. The same motion was granted to Julian T. Abele, Zanuck's counsel, during the examination. Suit charges Twentieth Century's film, "Young Mr. Lincoln," with unfairly competing with the Sherwood play, "Abe Lincoln in Illinois."

Warners Regiment

Off to Golfing War

With wives keeping the home fires burning and with the clerical staff turned down the home office, more than 100 New York Warner Club members marched off today to the Oak Ridge Golf Club, Great Neck, L. I., seeking prizes of competition, the golfers were to swear off the course and then sit down to a table of victuals in the evening with Gradwell L. Sears as spokesman-in-chief.

Open Detroit Theatre

DETROIT, Sept. 18.—(9-18) Latest addition to the Detroit metropolitan area amusement field, has been opened by Grosjean Brothers. The $200.000 house seats 1,000 and will operate on a split week schedule.

Abandons Foreign Films

SEATTLE, Sept. 18.—John Duz has abandoned his first run foreign film policy at the Uptown and will return to former neighborhood policy of double feature second run attractions. Frank Jenkins remains as manager.

Resumes Vaudeville

CINCINNATI, Sept. 18.—The Strand, downtown independent, has resumed its weekend policy of four acts of vaudeville and pictures, at a 15 and 25. The house otherwise plays double features.

New RCA Installations

Theatres being equipped with RCA Photophone sound systems include the Maryland, Detroit; Cine-Tavern, Chicago; and; Texas: New Texas, Bay City, Texas, and the Grand at Orlando, Fla.

Promote Texas Manager

AUSTIN, Tex., Sept. 18.—Francis Vickers has been promoted from assistant manager of the Capitol to the new Austin as manager.

Court Cuts Award In Plagiarism Suit

An award of $16,470 to Edward Sheldon and Margaret Ayer Barnes against the Morehead Realty Corp. for exhibiting the film, "Lettie Lynott," at the Capitol Theatre was reduced to $3,099 yesterday by Federal Judge Leibell. Special Master Kenneth E. Walser had recently granted the award after a court ruling that "Lettie Lynott" plagiarized the Sheldon-Barnes play, "Disprisoned Lady."

Judge Leibell, in his opinion, characterized Morehead Realty as an inno- cent infringer and ruled that the award was made as a result of a previous decision of the U. S. Circuit Court in a suit against N. J. Warn- oyn-Mayer Pictures Corp, which fixed damages at one-fifth of the net income from the alleged infringement.

Attorneys for Sheldon and Barnes were allowed $5,300 counsel fees and the Special Master $1,000 by the decision.

Hearing on Schine

Motions Postponed

BUFFALO, Sept. 18.—Federal Judge John Knight today adjourned until Oct. 2 the hearing of motions for an injunction and motions for dismissal of the monopoly complaint against Schine Theatres, Inc., its affiliates and subsidiaries.

The adjournment was granted at the request of Willard S. McKay, attorney for the Schine interests. He sought more time in which to prepare affidavits answering 16 affidavits from rival theatre operators submitted by the government.

John J. Doran, Assistant Federal Attorney, consented to the adjournment. John Lord O'Brien, attorney for Paramount, joined in McKay's motion.

Big 5' Behind CIO in Studio Craft Election

(Continued from page 1)

sponsored by the National Labor Relations Board.

Negotiations on new wage scales and conditions of the closed shop agreement between the producers and the I.A.T.S.E. have been postponed to Up day following the election.

J. M. Schneeberg, president of the Motion Picture Producers Association, said, "The producers will bargain col- lectively with the CIO, provided the agency shall be determined by a legal agency."

Bioff Assails 'Propaganda'

William Bioff, head of the I.A.T.S.E. negotiating committee, declared: "The recent... recently by our enemies that the purposes of the I.A.T.S.E. in attempting to negoti- ate an agreement with unfavorable conditions near the ear the for- coming N.L.R.B. elections in the studio is in order that the results of such negotiations would favorably in behalf of I.A.T.S.E. in such an election. Such propaganda is vicious, untrue and typical of the source from which it springs."

Women's $12,000

Indianapolis Hit

INDIANAPOLIS, Sept. 18.—"The Women," on a dual with "6,000 Nee- Elegance," is transferring $12,000. "Beau Geste" and "Death of a Champion" scored at the Circle, with $9,400.

Estimated takings for the week ending Sept. 15:

"The Star Maker" (Para)...
"This Man Is News" (Para)...
"Apollo" (2,000) 7 days. 2nd $9,450. (Average, $1,350)
"Beau Geste" (Para)...
"Death of a Champion" (Para)...
"Circle" (2,800) 7 days. Gross: $9,400. (Average, $1,350)
"The Women" (M-G-M)...
"Roy of the Range" (O.S.) 7 days. Gross: $8,250. (Average, $1,175)

Reduce Assessment

For Fox Subsidiary

N. Y., Sept. 18.—N. Y. Supreme Court Justice Peter Schmuck yesterday approved the settlement of a proceeding brought by Rockefeller and F. Schmuck as trustees of the Fox The- atres Corp., against the City of New York for an assessment upon the properties of the Broadway & 165th St. Corp., Fox subsidiary. Under terms of the settlement, the City agrees to lower assessment $10,000 for the years of 1936 and 1937 upon discontinuance of the proceeding.

Cliff Lewis Given

Bigger Studio Post

HOLLYWOOD, Sept. 18.—Robert C. Gillam, Paramount director of ad- vertising and publicity, today placed Cliff Lewis in charge of advertising, taking over duties of the trailer departments at the studio.

Terry DeLapp and Herb Moulton, present heads of the publicity and trailer departments, will continue in their respective positions.
THEY'VE MOVED THANKSGIVING AGAIN!

it starts right now!
THE TALK OF THE INDUSTRY! PREVIEWED AND READY FOR S.R.O.!
"Look ahead Mister Exhibitor! M-G-M is writing the history of '39-'40!"

Never before has any company (including M-G-M!) started a season with such a barrage of established hits!

(more next page)
"THE WOMEN" is

FRONT PAGE NEWS

It's so BIG they put it on Page One and here's what they say:

"Roll out the barrel the world's been singing about, Showmen, and get ready to need it to hold the money when the first houseful in to see 'The Women' get to a phone to tell their friends the news...THE WOMEN is one of those terrific box-office attractions." —MOTION PICTURE DAILY

"THE WOMEN's success is a foregone conclusion. Superlatives are in order. Audiences may be expected to turn out in droves." —BOX OFFICE MAGAZINE

"THE WOMEN is one of the smash hits of the season. Extended runs, hold-overs and top-grosses will be the rule." —VARIETY

"THE WOMEN is the hottest box-office attraction of 1939...a self-selling, gate-building morsel spiced to the palate of any and all comers." —MOTION PICTURE HERALD

"THE WOMEN solid triumph with top box-office punch...M-G-M has a top hit! Boys and girls, here is one that should break records." —HOLLYWOOD REPORTER

"THE WOMEN is sure-fire screen fare." —FILM DAILY
"THE WOMEN is for the women, and that means that they'll drag the men with them."
—SHOWMEN'S TRADE REVIEW

"THE WOMEN is a solid smash hit."
—Ed Sullivan, DAILY NEWS
Column Syndicated Nationwide

"THE WOMEN is a bold, glittering and enormously funny film. I urge you to run to it the moment it is exhibited in your part of the country."
—Beau Broadway, MORNING TELEGRAPH

This bath-tub scene is not the one in "The Women."

"THE WOMEN has all the elements of a smash success. Absorbing entertainment, exciting, provocative and pictorially decorative. The season’s stand-out offering."
—DAILY VARIETY

"THE WOMEN is not only adult, but extremely sophisticated."
—Louella Parsons, LOS ANGELES EXAMINER

"THE WOMEN will certainly bowl over the matinee trade, and go quite a bit beyond that."
—Edwin Shallert, LOS ANGELES TIMES

"THE WOMEN is going to be one of the smash hits of the year."
—Harrison Carroll, LOS ANGELES EVENING HERALD AND EXPRESS

AND NOW THE HEADLINES BEGIN! (Just the first few, as we go to press, from VARIETY):

FLASH! "THE WOMEN" S.R.O.!
Watch those dames bring in the dough!

Start '39-'40 with "The Women" and get the hit habit early. Eyes on Leo! Keep going!

‘Women’ $16,000 Paces OK Cincy;
European was still was expected to deliver big at the grandstand. And while it is tiptop. Interest is high.

European $2200 (2:10), $2400-
Women (G1), Very big else.

‘Women’ Sweet $34,000, 2 L. A. Spots;
Los Angeles Sept. 5; Passed a recent $34,200 on the cons. Horse. Press accounted $34,000 with
Melody (G1) will be a mild favorite at the Charles;
Starter and Great Names First. More...

‘Women’ 19C in Uneasy Pitt.
Pasadena Sept. 2; Passed a recent $12,000 on the cons. Horse. Press accounted $15,000 with
Melody (G1) will be a mild favorite at the Charles;
Starter and Great Names First. More...

Women’s World at Washington”. Was a record. The Women is maintained at the Charles;
Starter and Great Names First. More...
WRITE THIS DOWN!

BECAUSE of our own sincere belief after having previewed “Babes In Arms” in several widely different theatres—

BECAUSE of the hysterical enthusiasm of the audiences in each instance—

BECAUSE of the grape-vine comments already started by the newspaper representatives and columnists of Hollywood—

WORD OF MOUTH IS MAKING IT FAMOUS ALREADY!

We Predict:

"BABES IN ARMS’ WILL
and hundreds of entertainers in the gala musical comedy stage hit, the most discussed film of the new season:

"BABES IN ARMS"

MAKE SCREEN HISTORY"
"DID PAPA SIGN HIS M-G-M CONTRACT YET?"
"YES, PAPA SIGNED HIS M-G-M CONTRACT!"

He believes in security. He knows that grade “A” pictures mean grade “A” milk for baby and new furs for Mama. He knows that year after year, when all is said and done, there’s just one safe bet for the family, The Friendly Company!

(More wonderful news follows:)
Last year M-G-M serviced the largest number of theatres and had the largest number of accounts in its entire history! To them we say: “Your faith and loyalty is reflected in M-G-M’s remarkable new product!” M-G-M’s Fall line-up is literally The Talk of the Industry. While “The Wizard of Oz” continues to set new marks in extended-runs and while the life-saving Summer hits of M-G-M are still fresh in memory: “Andy Hardy Gets Spring Fever”, “Goodbye Mr. Chips”, “Lady Of The Tropics” etc. etc., the season ’39-’40 begins triumphantly! “The Women” and “Babes In Arms” are already celebrated on every Film Row! Also previewed and acclaimed are the four great attractions shown on the next page.
GARBO
laughs in
"NINOTCHKA"
(don’t pronounce it—see it!)

with
MELVYN DOUGLAS
INA CLAIRE
An ERNST LUBITSCH Production
Garbo laughs! Garbo loves! Garbo in
a gay comedy of OO-la-la Paree! Slyly
Directed by Famed Ernst Lubitsch!
Produced by Sidney Franklin

THUNDER AFOLOAT
Chester MORMIS VIRGINIA GREY

DANCING CO-ED
Lana Turner
Richard Carlson

(continued)

Many others near completion
and the advance tip-off is:
“More Big Ones on the way!”
M-G-M is racing far ahead of
the field!
There’s no comparison—and
remember this is just the
beginning! Just Sept. and Oct.!
Eyes on Leo!
all together now:

"METRO-GOLDWYN-MAYER'S
THE ANSWER TO YOUR PRAYERS"
Frisco Gives Good $17,500 To ‘Old Maid’

SAN FRANCISCO, Sept. 18.—“The Old Maid” and “Torchy Plays with Dynamite” drew a good $17,500 at the Fox. “Blackmail” and “Should Husbands Work” drew well, with $14,500 in the Warfield.

Estimated takings for the week ending Sept. 12-15:

“The Old Maid” (W. B.)
“Torchy Plays with Dynamite” (W. B.)
“Blackmail” (Col.)
“Should Husbands Work?” (Col.)
“Husband Prom Gated” (Col.)
ORPHEUM—(2-49) (15c-30c-40c-50c) 7 days, 2nd week, Gross: $6,500. (Average: $922)

“Beau Geste” (Para.)
“Night Work” (Para.)
ST. FRANCIS—(1-00) (15c-30c-40c-50c) 7 days, 2nd week, Gross: $6,500. (Average: $922)

Motion Picture Daily

Hollywood Reviews

“Torchy Plays with Dynamite”

HOLLYWOOD, Sept. 18.—For a long time various studies have been trying to make the right kind of a high school days picture. Paramount, with “What a Life,” comes close to attaining the goal. The meaningful audience entertainment values and commercial potentials of the production are its naturalism and simplicity. Great appeal is given the story, which is a blending of comedy and pathos, by the commendable manner in which Jackie Cooper, Betty Field, John Howard, Janice Logan, Vaughan Glaser, Lionel Stander, Hedder Hopper, James Corner and the support cast enact their roles.

Producer-director Ray T. Reed screened the Clifford Goldsmith play intelligently. Many sympathetic touches in human, heart-warming dialogue and situations were imparted to the screenplay by Charles Brackett and Billy Wilder.

There are many attention-arresting incidents in the picture, but its real meat is the story of Henry Aldrich (Jackie Cooper). He’s a problem to the teachers because he will not study. He’s the goat upon whom is pinned responsibility for school rule infractions, whether or not he committed them. He adds to his woes when he crows, and when a theft is committed he is the first and only suspect. In the whole school Jackie has only three friends, teachers John Howard and Janice Logan and community leaders. They are the ones who rescue him from a dark and threatening scrape.

Adults and juveniles are the audiences for “What a Life.”

Running time, 75 minutes. “G.”

G. McC.

“Sky Patrol” (Monogram)

HOLLYWOOD, Sept. 18.—Not far back in many minds just now are such questions as that of precisely how the United States would prevent a foreign nation from snuggling arms and ammunition out of this country, if said nation chose to do so. Specific ways and means by which the U. S. Army might prevent it are shown in this third number of the Tailspin Tommy series starring John Trent. The hero is seen this time in the service and in charge of an Army sky patrol which detects a hydroplane transporting munitions to a ship at sea and, after adventurous intercose, takes care of the matter thoroughly.

The picture is timely and plausible. It is a Paul Malvern production directed by Howard Bretherton from a screenplay by Joseph West and Narton S. Parker, all of whom cooperated to keep it inside the realm of credibility. It tells its tale simply, interestingly and economically. Millburn Stone, Marjorie Reynolds, Jason Robards and Jackie Cooper are among the other members of a balanced cast supplying Trent adequate support.

Running time, 61 minutes. “G.”

R osc e W illiams

“Stanley” $10,500 Lead in Pittsburgh

PITTSBURGH, Sept. 18.—“Stanley” and “Leisure” led here with a powerful $10,500 at the Fulton. “The Old Maid” scored $9,000 at the Stanley, while Loew’s Penn grossed $13,000 for the second week of “The Women.” Estimated takings for the week ending Sept. 14:

“Golden Boy” (Col.)
ALVIN—(1-00) (35c-36c-50c) 7 days, 2nd week, Gross: $5,500. (Average: $1,428)

“Stanley and Livingstone” (20th-Fox)
LOEWS—(2-00) 7 days, Gross: $7,000. (Average: $1,000)

“G.” denotes general classification.

Seattle Puts Ban on All Carnivals

Seattle, Sept. 18.—Acting upon a request of the MPTO of Washington, and the Seattle Federation of Motion Picture Theater Employees, the City Council has passed an ordinance banning street carnivals in this city.

The carnivals are detrimental to public welfare and morals, and a menace to business firms and house holders in the region where they are held. It was contended, the ordinance becomes effective at once, having been signed by Mayor Arthur Langlie.

Detroiters at Tourney

Detroit, Sept. 18.—Forty executives, managers and assistants participated Saturday in the annual golf tournament sponsored by the Detroit Theatres, Inc., at the Maple Lane Club. Leonard Goldenson of the Paramount home office, in town on business, arrived in time to attend the luncheon following the tourney.

Magicians Protest Exposure in Film

Society of American Magicians has appointed Joe Silverstone, United Artists chief executive, the “exposure” of trade secrets of “another branch of show-business—the magicians,” wrote 2nd Walter Wanger’s “Eternally Yours.”

The organization’s wire, which has been received by magicians to Wanger, points out that Harvard, one of its members, is performing one of the most elaborate illusions in the current “Hellzapoppin.” The message asserts that “many large theatre circuit owners have pledged not to book the show, fearing damage of magic, and many members threaten to take the matter up with their A.F. of L. union.”

Mobile Television

Permit to DuMont

Federal Communications Commission has issued a license to DuMont Television Corp., Paramount affiliate, to operate a mobile television unit. The permit is already for construction for experimental use.

One of the possibilities, although admittedly remote, is that the mobile unit may be used experimentally in broadcasting to the Paramount Theatre screen in Times Square.

Citizen Livingston

PITTSBURGH, Sept. 18.—Warner Theatres district manager Harry Calin has been reelected commander of Variety Club of this district.

Other officers are bowlers Joseph Hillier of National Theatrical Exchange and Dr. H. S. E. Pan. Alex Vassall, assistant manager; C. C. Kelleben, office manager of the 20th Century-Fox exchange, adjutant; James G. Balmer of the Harris Amusement Co., finance officer, and Rev. J. Garahan, chaplain.
**Motion Picture Daily**

**Tuesday, September 19, 1939**

**Minneapolis**

Gives ‘Dawn’ High $8,200

Minneapolis, Sept. 18.—“Each Dawn I Die” was the winner in Minneapolis last week by $8,200 at the Orpheum. “In Name Only” was good for $6,400 at the State. In general, grosses were up for the week in the twin cities.


Minneapolis: “Conspiracy” (RKO) AVERAGE—(900) (15c-25c) 7 days. Gross: $3,000. (Average, $428.40).


The Adventures of Sherlock Holmes” (20th-Fox) GORHEK—(900) (25c) 7 days. Gross: $1,000. (Average, $142.86).

“Flight at Midnight” (RKO) MINN ESPOTY—(4,300) (35c-45c) 7 days. Gross: $3,000. (Average, $428.40).

“The Man in the Iron Mask” (U. A.) 700 MORGAN—(1,000) (25c) 7 days. Gross: $2,800. (Average, $400).

“In Name Only” (RKO) NT CENTRAL—(1,000) (25c) 7 days. Gross: $1,500. (Average, $214.29).

“Foolish Wives” (20th-Fox) WORLD—(4,000) (35c-45c) 7 days, second week. Gross: $3,000. (Average, $428.40).


“In Name Only” (RKO) 700 MORGAN—(1,000) (25c) 7 days. Gross: $2,400. (Average, $342.86).

“Green Light” (20th-Fox) RIVIERA—(1,000) (25c) 7 days. Gross: $2,800. (Average, $400).

“Bad Lands” (RKO) TOWER—(1,000) (25c) 7 days. Gross: $1,500. (Average, $214.29).

“When Germany Surrendered” (Rule) GORHEK—(900) (25c) 7 days. Gross: $1,200. (Average for 7 days, $700).

**Legion Approves 13 New Pictures**

National Legion of Decency for the current season has approved all of the 13 new pictures reviewed and classified, eight for general patronage and five for adults. The pictures and their classification follow.


Class A-2, Unobjectionable for Adults: “The Cat and the Canary,” “Houseboat Moon in Bali,” “The Rains Came,” “Thunder Abbott,” “Two Bright Boys.”

**Morris, Reisman**

**Back in New York**

Sam E. Morris, vice-president of Warners in charge of foreign activities, and Phil Reisman, RKO foreign manager, have returned to New York yesterday after attending South American conventions.

A. S. Abell, Warner manager in Brazil, arrived with Morris for office conferences. Another passenger was Mel Shaper, producer, who spent five months in Brazil, bringing lining up production plans for two Spanish language films which he will make for United Artists release.

**“Babes in Arms”**

[Metro-Goldwyn-Mayer]

(Continued from page 11)

fail, while their children bond together to put on a musical comedy which is successful.


The Rodgers and Hart book was materially changed by screenplay writers Jack McGowan and Kay Van Riper to afford Rooney a wide swath to cut. McGowan and Miss Van Riper, the latter quite familiar with the "Hardy" scripts, turned out a glittering piece. Busby Berkeley, who rose to directorial fame via the filmusical ladder, guided this production to a nicety. It is appropriate, too, that song writer Arthur Freed should have this as his first effort at production. Two of the Richard Rodgers-Lorenz Hart songs, "Babes in Arms" and "Where Or When," were used, with Fred, Nacio Herb Brown, Harold Arlen and E. Y. Harburg contributing others.

From music, editing, acting on up or down, "Babes in Arms" is any one's money's worth of entertainment.

Running time, 95 minutes. "G."

*G* denotes general classification.

**‘Night of Stars’ Gets Film Industry’s Aid**

More than 500 men and women, leaders in the business, civic and amusement worlds, will be the guests of Nathan Straus, U. S. Housing Administration chairman, at a dinner today at the Hotel Astor. Plans will be discussed for “Night of Stars,” gigantic theatrical show to be staged at Madison Square Garden November 15 for the benefit of Jewish refugee settlement in Palestine.

Louis Lipsky, chairman of the administrative committee of the United Palestine Appeal, will discuss Palestine as a refugee haven during the war and persecution and the necessity of extending it maximum co-operation in the settlement of Jewish refugees there.

Other speakers will include: Mrs. Joseph Strooch, who will report for the Women’s Committee; Marjorie H. Schenck and Ben A. Boyar, associate chairmen of the Producing Committee, who will tell of the problems that have already been made in enlisting the support of the legitimate theatre and motion picture divisions; Nathan Straus, who will preside, and Samuel Blitz, executive director of “Night of Stars,” who will outline the work of various committees.

**New P. & G. Serial**

Procter & Gamble, through the Compton agency, will start a new dramatic serial, “The Right to Happi- ness,” for the Mutual Network at 11:15 A.M., beginning Oct. 6. It was purchased from the Carl Web- ster office and is authored by Irena Phillips.

**Add 8 Stations**

Corn Products Sales Co., sponsor of “The Girl Next Door,” drama series aired over CBS has added 8 additional radio stations to the original network of 35, effective Oct. 9. Program is heard Monday to Friday, 3:15 to 3:30 P. M.

**War Clause**

Seattle, Sept. 18.—Employees of seven theatrical unions, now negotiating with Seattle theatre owners for a new annual contract, will ask the inclusion of a "war clause" in their 1940 agreement. The clause will provide for immediate arbitration of wages in the event that war increases living costs above normal levels. The agreement submitted by the unions asks an increase in wages for lower-bracket employees, and two weeks’ vacation with pay in all brackets.

**Canadians Dropping Saving Time Sept. 24**

Toronto, Sept. 18.—In spite of industrial requirements in war, a proclamation has been issued for the termination of Canadian Daylight Saving Time on Sept. 24.

The product of the World War because of the desire to take as much advantage of natural light as possible and later continued as a benefit for public health, Daylight Saving was considered in some quarters as advisable for an extended period this Fall but a number of Ontario cities had

**Plans Cartoon Studio**

Hollywood, Sept. 18.—Lance Fox, J. P. president of General Films, returned here today from London after the outbreak of war forced postpone- ment of the Man Who Lost Himself, in which he was to be associated with Leslie Howard. Fox is selecting animators to operate his own cartoon studio which opens Oct. 1.

**Michael Whalen on Air**

Michael Whalen, now in the east, will be interviewed by Radie Harris over the Mutual network today at 7:30 P. M.

**Golden Boy**

Detroit, Hit, Pulls $7,500

Detroit, Sept. 18.—The Fox led the field with $7,500 for "Golden Boy" and "Charlie Chan of Treasure Island. The United States artists sold $11,500 on "Beau Geste" and the Michigan drew $11,000 with "The Great Gatsby Their Faces" and "Street Life."

Estimated takings for the week ended Sept. 18:

"Bacheler Mother" (RKO) "Ficer Dugan" (RKO) ADAMS—(15c-25c) 7 days. Gross: $1,400. (Average, $200).

"San About Town" (Para.) "Captain Fury" (U. A.) FISHER—(15c-25c) (15c-40c) 7 days. Gross: $1,400. (Average, $200).

"Golden Boy" (Col.) "Charlie Chan of Treasure Island" (20th-Fox) FOX—(50c) (25c-50c) 7 days. Gross: $1,500. (Average, $200).

"This Article Washes Their Faces" (W. B.) "Stolen Life" (Para.) "Island of Lost Men" (Para.) GREED—(25c) 7 days. Gross: $1,400. (Average, $200).

"Beggar Girl" (Col.) UNITED ARTISTS—(25c-50c) (15c-50c) 7 days. Gross: $1,500. (Average, $200).

**Dallas Suit Names Interstate Circuit**

Dallas, Sept. 18.—L. J. Dunbar, Dallas independent exhibitor, has filed suit against Federal Circuit, Interstate Circuit, Inc, and Karl Hoblitzelle, interstate producer, asking damages of $54,443.

Dunbar charges Interstate with having induced major distributors to require that he charge 25 cents admission for his second run films, whereas his price had been 20 cents.

Dunbar also claimed that Interstate, by forcing him to take double features, which led to a sharp decrease in his business, since he previously held a five-cent admission. For six years up to 1925, he claimed, he had shown an annual profit of $6,000. The following three years his profit amounted to $41,400. He alleged damages under the Federal laws.

**Claims Wisconsin Game Is Lottery**

Milwaukee, Sept. 18.—Wisconsin lottery laws compel the police to suppress the raffle. Judge T. M. Tonn, assistant city attorney, has replied to a action filed in Federal District Court here by Hollywood Amusement Co., Inc., Chicago, to restrain Police Chief Joseph T. Kluscher from interfering with the playing of the theatre game.

Hearing on the petition is scheduled for Sept. 24. John F. Ryan, deputy judge, will decide on Sept. 24. The amusement company contends Hollywood is a game of skill, not subject to the regulations of the Wisconsin State Supreme Court decision holding Bank Night a lottery.

**Interview Manouman**

Rouben Manouman will be interviewed on the "If I Had the Chance" program tonight over the NBC-Blue network at 10:30 o’clock.
"Complete"

“I HAVE BEEN A READER OF YOUR MOTION PICTURE HERALD EVER SINCE I HAVE BEEN IN THE BUSINESS AND I KNOW OF NO MORE COMPLETE PUBLICATION FOR THE MOTION PICTURE INDUSTRY. THE MOTION PICTURE HERALD HAS EVERYTHING."

O. H. REYNOLDS
Manager

HOLLYWOOD THEATRE
PORTLAND, OREGON

MOTION PICTURE HERALD
ROCKEFELLER CENTER • NEW YORK
Offer Saturday Night Pictures Via Television

XBC has arranged a new television schedule. Besides other innovations, the network will add a Saturday evening program for the presentation of a feature motion picture from 8:30 to 9:30 o'clock, which is the peak theatre hour.

The new schedule, by which the network expects to gain a wider audience, becomes effective Sept. 26. It will shift the present balance between daytime and evening telecasts. The new schedule will immediately add one evening program a week and later a second, so that in a short time one daytime and one evening show will be available five days a week.

Daytime programs, under the new plan, will be telecast five afternoons a week—Tuesdays through Saturdays—starting at 2:30 o'clock. Studio variety hours, including short film subjects, will be telecast on the Tuesday and Friday matinees. Outdoor events will fill the Wednesday, Thursday and Friday periods.

Evening studio programs will continue at the present hour, four times a week. Tuesdays through Fridays. Two of these will continue as dramatic hours; the other two will be variety presentations. The Saturday hour for film presentations will be filled in shortly.

BANNER RADIO LINES

By JACK BANNER.

EDDIE CANTOR'S deals to return to the air are definitely cold for the moment. Instead of starting a new radio show, the comedian will take a number of performers who appeared with him in his former series on a personal appearance tour, opening in Pittsburgh in about two weeks.

CANADIAN BROADCASTING CORP. is using the monitor system for the constant checking of all programs from the United States, according to Canadian sources, particularly those of an extemporaneous nature, to black out any semblance of propaganda or undesirable declarations in view of the war. The monitor is an official listener who is able to cut any program within seconds.

No restrictions have been placed on the big commercial programs originating here and fed to Canada. Itx "Radio Theatre" has returned to Canadian stations to keep company with the Maxwell House "Good News" and "Chase & Sanborn" hours. Other U. S. commercial programs that will shortly appear over CBC are "Silver Theatre," and Lever Bros., Fleischmann and Standard Brand programs.

OF LATE A SHARPLY INCREASING number of programs devoted to broadcasting information about horse race results have made their appearance over various New York City stations. WHN is accepting this type of business. WMCA is doing likewise, but the station most heavily laden with it is WINS. The latter broadcasts horse results in a code which is understandable only to those who purchase a specific horse race sheet at the newsstand. Results are broadcast the entire afternoon, with regular programs subject to constant interruptions to broadcast flashes on the winners. Listeners are frequently urged to purchase this horse sheet.

Because of the intimacy of radio, this is regarded as a highly questionable type of business for a station to accept. Business of this sort can hardly be classified as broadcasting in the "public convenience, interest and necessity." Radio has voluntarily banned—or the F.C.C. has refused to allow the industry to accept—all forms of speculative finance and real estate intended to promote the purchase of stocks and bonds; many types of personal hygiene products and cathartics; all forms of fortune telling, etc. It seems to us that the broadcasting of horse racing results can readily be placed in the "unwelcome business" category. Stations that will not voluntarily act to find such business unacceptable should be compelled by the F.C.C. to exercise discrimination.

London Seeks More Liberal Theatre Hours

LONDON, Sept. 18.—New efforts are expected this week on the part of the joint trade council of exhibitors and distributors, representing the Motion Picture Production Association and the Kinematograph Exhbiters' Association, to obtain further extension of the hours during which film houses in the West End of London are permitted to remain open.

The British Home Office last week promised to receive further views on the hours of opening in view of experience. It is particularly desired that newsreel theatres be given some concessions in the matter of hours.

Protest Newsneel Censorship

The Joint meeting of trade organizations this week probably will decide on sending another delegation to Whitehall.

The Association of Cine Technicians has joined up in the agitation against the censorship of newsreels by the British Board of Film Censors. Technicians have informed the Ministry of Information that they believe the trade body is unsuitable for such a purpose, and that the Ministry should retain direct responsibility over the censorship of newsreel material.

What Does It Mean?

INTERMEZZO

TO THE GIRL it meant a brief, white-hot joy that she could not hope to hold . . . .
M-G-M Fixes Sales Policy On Code Plan

Cancellations Are From 20 to 10 Per Cent

Details of M-G-M's sales policy that will govern its 1939-40 film deals were disclosed yesterday by the company.

A feature is "an increased and unrestricted elimination privilege" ranging from 20 per cent to 10 per cent, depending on the average rental cost.

M-G-M is the second company to present a sales plan, Warners having done so recently. It embodies salient concessions which were included in the proposed industry trade practice code. William F. Rodgers, general sales manager of M-G-M, was chairman of the distributors' code negotiating committee.

M-G-M's statement of policy follows:

"M-G-M reaffirms its previously announced policy of not insisting upon short subject, newsreel or trailer representation as a condition of licensing its feature productions, and to those who do lease these units the weekly payment plan is optional. "That score or recording charges will not be made on any contracts for its 1939-40 product signed subsequent to January 1, 1939. "That it will gladly negotiate for same run of its product with any properly conducted theatre, providing

Warner Club Golf Tourney Winners

One hundred and fifty persons participated yesterday in what was acclaimed as the most successful golf tournament in the history of the New York Warner Club. The tourney took place at the Glen Oaks Golf Club, Great Neck, L. I.

Winners were:
First low gross score, Leonard Palumbo; first low net gross "A," Jules Zerdien; first low net gross "B," Al Blum; nearest to pin, Ed Schreiber; longest drive, Lester Rieger; putting,

Newsreels Exempt By French Decree

Washington, Sept. 19.—Importation of newsreels into France have been exempted from the import license requirements established by decree of Sept. 1, but remain subject to the exchange certificate requirement and censorship, according to advices to the Department of Commerce from the American Embassy in Paris. It is understood that other motion picture films remain subject to the import license requirements, as well as to the recently announced general exchange control.

8,000 Ballot Today In Studio Elections

Hollywood, Sept. 19.—Approximately 8,000 studio craft workers will cast secret ballots tomorrow to settle one of the most important disputes in the film industry in recent months. The election, ordered by the National Labor Relations Board, will determine the collective bargaining agency for the workers. Both the I.A.T.S.E. and the CIO-financed United Studio Technicians Guild are involved in the fight.

Balloting will begin at 6 a. m. and continue until midnight. Counting will start immediately after the polls are closed. Results will be announced officially about 3 a. m. Thursday.

Last minute campaign drives were made by both sides as the I.A.T.S.E. delayed until Thursday its bargaining conferences with the producers.

Grosses showing marked upturn, reach $1,490,144

With the impetus supplied by a Labor Day weekend of unusually attractive proportions, key city theatre grosses showed a spectacular upturn for the week ending Sept. 7-8, reaching a total for 145 theatres of $1,490,144, according to Motion Picture Daily's compilation of weekly receipts.

The aggregate for the most recent period was the highest attained since the week ending last Feb. 9-10, when 147 theatres reported a total gross of $1,494,600.

The upward trend of grosses in the past few weeks is indicated by the totals for recent weeks. For the period ending Aug. 24-25, the total was $1,401,150 from 140 houses; week ending Sept. 31-Oct. 1, the total was $1,410,800 from 147 theatres.

Among recent outstanding pictures which are credited with being responsible for the increase in grosses, in addition to the opening of the Fall season, returned vacationists and similar seasonal developments, were: "The Man in the Iron Mask," "The Women," "The Old Maid," "The Wizard of Oz,"

HAYS HITS TRADE MEDDLING BY U.S.

Shakeup for N.Y. Anti-Trust Division

A shakeup in the New York office of the Department of Justice anti-trust division, which was exclusively forecast in Motion Picture Daily on Monday, was carried out by Thurman Arnold, special assistant in charge of the division, who came here from Washington yesterday for the purpose.

Most important changes made in the local office by Arnold will send the quota system to the New York office, and his assistant, William McGovern, to Washington. Fred Whalen, a member of the local staff for the past several months, will be in nominal charge of the office thereafter without an assistant such as Henderson had in Washington.

It is understood that Henderson's transfer to Washington is temporary and he may be reassigned to another locality later. The changes are effective Friday.

With the curtailment of the personnel of the New York anti-trust office a corresponding curtailment of its activities is believed likely. Substantiating this is the Washington decision to transfer a number of pending anti-trust actions here to the supervision of John T. Cahill, U. S. District Attorney in the southern district.

The suit against the major film companies, however, will remain in the anti-trust Division's office under Whalen.

No explanation of the changes was forthcoming from either Arnold or Federal offices here yesterday.

Defends Industry Against Federal Harassment In Coast Speech

Los Angeles, Sept. 19—Hitting at Governmental harassment of the industry for the first time since the campaign of litigation by the Department of Justice was begun 14 months ago, Will H. Hays, M.P.P. D.A. president, in a speech today to the Regional Trust Company Conference of the Pacific Coast and Rock Island States being held here, said:

"If two or more groups are in competition and one is seeking to gain advantage by Governmental harassment of the industry, for the first time since the campaign of litigation by the Department of Justice was begun 14 months ago, Will H. Hays, M.P.P. D.A. president, in a speech today to the Regional Trust Company Conference of the Pacific Coast and Rock Island States being held here, said:

"If two or more groups are in competition and one is seeking to gain advantages by Governmental regulation, then it is clearly not the business of the Government to take sides."

Echoing sentiments frequently heard within the trade, but not voiced publicly until today, Hays left no doubt in listeners' minds that his references were concerned with the industry's problems originating with Governmental activities, including proposed regulatory legislation.

"A true Government is not just the protector of an innocent public against rapacious business," Hays said. "It is the trustee of the interests of business as well. It is the protector of the interests of business and the promoter of its soundness and its health."

"I have had an opportunity to observe both the world of politics and the world of business and I am assured that there has been no change in the past year which I have indicated, and continued. "And my sober conclusion after many years is that the public interest is as strictly protected and observed in business as it is in Government."

"In the relations of business with Government—the common Government which we all recognize as our servant and our means of mutual existence—confidence is a prime necessity. Business must be able to believe that members of the Government themselves are observing fundamental principles of trustworthiness. It holds in its hand the safety of the people, their property, their profits, their lives. And

(Continued on page 8)
Radio to Air Murphy Talk At Coast Fete

Principal speaker at the Motion Picture Democratic Committee banquet in Beverly Hills next Monday will be motion picture General Frank Murphy, who will fly from Washington especially for the occasion.

Principal function of the banquet will be to increase the producer of the picture, which in the committee's opinion has contributed the most to the ideals of democracy.

Melyn Douglas will be toastmaster for the event, which will be broadcast over the NBC-Blue network from 12:30 to 1:30 am. Those expected to attend include James Roosevelt, Dashiell Hammett, chairman of the committee sponsoring the award; John Ford, vice chairman; Miriam Hopkins, Fredric March, Franchot Tone, Bette Davis, Donald Ogden Stewart, and others of the film colony.

Carolina Exhibitors Asking Concessions

CHARLOTTE, N. C., Sept. 19.—The board of directors of the Theatre Owners of North and South Carolina today passed a resolution requesting distributors doing business with exhibitors in the Carolinas to put into effect trade practices embodying the following points:

1. Ten per cent commission; non-forcing of shorts, trailers, newsreels and accessories; elimination of all more charges; price allocation to be stipulated with notice of availability, and full protection against non-theatrical competition.

It was stated that “many of our exhibitors, under the firm belief that the privileges of certain fair trade practices would be granted, have bought products for the 1939-40 season, and as a consequence are overbought unless the said privileges are granted.”

Reissue 'Maginot' Reel

March of Time has reissued the reel on "Inside the Maginot Line," which was released originally in October, 1938.

Newsreel Parade

War news continues to be featured in the newsreels. Issue of Paramount News was released today. The “feats and their contents follow:


PARAMOUNT NEWS, No. 6—European conflict: German airplanes in Poland; Nazi troops on march; German training ship; bombarding Westerplate, Polish fort; devasted towns and cities in Poland; shots of Warsaw.

RKO PATHE NEWS, No. 18—Air raids in Portugal; British in England; Welles off for FM-conference; Fire at Coney Island; Arrival of Darrow; Snow, Wards win golf crown. National tennis matches.


RKO Hearing Faces New Postponement

A hearing on the RKO reorganization proposal filed today before Federal Bankruptcy Judge Alfred C. Cote, is expected to be postponed for two or three weeks. Final arguments will be made from vacation of the composition of Federal Judge William Bondy. The latter, who has jurisdiction over the reorganization proceedings, is expected to hear from the West Coast on Oct. 2.

Paramount Pep Club Plans Dance Oct. 27

Pep Club, Paramount employe organization, will hold social dance Oct. 27 at the Hotel Astor. Orchestra selection and other arrangements will be made when Joseph Wood, the new manager, returns from vacation Monday. Al Stefani, entertainment chairman, is in charge of the affair.

**PURELY PERSONAL**

N ATE BLUMBERG, J. I. MIL- 
 STEIN, MOW STRIECL, LOU 
 BRECHER, SAM CINIR, JACK GOETZ, 
 JOSIAH MALCOM, FRANKLIN UNDER- 
 WOOD, ROY IRWIN, HENRY SPETZER 
 at Bob Goldstein's Tavern for lunch 
 yesterday.

ARTHUR JONES, WILLIAM SIKES, 
 FRANK CALABRIA, GEORGE DANGER- 
 FIELD, and WILLIAM GFAVNEY have 
 been added to the technical staff of March 
 Time, to work on the feature, "The 
 Ramps We Walk.

FRED ULMAN, RKO Pathe vice- 
 president, has returned to the New 
 York office after having made arrangements for the filming of a new Reel News subject.

HELEN ERICSON has been given 
 the role originally assigned to NANCY 
 KELLY in "At the Blue Bird." 
 STUMLEY's latest picture for 20th 
 Century-Fox.

DR. LEE DeFORS, talking picture 
 and radio inventor, was honored at 
 luncheon given by veteran wireless 
 operators at the Hotel Astor yesterday.

LOUIS NIZER, of the law firm of 
 Phillips & Nizer, has returned to his 
 office after a seven-week honeymoon 
 trip through Central and South Amer- 

EUGEN SCHARN, head of Trans- 
 World Films, Inc., has returned to New 
 York after two months in Europe.

ROBERT LOWERY, ALEXANDER A'DAYC 
 and EDWARD MARB have been added to 
 the cast of "The City," a 20th Cen- 
 tury-Fox picture.

JOHN BOLAS, making a personal ap- 
 pearance in "The Blue Bird," has been 
 made an honorary member of the 
 Buffalo American Legion organization.

JAMES MULVEY, Eastern represent- 
 ative for SAMUEL GODWYN, is expect- 
 ed back in New York tomorrow from the 
 Coast.

Elorre WYCK, head of Fimmack 
 Theater, is visiting New York. He 
 leaves for Chicago tomorrow.

EDRICK WYCK has returned by plane 
 to the coast from New York for his 
 next assignment at Warners.

HARRY SMITH, RKO Pathe pro- 
 duction camerman, is attending a color 
 training school on the coast.

FRANK DONOVAN, RKO Pathe pro- 
 duction manager, has returned to the 
 New York office from the coast.

JOSEPH WOOD of Paramount's ac- 
 counting department returns Monday 
 after a brief vacation.

PAUL DOUGHER, executive secre- 
 tary of Actors Equity, is taking a short 
 vacation. He returns Monday.

WANTED—EMPLOYMENT

By a young man experienced in every phase of silent-production work, who has worked as film cutter and is also familiar with the requirements of standard and independent production of educational and sales films. Box 807. MOTION PICTURE DAILY,

BUFFALO, Sept. 19—Thomas Shea, 
 27, brother of the late Michael Shea, 
 theatre owner, died at his home after 
 an illness of six months. For 43 years, 
 he operated a cafe and confectionery. 
 Funeral services were held yesterday 
 in St. Joseph's New Cathedral.

MOTION PICTURE DAILY

(Washington, Wednesday, September 20, 1939)
The Women
Hold-over Hit!

GO!
(and keep going because this is just Sept. & Oct.)

ONE-WAY

METRO-GOLDWYN-MAYER
and turn the page please
THE FRIENDLY COMPANY REAFFIRMS its previously announced policy of:

Not insisting upon short subject, newsreel or trailer representation as a condition of licensing its feature productions, and to those who do lease these units the Weekly Payment Plan is optional.

That score or recording charges will not be made on any contracts for its 1939-40 product signed subsequent to January 1st, 1939.

That it will gladly negotiate for some run of its product with any properly conducted theatre, providing the acquisition of such business would not seriously affect its revenue from any prior run.

That it will recognize the desires of its customers to select days of their choice for the showing of percentage pictures where guarantees are given.

That it will respect any legitimate claim for the elimination from its contract of any picture likely to be offensive or objectionable to its customers' patrons from religious, moral or racial grounds.

AND IN ADDITION:

It will offer to its customers who have leased all product offered, and who are not in material default, an increased and unrestricted elimination privilege of:
20% elimination of features licensed where the average rental is $100 or less.

15% elimination of features licensed where the average rental is in excess of $100 and not more than $250 and

10% elimination of features licensed where the average rental is in excess of $250.

Also will give full consideration to its customers' requests for the interchanging of a picture that is deemed to be unsuitable for preferred time showing.

And where a theatre's prior commitments prevents it leasing the company's entire output it will in such cases gladly negotiate for a lesser number of pictures, including those available subjects in which the theatre is particularly interested.

It will continue to provide an Optional Arbitration Clause in its contracts and will arbitrate under such provision any claims made for breach of contract.

It is now preparing a new form of license agreement. A rider will be submitted for the signature of those who desire to operate under the new conditions and who had previously signed an application for its 1939-40 product. That all may have a full knowledge of the complete contract, each is requested to read the new agreement when submitted, thoroughly and carefully.

It has no present method of adjudicating clearance disputes or those affecting over-buying, but will conscientiously review any complaints brought to its attention and will continue to lend its every effort to bring about a more harmonious understanding.

Its established policy of supporting its satisfactory customers, the fair method of designating pictures and other relationship with the trade is so well known that it is not believed necessary to reaffirm that which by performance over many years is so well established.

It seeks the continued support of its customers and acknowledges its debt of gratitude to those who have in the past expressed their confidence in its policy by their uninterrupted patronage.

(signed)

FOR THE FRIENDLY COMPANY
Theatre, Personnel Changes

Manager Gets Leave

MADISON, Wis., Sept. 19—Edward Benjá, manager of the Capitol here, has accepted his wife's leave of absence to go to Hot Springs, Ark., for his health.

Reopen in Green Bay

GREEN BAY, Wis., Sept. 19.—Standard Theatres, which recently acquired the Washburn, will reopen the Grand here, which was closed during the past year and a half, to open this week under a policy of three shows a week. The 1,500-seat house is operated by Fox West Coast. Theaters affected would be the Fox, Paramount, Warfield and St. Francis.

Rosener Buys in Seattle

SAN FRANCISCO, Sept. 19.—The Metropolitan in Seattle, to show foreign pictures exclusively, has been acquired by Herbert Rosener, operator of eight other foreign language films houses throughout western cities.

May Hold Summer Prices

SAN FRANCISCO, Sept. 19.—Continuation through the summer of the present admission price schedule, in effect here since May, is reportedly under consideration by four downtown first-run houses operated by Fox West Coast. Theaters affected would be the Fox, Paramount, Warfield and St. Francis.

Detroit Madison to Open

DETROIT, Sept. 19.—The Madison, which has been closed during the past year and a half, will open this week under a policy of three shows a week. The 1,500-seat house is operated by the Madison Theatre Corp., with Arthur Robinson as general manager.

Opens Theatre in Kansas City

KANSAS CITY, Sept. 19.—Gus Diamond of the Rialto, in Salina and Arkansas City, Kan., has opened the new Roxy at El Dorado, Kan., a 550-seat house, which is being managed by El Silver, formerly with Glen W. Dickinson Theatres, Inc.

Maryville, Mo, Opening

MARYVILLE, Mo., Sept. 19.—C. E. Cook will open his new 800-seat Tivoli here on Sept. 27, and has sent out a general invitation to the trade to participate in the activities, which will include a golf tournament and a buffet supper in the evening.

Building in Nebraska

KANSAS CITY, Sept. 19.—Oscar C. Johnson has started construction of a new 550-seat theatre, to be called the Rivoli, in Fall City, Neb. Johnson operates the Rivoli and Electric there.

Switch Canadian Managers

TORONTO, Sept. 19.—An exchange of managers has been effected by Famous Players Canadian Corp., in Ontario by the sale of Rialto Toronto, Rialto Theatre, Cobourg, and R. J. Harrison, manager of the Capitol at St. Catharines.

Approve Sunday Films

KANSAS CITY, Sept. 19.—Smith Center, Kan., has voted 368 to 307, in favor of Sunday films.

New York Preview

“Torpedoed”

(Film Alliance of the U. S.)

The chief recommendation of this British produced picture is the title, which, in this time of war excitement, and by reason especially of the content of the daily newspaper headlines, takes on a highly salable quality. In the hands of Sir Alfred Hitchcock, the film is moderately entertaining fare, made, with respect to its sea scenes, with the cooperation of the British Admiralty.

Despite the title implication, the film is not concerned with submarine warfare, but deals with the successful efforts of a small British cruiser to protect British nationals in the West Indies during a native uprising.

There are at least three names of marquee caliber for American audiences in a cast which is otherwise English and unknown in this country. The three are H. B. Warner, as the British consul in the center of the uprising; Richard Cromwell, as a young lieutenant aboard the cruiser, and Noah Berry, as the deposed president of the fictitious country.

Other cast leaders are Robert Douglas, commander of the cruiser, and Hazel Terry, Warner’s daughter, with whom Douglas and Cromwell are in love.

Norman Walter directed from an adaptation of a story by "Bartimaeus Copperfield." Although the film’s pace lags at times and there often is an atmosphere of artificiality, the battle scenes in the shelling of the British consulate by the large battleship over by the rebels, and the flight of the battleship and the British cruiser, are strong material. The cruiser finally repels the torpedoes to destroy the rebel warship.

Running time, 66 minutes. "G**" CHARLES S. ABBONSON

*"G" denotes general classification.

Seek Compromise On Pay Financing By Film Companies

After several months of unsuccessful negotiation, the Motion Picture Financiers Guild council will meet this afternoon to consider once again the problem of inducing film companies to resume the backing of Broadway plays.

The council’s proposal for $15,000 down payment plus a royalty basis on the play’s run has been rejected by film negotiators. A possible compromise will be considered today. No definite action is expected at this afternoon’s meeting, however.

Film companies seem willing to reduce their demand for the $12,000 payment and also want percentage payments of the play’s gross cut down. As financial backers of the play, film companies would receive part of their payments back from the producer, who is entitled to 40 per cent of the dramatist’s share. However, if the play never reaches production, or does not continue, the companies will get all rights returned to the playwright, who would then retain the entire payment.

Missour Sponsors U. S. Music Project

KANSAS CITY, Sept. 19.—The Federal Music Project has been turned over to the WPA state administration and the State Department of Education has become the sponsor of the project in Missouri. Local sponsors remain the same, the St. Louis WPA orchestra, with 40 players, has given over 1,000 free concerts since January, to over 250,000 in elementary and high schools in St. Louis and St. Louis County. The WPA orchestra is composed of 34 men, and has presented similar concerts as well as appearing over the radio.

Appropriate

Kansas City, Sept. 19—They were showing “Paroled from the Big House,” the other night at the Regent while someone manipulated the dial of the theatre safe and escaped with $900, the theatre’s receipts. Whether the thief stopped to see the picture before the theft, Edward Mansfield, manager, couldn’t say.

Women at $15,900 Kansas City Leader

KANSAS CITY, Sept. 19—The “Women,” with “They All Come Out,” have been going strong at the Plaza Movie Theatre despite late summer heat. "Beat Geste" at the Newman took $1,300. The Jitterbug Jamboree at the Municipal Auditorium and baseball provided competition.

Estimated takings for the week ending Sept. 14 at the Plaza Theatre (25c-55c):

"Swanson and Livingston" (25c-55c) $3,070
"The Woman" (25c-55c) $2,850
"Promised Land" (25c-55c) $3,050
"Beau Geste" (Para.) $1,450
"Everybody’s Hobby" (RKO) $1,000
"The Wizard of Oz" (M-G-M) $1,400
"The Old Maid" (M-G-M) $1,100
"Blackmail" (M-G-M) $1,200

"Dust is Capital’s Lead with $17,000"

WASHINGTON, Sept. 19—"Dust My Destiny" and "Blackmail" each scored $17,000. The former was at Warners’ Eagie, and latter played Loew’s Capitol.

Estimated takings for the week ending Sept. 14:

"Blackmail" (M-G-M)

"Dust My Destiny" (M-G-M)

"The Old Maid" (M-G-M)
KENTUCKY THEATRE—(1,991) (35¢-46¢) 7 days, 2nd run. Gross: $14,000. (Average: $2,000).

"Beau Geste" (Para.)

"Everybody’s Hobby" (RKO)
ORPHEUM—(1,300) (35¢-66¢) 7 days. Stage: Vaudeville. Gross: $12,000. (Average: $1,710).

"Swanson and Livingston" (25c-55c)
TOWER—(1,200) (25c-55c) 7 days. Stage: Vaudeville. Gross: $11,000. (Average: $1,570).

Commonwealth Sets Out For Sept. 27

KANSAS CITY, Sept. 19—Commonwealth Theatre Corp. will hold their annual "King of the Sun" convention and outing at the Osage Beach Hotel, Lake of the Ozarks, Sept. 27. The main topic of discussion will be the company’s 14-week Fall and Winter campaign.

Winners of the 1939 Summer Campaign, the King of the Sun promotion, will receive special trophies. Winners: Rex King, Columbus, Mo.; D. E. Witton and Donnie Rieger, Harrison, Ark.; Raymond McKitrick, Harrisonville, Mo.; M. B. Smith, Garden City, Kansas; and Albert Miller, Ashland, Kansas City, Mo.

Night of Stars Will Get Film Leaders’ Aid

Committees arranging for the “Night of Stars” to be held at Madison Square Garden, Oct. 15. All American film men in Palestine have been longed for by the inclusion of leaders in the film industry.

Honorary chairman of the producing committee are Harrison, David Bavsson, Nate J. Blemberg, Jack Cohn, George J. Schacter, Joseph M. Cohn, Abe Saperstein, and Albert Warner. Louis K. Sidney of Loew’s is chairman of the committee and Marvin H. Schenck and Ben A. Boyer associate chairman.

Members of the committee are also Irving Berlin, Maxwell Anderson, Edgar Cantor, Samuel Chotzinoff, Alan Corelli, Max Gordon, George Jessel, Leon Leonovitch and John Shuberg, Alexander Smallman and others.

In a message to Nathan Strauss, chairman of the “Night of Stars,” read at a luncheon of committee members yesterday at the Hotel Astor. Mayor LaGuardia characterized the event as the rallying point of all creeds in the entertainment field against the menace of Fascism. Mayor LaGuardia has accepted the honorary chairmanship of the affair.
NEW FAVORITES

EASTMAN’S three great new films back up their special characteristics with typical Eastman reliability and uniformity. Worthy successors to earlier Eastman emulsions, they are the new raw-film favorites of the motion picture industry. Eastman Kodak Company, Rochester, N. Y. (J. E. Brulatour, Inc., Distributors, Fort Lee, Chicago, Hollywood.)

EASTMAN

PLUS-X
for general studio use

SUPER-XX
for all difficult shots

BACKGROUND-X
for backgrounds and general exterior work
M-G-M Fixes Sales Policy

On Code Plan

(Continued from page 1)

the acquisition of such business would not seriously affect its revenue from any prior run.

Thus, it will recognize the desires of its customers to select days of their choice for the showing of percentage pictures where guarantees are given:

"That it will respect any legitimate claim for the elimination from its contract and who had previously been offensive or objectional to its customers' patrons from religious, moral or racial groups.

"And in addition: it will offer to its customers who have leased all product offered, and who are not in material change, an increased and unrestricted elimination privilege:

"Twenty per cent elimination of features whose average rental is $100 or less.

"Fifteen per cent elimination of pictures licensed where the average rental is in excess of $100 and not more than $250.

"Ten per cent elimination of features where the average rental is in excess of $250.

Interchanging of Pictures

"Also will give full consideration to its customers' requests for the interchanging of a picture that is deemed unsatisfactory, for preferred time showing.

"And where a theatre's prior commitments will be interfered with, and if previously advantage be lost, it will use its best efforts to re-arrange the booking in accordance with the theatre's particular interest.

"It will continue to provide an Optional new financial plan, and will sign an application for its 1939-40 product. That all may have a full knowledge of the complete contract, each is requested to read the new agreement when submitted, thoroughly and carefully.

"It has not present method of adjudicating clearance disputes or those affecting over-bidding, and will conscientiously bring to its attention and will continue to lend its every effort to bring about a more harmonious understanding.

"It established policy of supporting its satisfactory customers, the fair method of designating pictures and all other relationship with the trade is so well known that it is not believed necessary to reassert that which by performance over many years is so well established.

"It is the continued support of its customers and acknowledges its debt of gratitude to those who have in the past expressed their confidence in its policy by their uninterrupted patronage."
This Year's GREAT GOLDWYN PICTURE
FIGHTING Action TUNED TO THE EMOTIONS OF THE MOMENT...

...that's why the first week-end at the Rivoli reached smash figure with Sunday topping Saturday's stand-out business. That's why Frank Nugent, screen critic of the New York Times says: "If it's a whopping adventure film you want, unconditionally guaranteed to build up your blood-pressure, the Rivoli is the place to find it!"
The story of a man and woman to rival WUTHERING HEIGHTS
The story of action-swept adventure to surpass THE HURRICANE

SAMUEL GOLDWYN presents

Gary COOPER
THE REAL GLORY
with DAVID NIVEN • ANDREA LEEDS • REGINALD OWEN • BRODERICK CRAWFORD • KAY JOHNSON
Directed by Henry Hathaway
FROM THE NOVEL BY CHARLES L. CLIFFORD
RELEASED THRU UNITED ARTISTS
Record Roxy Hour
Largest single hour's business in the 12 years of its existence is claimed by the Roxy for the period between 8 and 9 P. M. last Saturday during the ninth day of "The Rains Came." Total of 4,089 paid admissions were received, it was said. Previous record was 3,437 admissions during the run of "Alexander's Ragtime Band."

CBS Opens Football
Broadcasts Sept. 30
CBS will open its football schedule on Sept. 30 with a broadcast of the Notre Dame-Purdue contest in South Bend. The game will be described by Ted Husing and Jimmy Dolan. Time for the games will be from 2:15 p.m. to approximately 5:30 p.m.

As in other seasons, CBS has no set schedule for the college contests, but will choose the outstanding game of each week. The only contests already scheduled for broadcast are the Army-Navy game Dec. 2 and the Army-Notre Dame game Nov. 4.

Judell Picks Cast
Hollywood, Sept. 19.—Ben Judell of Producers Pictures Corp. today announced the signing of Roland Drew, Steffi Duna, Greta Granstedt, Allan Ladd and Bodil Kjersing for top roles in "Hitler—Beast of Berlin" which is due to start tomorrow.

Theatres Seek to Unravel
London Booking Situation

London, Sept. 19.—The joint trade committee, representing the Cinematograph Exhibitors Association and Kinematograph Renters Society (distributors), at its special session on Thursday will consider the problems which have arisen in booking and release of films as a result of new conditions arising from reopening of British theatres.

The delay in the reopening of central London film houses until a week after other theatres in the country has turned many first run houses into second runs. The circuits especially have been seriously hit by the situation.

The meeting will consider adjustments on a mutually agreeable basis. Christmas releases have been transferred by the interruption in business to New Year's, and that condition also will be studied.

Meanwhile, the poor grosses currently being recorded by many of the reopened theatres have caused a revision in the matinee prices which the trade previously had agreed to abolish during wartime.

The British Government today notified the U. S. Embassy of important financial concessions affecting all American residents, including industry members. Americans now resident in England are exempted from the application of the regulations compelling that all foreign currency and securities be turned over. Nationals of the United States are not compelled to surrender financial securities and balances.

The exemption applies to Americans only, and is applicable to no other nationals. United States film distributors are awaiting the decision of the British Board of Trade relative to the transfer of monies abroad. The department is considering a remittance policy, but Americans meanwhile are not disabled from the normal procedure.

TMAT May Forsake
Treasurers' Cause

Theatrical Managers, Agents and Treasurers Union will probably abandon its fight for jurisdiction over treasurers in the legitimate stage field within the next few days. After obtaining an agreement for a contract from the League of New York Theatres for managers and press agents, the union voted to give Gustave A. Gerber, attorney, full power to dispose of the issue with the newly-chartered group of treasurers affiliated with the I.A.T.S.E.

Gerber's attitude is, it is learned, that the group is not worth a fight. Charges of unfair labor practices against the Shuberts are due to come up for hearing Sept. 27 but the charges probably will be dropped.

Celebration
Mansfield, O., Sept. 19.—In addition to tearing down display signs and other accessories, the front of the Ritz, down town independent, was considerably damaged when pelted with stones, fruit and other missiles by approximately 200 high school students conducting a "pep rally" in "celebration" of the opening of the football season. Manager Sol Berman was compelled to stop the show and turn on the house lights.

FP Canadian Cancel
Managers' Contest
Toronto, Sept. 19.—One result of the war has been the cancellation by Famous Players Canadian Corp. of its special managers' bonus competition for a cash prize total of $5,000 which had started Sept. 1, the notification to theatre managers across the country conveying the information that the contest might be conducted at a later date. The special drive was for the 13 weeks to Nov. 30 and was an added inducement to the regular annual bonus system, which has not been abandoned.

The reason for the cancellation of the contest was that conditions had become so unsettled because of the war that no natural basis of comparison with the same period of 1938 could be determined, the special awards being decided on extra profits over the corresponding quarter of last year.

What Does It Mean?
INTERMEZZO
The guns spew again! Men are mad again! The world faces a crimson hell again! Millions want to know—what does it all mean?

And the answer is here!

**AN ANSWER**—uncensored, showing what had to be hidden before!

**AN ANSWER**—up-to-date, penetrating behind the screaming headlines of today!

**AN ANSWER**—more vital, echoing the thoughts that fill the minds of men now!

**THE GREATEST WAR PICTURE OF ALL TIME**—**MORE TIMELY NOW THAN EVER BEFORE!**
At Last!
The UNCENSORED Version

ALL QUIET ON THE WESTERN FRONT

*Uncensored by war or military authorities!

Universal's presentation of Erich Maria Remarque's Greatest Novel
Directed by Lewis Milestone • A New Universal Picture

NEW ADS, TRAILER, ACCESSORIES, READY NOW!
<table>
<thead>
<tr>
<th>Date</th>
<th>Feature</th>
<th>Producers</th>
<th>Director</th>
<th>Cast</th>
</tr>
</thead>
<tbody>
<tr>
<td>Aug. 18</td>
<td>This Man Lies</td>
<td>U. A.</td>
<td>Howard Hawks</td>
<td>Gary Cooper, Ava Gardner</td>
</tr>
<tr>
<td>Aug. 25</td>
<td>This Man Lives</td>
<td>RKO Radio</td>
<td>Leo McCarey</td>
<td>Robert Taylor, Barbara Stanwyck</td>
</tr>
<tr>
<td>Aug. 25</td>
<td>Saturday's Fool</td>
<td>Republic</td>
<td>William Dieterle</td>
<td>Audie Murphy, Ann Blyth</td>
</tr>
<tr>
<td>Sept. 1</td>
<td>September Affair</td>
<td>Monogram</td>
<td>John Farrow</td>
<td>John Garfield, Gloria Stuart</td>
</tr>
<tr>
<td>Sept. 1</td>
<td>September Affair</td>
<td>Monogram</td>
<td>John Farrow</td>
<td>John Garfield, Gloria Stuart</td>
</tr>
<tr>
<td>Sept. 8</td>
<td>September Affair</td>
<td>Monogram</td>
<td>John Farrow</td>
<td>John Garfield, Gloria Stuart</td>
</tr>
<tr>
<td>Sept. 15</td>
<td>September Affair</td>
<td>Monogram</td>
<td>John Farrow</td>
<td>John Garfield, Gloria Stuart</td>
</tr>
<tr>
<td>Sept. 22</td>
<td>September Affair</td>
<td>Monogram</td>
<td>John Farrow</td>
<td>John Garfield, Gloria Stuart</td>
</tr>
<tr>
<td>Sept. 29</td>
<td>September Affair</td>
<td>Monogram</td>
<td>John Farrow</td>
<td>John Garfield, Gloria Stuart</td>
</tr>
<tr>
<td>Oct. 6</td>
<td>September Affair</td>
<td>Monogram</td>
<td>John Farrow</td>
<td>John Garfield, Gloria Stuart</td>
</tr>
<tr>
<td>Oct. 13</td>
<td>September Affair</td>
<td>Monogram</td>
<td>John Farrow</td>
<td>John Garfield, Gloria Stuart</td>
</tr>
<tr>
<td>Oct. 20</td>
<td>September Affair</td>
<td>Monogram</td>
<td>John Farrow</td>
<td>John Garfield, Gloria Stuart</td>
</tr>
</tbody>
</table>
AMAZING!...

AND KEYED TO THE PASSIONATE PITCH OF HUMANITY'S DARK SUSPENSE IN THE WORLD-SHAKING DRAMA OF THIS VERY HOUR!...

ANNA NEAGLE as NURSE EDITH CAVELL
MILLIONS OF MEN
IN ARMS...AND ONE
WOMAN FACING WAR...

UNAFRAID! In the hollow of her hand
the means of waging war on war...In the deep of her
heart devotion and a secret that angered the entire
German General Staff!...HER STORY, torn from the
crimson pages of invasion...told in a great motion
picture hailed by the critics as one of the mightiest
human dramas ever pictured!

OPENING THIS WEEK... RADIO CITY MUSIC HALL

ANNA NEAGLE
in her first Hollywood appearance

as NURSE EDITH CAWELL

EDNA MAY OLIVER • GEORGE SANDERS • MAY ROBSON • ZASU PITTS
H. B. WARNER • SOPHIE STEWART • MARY HOWARD • ROBERT COOTE
Produced and Directed by HERBERT WILCOX • Screen Play by MICHAEL HOGAN
Bitter Feelings Rule Nebraska
Ascap Hearing

LINCOLN, Sept. 19.—Words flew back and forth with bitter feeling in Federal court here today during the second day of Ascap's suit to have the Nebraska State Supreme Court declare Ascap's illegal declaration unconstitutional.

Circuit Judge Gardner, one of three justices hearing the case, many times had to call for order, and back to the point where Edwin C. Mills, chairman of the Ascap administrative board, was speaking, was by Andrew Bennett of Washington, D. C., counsel for the National Association of Broadcasters.

The cross-examination of Mills by Bennett brought out many instances of the fight between Ascap and the N.A.B. and much of it got into the eyes of the spectators by plaintiff's counsel. At one point Mills protested strongly when Bennett read from the minutes of the hearing of the seven members meeting held in June, 1934. This was stricken out of the record later.

One of many side remarks made by Mills, while on the stand, all of which were stricken from the record, was: "For every nicked Ascap gets from a violation of its rules there's a dollar from the advertiser." At one point Mills rapped WOW, Omaha station, when he said it didn't obey the rules, without concern if they spent the same effort on planning their music that they do in trying to destroy Ascap.

Earlier in the day, Mr. Louis Frohlich, Ascap counsel, explained to the court that the state, in passing a statute including a right under the Federal Copyright Law, "could only do so for the welfare of the people, and we want to show that no exception exists." Great public interest, he claimed, is not involved.

Other testimony of the day showed Ascap has contracts with 30,000 exhibitors and users, 389 of them in Nebraska. Salaries of officials included $50,000 years to Gene Heine; President; $50,000 to Mills, $25,000 to General Manager John G. Paine. Each got a $5,000 "Christmas present" last year, it was revealed.

Much other testimony was devoted to what the Society received from its clients and what expenses were paid to officers and employees of the Society.

General Manager Paine is scheduled to take the stand Wednesday.

Shea Plans Three Houses in Buffalo

BUFFALO, Sept. 19.—Having unloaded one of its downtown houses and two in the neighborhoods in the last few weeks, Shea Theatres plan to erect three new film houses in the city, according to Vincent McFall, general manager of the circuit.

The first one of the new houses will be in the center of Buffalo's Italian colony. It will seat 1,400. It will be known as the Oriter. Construction for the building of a larger theatre will be announced early next month. McFall said land for all three buildings has been obtained. Total cost of the new theatre is estimated between $90,000 and $125,000.

Independent Broadcasts Suffer New Draastic Restrictions

TORONTO, Sept. 19.—As a restrictive move against independent broadcasters in the Dominion, the Canadian Broadcasting Corp. has gained further confirmation in what was an increase in the annual license fees for private commercial stations.

In place of the nominal flat rate of $50 for the operating privilege, a new scale of levies ranging up to $100, a year is now imposed, based on operating power and the estimated listening population. Stations of 100 watts or less are required to pay from $50 to $100 per year, according to the importance of their coverage, while stations up to 1,000 watts must pay rates from $100 to $500. The new annual fee for a 10,000-watt station is $4,000, while the maximum is $10,000.

Another new requirement is the order compelling representatives of the trade to provide lists of purchasers of "advertising representative" licenses for $2.50 for the use of a household or automobile instrument. The fee may be imposed without delay or difficulty.

Non-commercial stations operated by universities for broadcasting purposes are now required to pay an annual license fee of $50.

Tropics' Grosses $17,500 in Buffalo

BUFFALO, Sept. 19.—"Lady of the Tropics," with a personal appearance of John Bole, scored $17,500 at the Buffalo, "Golden Boy" and "Outside the Line" grossed a strong $8,200 at the Lafayette.

Estimated takings for the week ending Sept. 16.

"Lady of the Tropics" (M-G-M)
BUFFALO—$50,000 (30-36c); 7 days
Gross $50,000 (Average, $7,000)
T. Kemper, manager of the House.

"Golden Boy" (Col.,)
BUFFALO—$3,500 (30-60c); 7 days
Gross: $2,500 (Average, $350)

"Outside the Line" (Col.,)
BUFFALO—$1,200 (5c-15c); 24 days
Gross: $1,600 (Average, $66.60)

Oklahoma City, Sept. 19.—A court of law has ordered the local branch of the American Federation of Musicians to transfer pay to a new treasurer and excluded the curfew ordinances have been announced.

Win Right to Sue On Accessories

OKLAHOMA CITY, Sept. 19.—Right of a film company to sue an unauthorized printer of advertising accessories has been upheld by an important decision announced by the U. S. Circuit Court of Appeals, 18th Cir.

The opinion reverses a previous judgment made in October, 1938, when the case was dismissed.

Paramount filed suit against The Leader Press, Inc., in the Oklahoma Federal court. The company alleged that the defendant printed posters for Paramount films without the consent of the plaintiffs and that such posters were done in an "inartistic, grotesque and inferior manner."

Circuit Judge Bratton, who wrote the opinion, declared that the institution could be if it were proved that the posters injured the plaintiff's product. Additionally, the court pointed out, exhibitors who used Paramount product were under contract to use the Paramount name in advertising matter, and that the act of defendant in manufacturing and distributing among exhibitors thus bound by contract, advertising accessoies, did not contain the same charge of plaintiff or to identify the picture and Paramount Pictures is a wrongful contribution or reduction to the breach of license contracts.

Carolina Owners' Meeting Set Dec. 3

CHARLOTTE, Sept. 19.—The annual winter convention of the North and South Carolina Theatre Owners Association will be held here Dec. 3 and 4, according to Mr. Walter Griffith, secretary and treasurer.

Approximately 400 theatres in the two states will be represented, and it is expected that 300 or more persons will attend. Program features are now being drafted, and these will include a special world of national prominence.

War Shifts 'Essex' Premiere to Coast

HOLLYWOOD, Sept. 19.—The world premiere of "The Private Lives of Elizabeth and Essex" will be held on Thursday at the Warner Beverly Theatre.

The event, originally scheduled for London, was transferred to Hollywood because of the European war. The premiere will be the only public show of the film until the national release date, set for Nov. 25.
"Valuable"

... "WE MIGHT ALSO MENTION THAT THE MOTION PICTURE HERALD IS WITHOUT DOUBT THE MOST VALUABLE TRADE PUBLICATION WE RECEIVE, AND IT AFFORDS US MANY SERVICES WE COULD NOT HOPE TO GET ELSEWHERE."

N. NISBET

COLUMBIA PICTURES OF CANADA LTD.
CALGARY, ALBERTA, CANADA

MOTION PICTURE HERALD
ROCKEFELLER CENTER
NEW YORK
Government Suit Situation—How It Looks Today

MAJOR companies, defendants in the pending New York anti-trust suit, have been advised by counsel, which is among the best in America, that the law is on their side on divestiture. They do not intend to discuss any consent decree with the Government. They take the view that there is no point in giving up what the best legal minds say they have every right to hold.

The Government, it is believed, wants a consent decree badly and might give up the divestiture demand for either elimination of block booking or blind selling. Some compromise on this basis may be reached.

Individual buying may be agreed to by the companies.

It is believed that the Department of Justice, itself, sees a weak case on divestiture and, with increased knowledge gained of the industry during the past year, is weakening on the demand for divestiture on the ground that it may neither cure nor solve existing problems.

Also, current seriousness of the industry's position because of the European war is being taken into account in Washington. Continued Federal harassment throughout the present crisis could be fatal to the business.

Cohns Slash Own Salaries By One Third

All Directors Re-elected By Columbia

Harry and Jack Cohn, president and vice-president, respectively, of Columbia Pictures Corp., have voluntarily reduced their salaries by 33 1/3 per cent.

Announcement of this reduction was made by the two brothers to the reduction of their salaries "during the period of emergency which they feel the motion picture industry is facing."

Directors Re-elected

Harry Cohn's annual earning is $8,500 and Jack's yearly salary is $116,720.

The regular board of directors was re-elected as follows: Harry Cohn, Jack Cohn, A. Schneider, J. Kerner, Charles Schwartz, Leo M. Blancke and Saul H. Bornstein.

The meeting had been scheduled to act on the proposed extension for three years of the Cohens' contracts and other company business.

New Films Score

Good N.Y. Grosses

The "Women" opens at the Capitol today and "Nurse Edith Cavell" goes into the Music Hall. During its second week at the Manhattan, "Gold Rush" grossed an estimated $32,000.

Blackmail" at the Capitol drew an estimated $20,000.

Continuing strong in its third week, "The Star Maker" attracted an estimated $32,000 in its third stanza at the Paramount. It was released by "Honeymoon in Bali" yesterday. At the Globe, "Angels Wash Their Faces" grossed an estimated $7,800 in its second week. Because of its timeliness, "Torpedoed" will start at the Globe Saturday. "Goodbye, My Chips" drew an estimated $8,500 in its 18th week.

"Espionage Agent" will bow in at the Strand tomorrow. Other openings this week are "Two Bright Days" at the Radio yesterday; "The Man They Couldn't Hang" at the Criterion today; "Quick Millions" at the Palace, "Shanty Pilote" and "Riders of the Black River" at the Central tomorrow.

7,800 Cast Ballots

In Studio Election

HOLLYWOOD, Sept. 20.—Indications at a late hour tonight were that 59 per cent of the 7,800 eligible studio workers would cast ballots in the National Labor Relations Board election to determine whether I.A.T.S.E. or the CIO-financed United Studio Technicians Guild would be their collective bargaining agency.

Final certification and determination of eligibility increased the original 7,500 workers on the list to 7,800.

The polls close at midnight tonight. Counting, according to the Senior Board Attorney William R. Walsh, will be concluded and announced unofficially at about 2 a.m. Thursday.

Face War Crisis

Boldly—Goldwyn

HOLLYWOOD, Sept. 20.—A joint fact-finding committee consisting of producers and workers to examine all angles of the situation confronting the industry because of the European war was suggested yesterday by Samuel Goldwyn, United Artists producer, in a letter to heads of the Screen Writers, Screen Actors and Screen Directors Guilds, Joseph M. Schenck and Will H. Hays.

Existence of the producer's letter was revealed as all Hollywood was watching the voting to determine the collective bargaining agency for studio craftsmen.

Goldwyn declared:

"Hollywood faces a challenge due to the international crisis that, if unmet, threatens the entire structure of the motion picture industry."

Goldwyn pointed out the curtailment of foreign markets, adding: "May I say to you bluntly that I feel that the industry may as well be realistic as possible regarding the situation for we face the need for unity in the face of admitted danger. These are the facts:"

1. In England, the value of the pound has depreciated 25 per cent. Business last week was 50 per cent of normal. Two-thirds of the business has been wiped out and the fate of the remainder is problematical.

2. Canada has set up a commission.

3. 60 per cent of the British market is no longer available.

Nebraska Defends

Law Against Apec]

LINCOLN, Neb., Sept. 20.—The state of Nebraska began its defense in Federal court here today of a law which Apec is seeking to have declared unconstitutional by a three-judge court here.

Joseph Malec, Omaha dance hall

(Continued on page 11)

Roosevelt Speech

The whole nation will be tuned in this afternoon to the vital, important address which President Roosevelt will make on the neutrality question when Congress opens its special session.

Ten New York radio stations will carry the speech at 3 p.m. For those who will be unable to listen at that hour, WNEW will rebroadcast the address at 8 and WOR at 11:10 p.m.

(Continued on page 11)
FRED MEYERS, RKO theatre executive, plans to leave Oct. 20 for the Coast to call at the RKO studio and visit RKO’s Coast theatres.

BOB SMELTZER, Warner central district manager; Harry Seed, Pittsburgh branch manager; Charles Taxan, Buffalo branch manager, W. H. MANSSELL, Philadelphia branch manager, and JOHN PAVONE, New Haven branch manager, were in town for conferences with Roy HAINES, Eastern and Canadian sales manager.

ANN SHERIDAN, Warner star who has never been east of Dodge City, Kan., leaves Hollywood tomorrow to make her first visit in New York. She arrives here next Wednesday. Miss Sheridan opens a two-week engagement at the Strand on Oct. 6.

A son was born to Mrs. Sidney Silverstone, wife of Dr. Sidney Silverstone, brother of Murray Silverstone, operating head of United’s branches in the Lenox Hill hospital. The boy is Dr. and Mrs. Silverstone’s first child.

Ben SIMONS, managing director of Loew’s Metropolitan in Brooklyn, is mourning the loss of his father, William Simons, 83, who died last week.

WILFRED ROBERTS, former NBC executive in New York, has turned actor. He will appear in Paramount’s “The Farmer’s Daughter,” starring MARTHA RAYE.

J. EVERSOLE CRAWFORD, Cincinnati suburban exhibitor, has arrived in New York from Europe, where he had been touring with his daughter.

ED SULLIVAN, Daily News Hollywood columnist, leaves tomorrow for the Coast after several weeks in New York.

SIGURD WEXO, manager of the Dyker Theatre, Brooklyn, is the father of a second son.

KATE CAMERON, film critic for the Daily News, has left for Hollywood and Honolulu.

Franklyn Warner
Sets RKO Releases

Franklyn Warner, executive head and producer of Fine Arts Pictures, signed yesterday to produce a series of feature films for RKO distribution. Three of which will be released during the current season.

“The Lord of the Isles,” now in production on the Coast, will be the first release and will be followed by “Land’s End.” Both will be in color. Third of the Fine Arts productions will be a story of the Ivory Coast slave traffic during the beginning of the 19th century.

Warner, immediately after closing the deal, left by plane for Hollywood where he will confer with George J. Schaefer, RKO president, on Fine Arts production plans.

ROK Circuit Finishes ’40 Buying Deals

With the completion of a new season film deal with M-G-M, expected in a deal to be signed this week, RKO circuit will have wound up its buying for 1939-’40.

RKO has closed with Universal for 90 per cent of the circuit, and with RKO, 20th Century-Fox, Warners, United Artists and Paramount, for the coming season. It is possible the M-G-M deal will be for two years but at present terms are not worked out for the coming season. It includes the following situations: Dubuque, Ia.; Champagn, Ill.; Denver, Denver, New Bruns-wick-Utica, N.Y.; Seattle, Seattle, N.Y.; Park Hill, Yonkers; Strand, Yonkers; Park, Park, Farmington, New Bruns-wick-Utica, N.Y.; Park, Park, Brooklyn, Empire, and two theatres in Far Rockaway.

Kerr Back at Fox

Don Kerr, who retired four months ago from his four-year-old job as book executive for the Fox, Brooklyn Theatre’s Monday night amateur show, returns next week to share the m.c. job with Joe O’Brien. The Fox amateur show policy is now in its fifth year and stands as the longest-est amateur show in any New York theatre.

Mrs. Johnson on Coast

Hollywood, Sept. 20 — Mrs. Osa Johnson has arrived in Hollywood to serve as advisor on the adaptation and technical director on the film version of her book, “I Married Adventure,” screen rights of which she has sold to Columbia. She also will appear in the film, based on her own career.
IF YOU DIDN'T KNOW
IT TOOK
CELLULOID
TO GO THRU
A PROJECTOR
YOU'D SWEAR
IT WAS PRINTED
ON NEWSPAPER
STOCK!...

WARNER BROS. PRE-
RELEASE TOMORROW NEW
YORK AND LOS ANGELES!
FILMDOM'S ALL-TIME NEWS
BEAT! A TERRIFIC SHOW!

JOEL MccCREA
AND THE NEW SEASON'S NEW STAR
BRENDA MARSHALL
IN "ESPIONAGE AGENT"
WITH JEFFREY LYNN, GEORGE BANCROFT
DIRECTED BY LLOYD BACON
SCREEN PLAY BY WARREN DUff, MICHAEL FESTIEE AND FRANK DONAGHUE
FROM AN ORIGINAL STORY BY ROBERT HENRY BUCKNER
A FIRST NATIONAL PICTURE
We have arranged a special printing of the invaluable sound trouble-shooting charts which supplement the second revision of the sixth edition of F. H. Richardson's Bluebook of Projection. There are nineteen practical, detailed charts that provide a simplified guide to quick trouble-shooting, enabling the projectionist to spot and repair sudden break-downs both in the projection and sound apparatus. These are available now in handy brochure form at minimum cost. The supply is limited so be sure to order your copy now.

Price
ONE DOLLAR
New York Review

“The Man They Could Not Hang”
(Columbia)

Here is a film with a thrill and a chill for many audiences, and
with the name of Boris Karloff to drape across the marquee.

Nick Grinde, who directed from a screenplay by Karl Brown, handled
his task with an eye for suspense, and succeeded admirably in that
regard. The film tells the story of the scientist who kills accidentally
in the course of experimentation, is hanged for murder, restored by
his own device and gathers his jury, judge and prosecutor that he may
murder them. The film reaches its lively climax when the remainder
of the court room principals are gathered in the scientist's home by a
ruse, and he proceeds, in the manner of occasional mysteries, to put
them to death one by one.

Supporting Karloff chiefly are Lorna Gray, as his daughter; Robert
Wilcox, as a newspaper man, whose romance with Miss Gray is hardly
more than implied, and is never permitted to interfere with the story;
Roger Pryor as the district attorney; Charles Trowbridge as the judge
in Karloff's case, who sentences him.

Prevented from completing the experimental operation which would
restore life after temporary cessation of heart action, Karloff is ar-
rested, convicted of first degree murder and sentenced to hang. His
former assistant claims the body for science, revives Karloff, and the
latter proceeds to bring about the death of all those responsible for his
conviction, down to the last eight, gathered in his home to be destroyed.
He almost succeeds, but when his daughter suddenly appears and her
life is in danger, he halts the carnage and is himself killed—again.

Running time, 72 minutes. *G*°

CHARLES S. AARONSON

*°G* denotes general classification.

U.S. Files Answer
In Griffith Action

OKLAHOMA CITY, Sept. 20.—The
Government trust suit against the
Griffith Amusement Co. came nearer
to a court hearing this week when the
Government filed a brief in Federal
District Court in answer to a request
of the Griffith Co. for clarification of
the case.

The Government charges the Griffith
Amusement Co., Griffith Brothers and
the Westex Theatres, Inc. are under
the same management and that be-
tween them they exercise circuit buy-
ing power, enabling them to dictate to
distributors and name the terms on
which they will take pictures. The
company is charged with preventing
the lease of pictures to independent
theatres in towns where they operate.
They control 190 theatres in Okla-
ahoma, Texas and New Mexico, in 77
cities.

Welles Rebroadcasts

Campbell Soup Co., sponsoring the
series of dramatizations featuring Or-
son Welles over CBS, has signed 14
stations of the Canadian Broadcasting
Corp. for rebroadcasts of the series.
The Canadian stations will be made
available to the sponsor starting Sept.
24.

In Lux Show Sept. 25

Ginger Rogers and George Brent
will highlight the production of "She
Married Her Boss" on the Lux "Ra-
dio Theatre" Sept. 25 over CBS at
9 P. M.

What Does It Mean?

INTERMEZZO

TO THE SHOWMAN it means a
new Selznick International Production...
a story reflecting the problems of mil-
lions, concentrated in the lives of three.
Short Subject Reviews

“Gun Play” (RKO Pathe)

Clay pigeons are the victims of dead-shot marksmen in this Granada release. The red-tailed hawk, a trap-shooting range in the Catskills, is an excellent example of the cameraman's shooting ability as well. Variations on our themes are used to simulate the habitat of the different game birds, and the skeets are cast to imitate the flight of a bird. Running time, 9 mins.

“Information Please, No. 1” (RKO Pathe)

The popular experts who have entertained millions over the radio go after film in this first of a series. The reel follows the pattern of the radio program and captures much of its charm, a couple of heart-warming laughs while the experts display their acumen and it is likely that most audiences will try to match their own wits against those of the performers. The reel deserves special exploitation. It should please. Running time, 10 mins.

“The Ninth State” (Emerson Yorke)

Ninth and last state necessary to ratify the American Constitution, New Hampshire provides a background rich in tradition and scenic beauty. Outstanding camera work and excellent color technique take this reel out of the realm of travelogues. The New Hampshire hills provide a constant backdrop for the varied and well-balanced program. Starting with the historic landmarks and institutions, the camera shifts to Summer resorts, industry, agriculture, tourists and winds up with the Winter sports and the famous Dartmouth Winter Carnival. Well above average. Running time, 22 mins.

Al Adams Resigns Post with Republic

Alvin A. Adams, advertising and publicity director of Republic Pictures, has resigned, effective Saturday. It is understood the department will operate with a skeleton staff and that no successor to Adams will be appointed for some time.

Adams held the position four years. Before joining Republic he was for three years in the advertising and exploitation department of United Artists and 10 years in Paramount's advertising department.

Eveleth G. Lafay, president of Consolidated Film Industries, has arrived on the Coast from New York. He plans to remain there about three weeks.

Reissue ‘Illusion’

World Pictures Corp, will reissue “Grand Illusion” nationally, after three tryout engagements, according to Arche Mayers, sales manager. Eric von Stroheim, star, will be billed under his new name, Eric Stroheim.

Theatre, Personnel Notes

Evergreen Shifts Men

SPOKANE, Wash., Sept. 20 — Nine changes in personnel of the local group of Evergreen State Theatres for the 1914 season have been made by Charles W. J. Rosenfeld, Russell Brown, manager of the Orpheum, resigned to go to California. William Ferguson, who closed the Fox, was promoted to the Music Box in Portland, Ore. Michael Higgins, assistant manager of the theatre, will take the same duties at the Fox locally. James Keefe, former assistant manager of the Orpheum, has moved up to general manager of the State. Fred Hopper of the Liberty will move over to the State, as assistant manager. W. R. Seavey has been transferred as manager from the Liberty to the Orpheum. Mel Haberman was taken from the door at the Fox and promoted to assistant manager of the Orpheum. E. A. Rose, former State manager, will direct the Liberty and Dietz Murphey, doorman at the Liberty, has been named assistant manager of the same house.

Change Seattle Policy

Seattle, Sept. 20 — Effective next week, two Hamrick-Evergreen houses in this city will change hands, the Blue Mouse, formerly an extended run house, will begin operation as a newsreel theatre. The Music Box, former home of foreign films, is “musical” pictures, will take over the Blue Mouse’s extended run policy, playing attractions borrowed from the same company’s Fifth Avenue, Orpheum and Paramount.

Two Open in New Haven

NEW HAVEN, Sept. 20 — Two houses have opened here. Al Pickens reopened the 496-seat Annex, now called the Emporium, which opened recently and reorganized. Joseph Quittner and Peter Perakos opened the newly-constructed and 700-seat Edgewater, replacing the hurricane-damaged Fimm’s Theatre. The former manager of Fimm’s, Harry Barnett, remains in charge of the new.

Smalley Renovates Three

Cooperstown, N. Y., Sept. 20 — The smallest circuit has renovated three houses, the Delta, at Delhi, N. Y., costing $22,000; the Cooperstown here, at an approximate renovating cost of $25,000, and the St Johnsville, at St. Johnsville, N. Y., at $18,000.

Open Cincinnati House

CINCINNATI, Sept. 20 — The Film 250-seat suburban, built by Nat Galley and associates, has opened here.

Theatre Firm Formed

ALBANY, Sept. 20 — Keasle Theatre Corporation, New York, has been incorpored by Israel Mishkinsky, Anna Bardosky and Gertrude Wagner.

Reopens Troy Theatre

TROY, N. Y., Sept. 20 — Adolph Cohen has reopened the Rivoli, a new house, after take-up alterations.

Reopens in Cleveland

CLEVELAND, Sept. 20 — Penn Square Theatre has opened another season of foreign pictures.

Two Brooklyn Houses Close

Estates Operating (Pear Bros.) has recently closed the Garfield, and the 16th St., both in Brooklyn. Both houses are under the control of the Avon, also in Brooklyn, have been acquired by the Endicott circuit (Nelson and Renner) and will be reopened shortly.

Altec Services 85 Theatres

M. & P. Theatres, of Boston, has reorganized a branch to have Altec service the sound in 85 M. & P. theatres throughout New England. L. J. Hacking negotiated for Altec.

Gould to Republic

DES MOINES, Sept. 20 — Howard Gould, formerly salesman with National Screen Service atOmaha, has joined the Des Moines Republic exchange as salesman.

Century Changes Hands

Operation of the Century, Second Ave., Manhattan, has been taken over by George R. Rollinger, president. Moe Goldman is president and Jack Ringer, vice-president.

Will Show Italian Films

Consolidated Amusement Enterprises has leased out the Squire, Eighth Ave., Manhattan. The new manager has renamed the house the Cinecitta and will play Italian films.

Sells Iowa Theatre

ROLAND, Ia., Sept. 20 — George Storms of Des Moines has sold the Roland Theatre here to H. Hueper of Roland.

Joins Monogram Branch

DES MOINES, Sept. 20 — William Lykens of Kansas City, has been appointed salesman at the Des Moines Monogram exchange.

Reopens After Summer Shutdown

Wilson, Brooklyn, has been re-opened after a Summer shutdown by Kundorfe circuit (Samuel Rindler and Louis Frisch).

Schroon Lake Closing

After operating during the Summer, the Paramount, Schroon Lake, N. Y., has been closed.

Century Takes Community

The Community, Queens Village, L. I., has been acquired by Century circuit and will be operated by Conner Realty Corp, a subsidiary.

Buys Cold Springs House

Samuel Lampert has acquired the Hudson, Cold Springs, N. Y., from Philip Eisenberg.

Voice of Experience

Back on Air Monday

“The Voice of Experience” returns to the air Monday over the Mutual network in a new series geared to the Hollywood background. The broadcasts will originate in Hollywood and will be heard Monday and Fridays at 1:45 p.m. The program is to remain basically the same as heretofore, except that as supplemental material, the commentator is to inject discussions of stars and their problems.

Heardings Set on Broadcast Power Pleas

WASHINGTON, Sept. 20 — The Federal Communications Commission has tentatively assigned Oct. 2 as the date for hearings on the application of the National Science Service for a new 1,370-kilowatt station at Las Vegas, Nev., with 100 watts power night, 250 watts during the day.

A tentative date of Nov. 15 also is set for hearings on the application of the Silver Crest Theatres for a new 1,450-kilowatt, 100-watt station at Yuma, Ariz. On the same date, Commission will hold a hearing upon the order revoking the license of Station KUMA, Yuma, Ariz.

The commission also received applications for power stations KXST, Houston, Texas, for change of frequency from 1,440 to 710 kilocycles, increase of power from 1,000 to 10,000 watts, and removal of transmitter to Dawes, Tex.; WTJN, Trenton, N. J., for extension of time from limited to unlimited with daily power of 1,000 watts; WDBJ, Roanoke, Va., for increase of night power from 1,000 to 5,000 watts; WCBS, Springfield, III., for removal from Lankenau, Pa., to 250 watts; KVNU, Logan, Utah, for increase of power from 100 to 250 watts; WEDG, Hottington, Kan., for increase of power from 100 to 250 watts; KLZ, Denver, for increase of power from 500 to 1,000 watts; KSAN, San Francisco, for increase of power from 100 to 250 watts; and KOOS, Marshfield, Ore., for increase of night power from 100 to 250 watts.

Stage Shows Have Spokane Comeback

SPOKANE, Wash., Sept. 20 — Stage shows are showing a definite comeback here with two vaudeville programs and a special circuit series planned for this winter.

The Evergreen Orpheum has inaugurated a policy of weekend vaudeville on Tuesdays, its first rule优美 unit and the Thurston magic show booked for early showing. Oklahoma, Tex, has taken house, has booked a series of stage productions to run in conjunction with first run attractions. The Evergreen Fox has the Community concert series and Fortune Gallo’s legitimate productions sponsored by the local Junior League for subscription series.

Conferees on Union Terms

PHILADELPHIA, Sept. 20 — Leven Fizer, president of the United States Adas held a Junior Freshman meeting at Springfield, Southern New Jersey and Delaware; George P. Aarons, secretary, and H. H. Snyder, Tremont Theatre, Mount, Pa., met with representatives of operator’s Local No. 730, for the purpose of arriving at an agreement for exhibitors in Lykens Valley.

Approve Oklahoma Club

PITTSBURGH, Sept. 20 — The Variety Clubs of America have accepted the bid of $22 of the Variety Club. L. C. Griffith of Griffith Amusement Co. is chief banker of the Oklahoma City club.
Columbia Pictures presents
THE MOTION PICTURE
INDUSTRY'S Greatest Contribution
to World Entertainment
CAPRA'S SMITH GOES WASHINGTON

Co-starring

JEAN ARTHUR • STEWART

CLAUDE EDWARD GUY THOMAS BEULAH
RAINS • ARNOLD • KIBBEE • MITCHELL • BONDI

Directed by
FRANK CAPRA

Screen play by
Sidney Buchman

A Columbia Picture
Out of the hearts of its people...out of the very soil of America...a great director creates his most stirring human spectacle of the laughter...the love...the pain...and the joy of the everyday business of living! Stirring...in the seeing! Precious...in the remembering! Enacted by one of the most perfect casts ever assembled in one picture!
**Insider’s Outlook**

By SAM SHAIN

IT took a World War to kill double features in one circuit. Elsewhere in this issue there is a London story to the effect that the Odeon Circuit, one of Britain's largest cinema chains, is going single feature because of war conditions.

WITH Sidney Rechentnik, along Broadway—at Ralph’s, on W. 45th Street, Larry Hart, song writer, giving valuable appraisals of certain actors to a talent agent: “Milton Berle, he’s swell.”

AT Sardi’s, the head man, Vincent Sardi, himself reveals that he and Mrs. Sardi are now the proud owners of a house at Manhasset.

“Facts of the new production...”

**Face War Crisis**

**Boldly—Goldwyn**

(Continued from page 1)

to control the transfer of funds. Not only will it be difficult to transfer funds from Canada but the exchange rate is down and new taxes against motion picture gross receipts have been levied.

3. In New Zealand laws already have been passed restricting export of currency. This step is likely to be followed by Australia.

4. In Japan we are privileged to show our own films, but no film company has gotten a single yen out of this territory.

5. Italy’s market is no longer available to us. Obviously Czechoslovakia and Poland are gone.

6. France at its best in recent years hasn’t yielded much, but no one would take the cost of dubbing and print charges.

“In facing the problem which these conditions raise, it is thought that wholesale firing of wage earners is not the answer. This industry must not sacrifice picture quality—if anything the times call for better quality than ever before. To stand still is to stagnate—to meet the problem the industry must act as a whole, and it cannot act until the facts are openly discussed and boldly faced.”

**Alley on War Assignment**

Norman Alley, News of the Day cameraman, left on the Yankee Clipper yesterday. He is to produce for the newsreel in Germany and Rumania and might cover the battle of the Bismark. He covered the Panama sinking in the Orient.

**Forms Own Company**

Hollywood, Sept. 20.—Edward Gross, formerly vice-president of Sol Lesser, has set up his own production company and leaves the end of the week for New York to scout a possible major release deal.

**U.S. Film Men Fill London Vacancies**

A number of unemployed Hollywood technicians are willing to go to England to fill studio ranks depleted by the war, according to Monty Banks, director of the 20th Century-Fox pictures in England.

**Fight Against Ascap Waged By Nebraska**

(Continued from page 1)

operator and president of the Nebraska Amusement Men’s Protective Association, testified that the only way to keep the status quo is by legal means. He asked the legislature to pass a law requiring any performer to perform without a written engagement with Ascap. This law would enable the state to have a voice in the settlement of the contract dispute. It would cover all engagements for any amount of time longer than a year.

Mervyn LeRoy leaves Sunday for White Sulphur Springs and then goes to New York to seek screen material for his unit at Metro... Cutting of “Marx Brothers at the Circus” will be completed by the time he departs... LeRoy is now working on the script of “Ziegfeld Girl,” his next production... Warner’s decision today to team Garfield and Rosemary Lane as personal appearance duo taking in Chicago, New York, Philadelphia, Baltimore, Washington and Pittsburgh Tentative schedule calls for openings in Chicago on October 11.

**Revoke Coughlin’s Contracts, Appeal**

CINCINNATI, Sept. 20.—L. M. Birk- bein, national director of the Friends of Democracy, has asked the F.C.C. and the N.A.B. to revoke the broadcasting contracts of Rev. Charles E. Coughlin of Detroit. Coughlin has overstepped the bounds of free speech.

Birkbein’s contention is based on a recent utterance of Archbishop John T. McNicholas here that “advocating a revolution even in the heat of oratory is dangerous.”

**Ickes, Johnson Open Town Meeting Oct. 5**

“Town Meetings of the Air,” unique jointly the best forum on the air, is scheduled to return to the networks on Oct. 5, starting off with Secretary Ickes and General Johnson. Those who know how those two get into each other’s hair are already marking Oct. 5 on their calendars. Town Hall management has signed, among others thus far, Mrs. Franklin D. Roosevelt, John Gunther, Hugh Gibson, Robert Jackson and Jan Masaryk.
Consolidated Film’s 2-Month Net High

Consolidated Film Industries, Inc., and subsidiaries report consolidated net income for July and August, after depreciation and normal Federal taxes, of $383,058.

For the third quarter, ended Sept. 30, net income is estimated at $322,000, equivalent to 40 cents per share on the 400,000 outstanding shares of $2 preferred stock, according to Herbert J. Yates, president. For the third quarter of 1932, net income was $281,763, equal to 4 cents per share.

Yates, in a statement, declared that in his opinion the adverse effect of the foreign situation on the film industry will be offset in a measure by the steps now being generally throughout the industry to reduce overhead. He added:

"Also the increasing employment and raising national income accompanying the wartime acceleration of business in this country should reflect itself in increased theatre attendance during the 1939-40 season and prove an important offsetting factor.

"It is the view in which Consolidated has a substantial interest, is expected to make further progress during the current season, with an eye toward the next season, that indicated plans for the further expansion of business of Consolidated are being worked out."

Canada Appoints Its Film Censors

Toronto, Sept. 20. — Walter S. Thompson, manager of government branch of S.C. For Canada, has appointed Claude Melonc of the Canadian National Railways to the Federal Censor Committee to work in conjunction with L. Clare Moyer, clerk of the Senate, who has been named as Federal Censor for musical pictures for the duration of the war. It is understood that Melonc will direct the censorship of French language films.

Photophone Closes Deal

A service contract covering 24 theatres has been closed between Alpine Theatre Circuit, Inc., and RCA Photophone. The circuit’s houses are mostly in retail business in Pennsylvania. C. A. Anderson, circuit head, negotiated the contract with James W. Cook, RCA district manager, and W. C. Jervis, RCA Photophone sales representative in the Pittsburgh territory.

WKRC Southern Key

Cincinnati, Sept. 20.—Charters of four to WKRC becoming a basic Mutual outlet, effective Sunday, the station will be a member of Southern Will WRAP, which starts on the network Oct. 9, will be heard over eight additional stations, bringing its total to 44 stations. The show will be heard Monday through Friday at 3:15 P. M.

125 Film Houses Arrange Legitimate Play Bookings

With a total of 450 dates arranged, of which 125 are Hawai, 25 in Canada, 25 in Alaska and 75 in the United States and the Virgin Islands, thebug Groes and Arthur M. Oberfelder, co-sponsors of the legitimate Theatres Corp. of America, will set out next Monday to tour the North, with a stop at Fort Wayne, Ind. (Quimby); Grand Opera House, Great Falls, Mont. (Gowan); Green Bay, Wis. (Standard); Long Beach, Calif., Mont. (Fox-Intermountain); B. F. Keith, Huntington, W. Va. (Keith); and Billings, Mont. (Western). The tour will terminate in Chicago, where the two groups will merge into one.

Rehearsals for “What a Life!” begin next Monday, according to Groes. A break of 17 days, called “On Borrowed Time” and Eva Le Gallienne in an Ibsen repertory get under way within the next week, with Victor McLaglen and Kristin Miller, and a complete cast of 125 cities, where bookings have been made, film houses will be used. Almost all will show all four plays, according to Groes. The producers sell the play for a flat fee with the exhibitor paying all advertising expenses and providing the house.

Regular evening show time is allotted to the plays, many exhibitors believing the time separates well and would have an interesting variation. However, evening shows are Monday through Thursday only, thus leaving the weekend open for films.

Remaining 323 dates are scattered through eight regular routes in about 300 colleges and auditoriums where the play is sponsored by branches of the Junior League, service organizations, municipalities, publishers and individual managers.

In many localities, subscriptions have been secured for the entire series of four plays, thus assuring at least a minimum audience. Many of the film houses have experimented previously with live talent shows, number of them having housed Groes’ touring opera companies.

Rehearsings extend from Oct. 9 to mid-April with a two-week layoff during the Christmas holidays for “Golden Boy” and the Ibsen repertory companies, and a four-week layoff for the other companies.


CBS, Agency Sued By Indian Singer

CBS, General Foods, Young & Rubicam, and Ralph Allen, the latter also known as Kurush Punitha, were named defendants yesterday in a $200,000 libel suit filed in the New York Supreme Court by Wesley L. Robertson, American Indian singer.

Robertson claims that on June 13 of this year Allen was introduced over WABC during the “We the People” program as the Indian singer who had entertained the King and Queen of England while they were guests of President Franklin D. Roosevelt. As a matter of fact, the complaint stated, Robertson had been the singer and Allen had merely accompanied him.

Kaltenborn Starts On Speaking Tour

H. V. Kaltenborn, CBS news analyst, leaves today on a speaking tour that will take him through the South, West and Midwest. The tour, however, will not use the CBS commercial radio program for Purool Co., which opens in Richmond, Va., following dates in Cincinnati, Atlanta, Birmingham, Oakland, Parkersburg, W. Va., Chicago, Lexington, Ky., Milborne, Ill., and Akron, O. Closing date of the tour is Oct. 20.

First Symphonic Hour

The first of Paramount’s three Symphonic Hours, scheduled for this season, “The Blue Danube Waltz,” has been completed and is scheduled for broadcast Oct. 9, at 9 p.m. EDT. The broadcast is to be heard on KVOO, Oklahoma City, KXO in Seattle and WAIW, Des Moines, Iowa.

Radio Poll Favors Neutrality Repeal

A survey on public opinion on the Neutrality Act has just been completed by John M. Dietz and Pollster, MCA, and the results are to be sent on to Washington.

All told, 1,510 letters and telegrams were received by Steel, of which 93 per cent favored repeal of the legislation, while 5 per cent favored maintaining it.

The results are expected to be rewritten for the act for the cash and carry basis, and slightly more than seven per cent opposed any change in the act.

It is the first such poll to be undertaken by radio.

Subsidies Face F. P. Canadian Step

Toronto, Sept. 20.—Charters of four subsidiary companies in Ontario of F.P. Canadian, will be surrendered in a move to simplify control of units of the circuit. Application has been made to the Ontario Provincial Court to have the surrender of the incorporation papers.

Theatres are affected in the Petrie and Canadian circuits. The Hill Village; Bloor Theatre, Toronto, and the United Theatres in Hamilton. Under the reorganization they become an actual part of the Famous Players circuit.

CBS Salutes WCKY In Program Sunday

CBS will welcome its new 5,000-watt affiliate, WCKY, Cincinnati, to the network on Sunday with a special salute broadcast from 6 to 6:30 p.m. Sunday, highlighted by addresses by Governor Chandler of Kentucky and Governor Roosevelt of New York.

Program, produced by Al Rinker of the CBS production staff, will present, “Billboard,” by Steve King, Ray Block’s orchestra and Barry Wood, and the Four Chumens.

Acquisition of WCKY will make a total of 14 stations of the 5,000-watt power.

Poll Shows Patron's Desire War Scenes

Des Moines, Sept., 20.—At least 80 per cent of Des Moines film patrons want war scenes in their newscasts according to a recent vote taken by Tri-State Theatres Corp., in their Des Moines theatres on two successive nights.

The company decided to give the public an opportunity to decide if war scenes should be included in the newscasts after hearing some persons declare they did not want war subjects to conflict with their pleasure.

The poll will be included in all of the Tri-State theatres.

Stromberg in Handbook

Hunt Stromberg, producer, will write a "Theater Handbook," by Bernard Sobel, a member of Howard Dietz’s publicity staff at M-G-M. The book is said to be the first to coordinate the many books on the stage with motion pictures, radio, television and general literature. "Theater Handbook" will be issued the book late in October.
SENSATIONAL!

...AND THROBBING

WITH THE SAME

STARK DRAMA THAT

GRIPS THE HEARTS

OF ALL OF US AS

WE HANG ON EVERY

LATEST WORD OF

WAR NEWS!...

ANNA NEAGLE as NURSE EDITH CAVELL
ONE WOMAN AGAINST THE MIGHTY WAR MACHINE... smuggling human contraband through a ring of deadly steel... Matching her life against the wits of Imperial Germany's war lords... Living every minute on a human powder keg... her fate at last one of the incidents that helped arouse the world to fury! DRAMA DEEPER THAN FICTION, superbly told, magnificently acted, and great beyond fears—A NEW EXPERIENCE IN THE THEATRE!

OPENING THIS WEEK... RADIO CITY MUSIC HALL

ANNA NEAGLE
in her first Hollywood appearance
as NURSE EDITH CAVELL

EDNA MAY OLIVER • GEORGE SANDERS • MAY ROBSON • ZASU PITTS
H. B. WARNER • SOPHIE STEWART • MARY HOWARD • ROBERT COOTE
Radio's Arch Oboler Tells
How Films Should Be Made

By AL FINESTONE
Arch Oboler, NBC's one-man production unit, is heading for Hollywood Oct. 1 to
write his first film. For five years he has been writing for
radio, not only writing, but insist on directing and casting his plays.
He has had carte blanche from NBC.
When Oboler retired from his early 30's, the to Gold Coast he will
now and that may do some film
writing for television.
In his first program from Hollywood, he plans to have Nancy Kelly of 20th-Fox.
"I never wore any man's collar in radio," says Oboler, "I write and produce
as I see fit. I wouldn't be successful other wise.
"Motion pictures have grown up to a point where they can be a two-man affair, writer and director. The explanation of Garson Kanin's success
is that he works with a writer. There are two or three well-known combinations
in the industry now, but Ruggles follows this system, and so does Frank Capra.
I have known of instances where a dozen writers worked on a picture and
one of the work written by any of them to be good picture mate.
"If my pictures were produced, we would never get any thing done.
I see no reason, if you take away the hocus pocus, why a
film cannot be made in a minimum of time.
"In Hollywood," says Oboler, "if a writer turned out a script in a week, they'd figure it couldn't possibly be right. A rule taken since I have
in writing, is supposed to be better. Some of the writers who turned out 'B'
pictures, have no right to 'A' pictures. When they have written four lines of dialogue they have to go to Palm Springs to recuperate.
"I believe men are excellent in films because they have to learn how to
to create good material under press,
and cut the dialogue and a lot of the waste motion."
In his five years in radio, Oboler has written 365 plays and says it
is remarkable how much he can get out of them as being good picture mate.
"M-G-M has shown interest in some of my scripts," the writer
of a lady's unrequited love for Tschakowsky, who produced recently on NBC starring Alia Nazimova, for the Roxy.
"Alter Ego," one of Oboler's scripts, was chosen the prize radio
play in 1933. It starred Bette Davis.

Connecticut Allied Nominees Officers

New Haven, Sept. 20.—Allied Theatres of Connecticut nominated the following slate of officers for the year 1933-40 at a meeting, with Maurice Shulman presiding:—
For president: Charles Repass, of the Crown, Hartford; A. M. Schu-
man, of the Crown, Bridgeport, and Martin Keleher, of the Prin-
ted, Hartford. Vice-president: Charles Repass, A. M. Schuman, Martin Ke-
ler and Samuel Hazelwood, of the Capitol, Bridgeport. Treasurer: Jack
Schwartz, West End, Bridgeport, and Leo Schenck, Groton, Milford. Executive
Secretary: Lawrence C. Caplan. Chairman of Board of Directors:—Dr. J. B. Fishman, Fishman Theatres, New Haven, and Maurice
Shulman, Webster and Rivoli, Hartford.

Central America Air Facilities Improved

Washington, Sept. 20.—More ef-
ective broadcasting facilities for the
nations of Central America, Panama, and Colombia, was provided for in a
proclamation issued yesterday by President Roosevelt, as announced to
the public on Tuesday.

At the same time, the Department disclosed that the President has issued a proclamation on the revision of the general radio regulations annexed to the international telecommunication convention adopted at Madrid in 1932, and amended at Cairo last year.

Los Angeles, Sept. 20.—"The
Rains Came," dudied with "Stop, Look and Love," was the leader here, grossing a total of $39,500 at two houses, $19,500 at the Biltmore and $20,000 at Loew's State. Business was off otherwise, no other house succeeding in breaking even.

The Radio division announced takings for the week ending Sept. 20:—

The Rains Came" (20th-Fox)
Stop, Look and Love" (20th-Fox)
Chinese—(50c) 7 days.
feathers" (U. A.)
Golden Boy" (Col.)

Friday Pictures and How They Grew" (Col.)

Pantages—(30c) 6 days, 2nd week.

Beau Geste" (Para.)

How Radio Pictures and How They Grew" (Col.)

Pantages—(30c) 6 days, 2nd week.

Beau Geste" (Para.)

Fox Will Re-Issue Two War Pictures

Twentieth-Fox announced yesterday that "The Road to Glory" and "The First World War" will be re-issued immediately.

"The Road to Glory," which dramatizes activities of six of the French regiments in the First World War, stars Warner Baxter, Fredric March and Lionel Barrymore. It was first released in 1934.

Anniversary

Cleveland, Sept. 20.—The 50th anniversary of motion picture week will be observed here, starting tomorrow with a large exhibition at the Ter-

minal Tower. Dorothy La-

mour's original singing and Gary Cooper's "Beau Geste" coming will be among the articles displayed for the

local fans.

"Great Train Robbery," released in 1903, will be shown. The celebration, to run for two weeks, will be launched with the civic lun-

cheon tomorrow afternoon.

FCC Orders WMCA Hearing on Sept. 27

Washington, Sept. 20.—Officers of Station WMCA, New York, today were ordered by the Federal Com-

munications Commission to appear before it on Sept. 27 to show cause why its license should not be revoked for violation of the secrecy provisions of the Communications Act.

The station is charged with having intercepted and broadcast secret radio communica-
tions of the British and Germany governments.

In setting the date for the hearing, the commission stated that an affidavit filed by William Weisman, vice-presi-
dent of the Knebboeker Broadcasting Co., in compliance with an F.C.C.
order, was not complete, and that the commission has made its own investiga-
tion of the alleged interception and broadcasting by the station.

Circuit Set Union Deal in Cleveland

Cleveland, Sept. 20.—A threatened suit of the Loew, RKO and Warners circuits has been

suspended by signing of new contracts containing present union scales here for another year, according to Harry Holmden of the I.A.T.S.E.

Col. Harry Long of Loew's, Nate Sarnoff of the Columbia, and George Wolf of RKO, district managers, signed the agreement. The effect, in the
years, expired several weeks ago, Mr. Holmden said, negotiations
have been under way since, with the circuits proposing salary cuts.

Still under way are negotiations with the independent theatre owners, represented by the Cleveland Motion Picture Exhibitors' Association.

Philadelphia Gives Winter, $20,100

Philadelphia, Sept. 20.—Sammy Kaye and his orchestra, with "Winter Carnival" on the screen, grossed a good show in the K.B.O. at the Earl, and "From Old Maid" earned $15,100 for the second week of its engagement at the Boyd.

Estimated takings for the week ending Sept. 14:

"The Under-Par" (Univ.)
Aladdin—(5c-5c-5c) 7 days.
Gross: $3,000, (Average, 7 days, $430)
"2nd Annual Old Maid" (B.W.)
Boyd—(5c-5c-5c) 7 days.
Gross: $1,200, (Average, 7 days, $160)
"Winter Carnival" (W.B.)
Earl—(20c-20c-5c) 7 days.
Gross: $1,000, (Average, 7 days, $140)

Women's Cleveland Winner at $18,000

Cleveland, Sept. 20.—The "Women's Cleveland," was declared to be the highest grossing picture at Loew's State, with a take of $16,000.

"I Stole a Million" at the RKO Palace, which, with Artie Shaw opening the vaudeville season, was $2,000.

Estimated takings for the week ending Sept. 14:

"In Name Only" (RKO)
Alden—(5c-5c-5c) 7 days, 2nd week.
Gross: $1,250, (Average, $180)
"The Old Maid" (W.B.)
RKO Palace—(30c-30c-30c) 7 days.
Gross: $1,100, (Average, 7 days, $155)

"Lady of the Tropics" (M-G-M)
Kings—(30c-30c-30c) 7 days, 2nd week.
Gross: $850, (Average, $120)

Maryland Manager Indicted for Game

Salisbury, Md., Sept. 20.—The Wicomico County Grand Jury has re-

turned indictments against the man-
ager and ticket seller of the local theatre here on lottery charges following
Bank Night investigations on the Easter-

n Shore of Maryland.

Indicted were Manager Robert Daily and Lucy Neal, ticket seller. They were indicted after Chief Judge Blumberg of the Wicomico County Circuit Court ordered the Grand Jury for investigation of Bank Night practices at the the-

atre. They will be arraigned by this week. Heavy fines are provided for violation of the state's lottery laws.

John McNamara Dies

John McNamara, former operator of the Atlantic in Atlantic Highlands, N. J., died at his home in Maine, where he had been living in retire-

ment. He had been connected with the legitimate stage and motion picture exhibition for many years.
The new 1939-40 International Motion Picture Almanac has been received throughout the industry with unanimous acclaim. Revised, enlarged and brought up to the minute, it includes more than 1100 pages crammed with facts and figures covering every phase of the business.

The Who's Who section alone, records over 11,000 biographies of industry personnel. Statistical data includes "Corporate Structures," "Producing and Distributing," "Film Editors," "Equipment," "Abroad," "Radio" ... and countless other items of daily importance to every showman the world over.

SEND FOR YOUR COPY TODAY—$3.25 POSTPAID

INTERNATIONAL MOTION PICTURE ALMANAC
ROCKEFELLER CENTER
**MOTION PICTURE DAILY**

**Chicago Sees Legion Week Gross Losses**

Expect 100,000 to Attend 'Spectacle of Stars'

*Chicago, Sept. 21.—The American Legion is coming to Chicago next week, and the best show is expected to be on the streets. In addition to the usual Legion convention there will be free big attractions daily in the downtown section, and theatre business is expected to fall off.

Neighborhood theatres anticipate their grosses will be hurt badly, as the crowds will throng in the Loop area, which will have the usual Legion circus atmosphere.

Highlight of the week will be a 'Spectacle of Stars' staged by the Legion at Soldier's Field. The huge show will be held Wednesday evening and more than 100,000 are expected to attend. There will be a small admission charge for this, but the other attractions will be free.

**Film Stars Participate**

Film personalities who will participate in the show include Eddie Cantor and his wife, Deanna Durbin; Jack Benny, Ann Sheridan, Mary Pickford, Bob Hope, Jane Withers, Morton Downey and others.

Miss Sheridan is due here Monday to make appearances that evening at the Warner Pavilion and the B. & K. Chicago. Today, however, employees will lead the big Legion parade, riding a white stallion.

Monday night the Legion posts' life and drill corps, bands and drill teams will stage their annual contests at Soldier's Field.

**No Shortage Faced By Eastman Kodak**

As a result of the war, which would be "endangering" operations of Eastman Kodak Co., is expected by the company, its employees have been informed by bulletin board notices, since Eastman has reduced its dependence upon foreign materials to an absolute minimum.

The company declares that in 1914 when large stocks of paper, gelatine, dyes, fissureous glass and other materials were imported, mostly from Germany, it had to make "frantic efforts" to accumulate stocks from abroad. Today, however, employees were told, almost all of these materials are manufactured in the United States.

**Victor in Election, I. A. Opens Studio**

**Wage Talks Today**

**Hollywood, Sept. 21.—I.A.T.S.E. representatives and producers agreed today to meeting at 2:30 P.M. tomorrow for continuation of bargaining conferences in which wage scales and working conditions will be determined.**

**Ascertainment, too, through the overwhelming victory of I.A.T.S.E. at the N.L.R.B. poll yesterday, was the fact that William Bloch, former personal representative of George E. Browne, international president of Alliance, had become the representative of the West Coast studio local's base.**

**Pulling yesterday until midnight showed the I.A.T.S.E. won over the C.I.O.-financed United Studio technicians Guild by 4,460 to 1,967.**

**Bluff today requested the interview as the result of the poll last week when negotiations were postponed and the result was an appointment for tomorrow.**

**The N.L.R.B. ruled that the Blu-ray process is perishable material, and declared such material is not protected by the provisions of the Act.**

**This victory the through the N.L.R.B. vote puts I.A.T.S.E. in a stronger position in Hollywood labor circles than ever before. The way was now cleared for reentry into the basic audio agreement.**

**Before announcing he was leaving for Mexico City and South America on a journey to line up added Latin talent.**

(Continued on page 2)

**Television Enjoying Great Impetus, Reports Morton**

By ALFRED FINSTONE

Alfred H. Morton, vice-president of NBC in charge of television, believes that the new medium will receive great impetus this Fall and Winter, commercially as well as in its technical and program phases.

For one thing, RCA, in conjunction with NBC, in two weeks will launch an intensive merchandising campaign aimed at stimulating the sale of receivers. In support of this effort, NBC is planning a series of programs designed to transcend anything heretofore achieved in visual broadcasting.

Morton has disclosed an augmented fall schedule of transmissions, starting next Tuesday, which will provide ultimately for one daytime and two off-season nights a week to televiewers in the New York area. It is hoped to gain a wider audience through the uniformity of the schedule, which later will include a Saturday night program.

With an accurate count lacking, Morton estimates there are now between 800 and 1,200 receiving sets operating in the metropolitan area. This is quite a jump over the 500 installations estimated at the start of television as a public service on April 30.

The increase is attributed to the improvement in program technique developed by the NBC production staff. A jump in the sale of sets has been noted since early this month, when programs showed further improvement following a summer of experimentation.

Morton is convinced that regardless of retarding factors, such as the hesitancy or unwillingness of the organized motion picture industry to cooperate, television will continue to make strides. The major

(Continued on page 3)

**U. S. HINTS NO NEW DRIVE ON INDUSTRY**

Government to Ease Pressure Upon Business In War Period

By BERTRAM F. LINZ

WASHINGTON, Sept. 21.—Department of Justice officials intimated today that no new drive against the film industry is contemplated at this time.

The information is regarded as significant coming as it does on the heels of frequent reports that the Department's campaign against the industry has been hampered by increasing widespread disfavor in official quarters here since the industry's beleaguered position was highlighted by its loss of foreign markets.

The intimation was given in connection with a discussion of the recent changes in anti-trust policy in Chicago, and in the staffs of the anti-trust division. Department officials explained that the assignment of additional men to Chicago and elsewhere was merely "routine" changes under Departmental policy of shifting men from time to time to points where they may be needed.

New office is being opened in Chicago, it was said, and in New York, the agents will work out of the Department's established offices.

The additional men sent to Chicago, it was indicated, are necessitated by the anti-trust drive about to be

(Continued on page 2)

**Push Clocks Back**

Daylight Saving Time for 1939 comes to an end this Sunday at 2 a.m., at which time all clocks must be pushed back one hour, to permit a return to Eastern Standard Time—until next April.

**Studios Stop Work**

During Heat Wave

Los Angeles, Sept. 21.—The five-day record-breaking heat wave in Hollywood and Los Angeles during which all thermometer readings for the last quarter century were erased, is wreaking havoc in the studios.

Even outdoor locations in the high San Bernardino Mountains, along which Shirley Temple's "The Blue Bird" is in work, where Harry Sherman's troupe is on location and where sequence shots for "Drums Along the Mohawk" are being shot were forced to suspend filming.

For Universal, Republic and Warner studios in San Fernando Valley, where 120 degrees temperature has

(Continued on page 2)

**Majors Will Fight Questions By U. S.**

Counsel for defendants in the Government's New York antitrust suit, conferred yesterday on procedure in connection with answering the 68 detailed interrogatories and served upon them by the Department of Justice.

Indications following the meeting were that most defendants will oppose answering the interrogatories on the grounds that they are too broad, or that the Government already has the information or that defendants are not in possession of some of the information.

The latter procedure was resorted to frequently by the Department of Justice when it was required by the court to answer the bills of particulars served upon it by the defendants.

United Artists, following its individual policy, was not represented at the meeting and, according to indica-
I. A. Will Act
On Pact After
Studio Victory

(Continued from page 1)

American markets, Joseph M. Schenck, A.M.P.P. president, issued the following statement:

"By a majority vote of the workers, I.A.T.S.E. has been legally designated as negotiating body for any new agreement with film producers. It is my hope that all concerned will conduct themselves solely with a view toward bringing about the industrial peace and harmony and that there will be no reprisals or discriminations by either side," he said. He also named Friday, the 27th of this month, as the date for a meeting of the L.A.M.M.P.P.D.A. board, scheduled for next Wednesday.

George J. Schaefer, RKO president, has postponed his projected trip to the Coast again. Scheduled to leave today, his departure is now indefinite.

Pat Casey, producers' labor representative, plans to leave for the Coast today, where he will remain for three or four weeks before returning to New York.

James Mulvey, Samuel Goldwyn's eastern representative, returned to New York yesterday from the Coast.

The Oscar Doors have moved from Pico Ave. to a duplex on E. 70th St.

Franklyn Warner, head of Fine Arts, and Henry Blankenhorn flew West on the TWA Skychief yesterday.

Mrs. Margaret Russell Ganz, wife of Philip Ganz and former secretary to Robert N. Gollan, Paramount director of advertising and publicity, gave birth to a 6lb. 7oz. son yesterday morning at Sydenham Hospital.

Harry Goldberg, advertising manager for Warner Theaters, conferred in Albany with M. A. Silver, zone manager there.

Paul Baron, universal district manager, visited old friends at the company's Albany branch.

Lio Dixler, Warner Theaters assistant contact manager with headquarters in Albany, is out of the hospital a long time following a fall from a horse, and will be back at his desk in October. Meanwhile, Bernard Friedman, Warner home office has been filling in for him.

Oscar Perrin, acting manager of Fabian's Palace in Albany, was a spectator at the Eastern League playoffs between Albany and Scranton, in Albany. Perrin's son, Oscar Jr., performs at first base for the Albany team.

Francis Curley has returned to St. Louis after a two-week visit in Albany to his brother, Jules, advertising manager in the New York district for Warner Theaters.

Recent out-of-town visitors were Mr. and Mrs. T. J. McElroy, Rex Theatres, Vale, Oregon; H. Shapiro, Anthony Wayne Theatre, Wayne, N. J.; E. Rocio, Shelter Bay M. O., H. Nielson, M. O., Mrs. John Antxon, Anton Theatre, Monongahela, Pa., W. Bernard, Casline Star Theatre, Upper Sandusky, Ohio, and Mr. and Mrs. P. Schimp, Orpheum Theatre, Kalama- zoo, Mich.

Arturo Mom, director of Argentine films, is in town after a trip to Europe.

No New Drive Against Film Trade by U.S.

(Continued from page 1)

opened against the building material industry in some 30 cities and to carry on other investigations which have been under way.

Governor to Relax
Prohibitions
WASHINGTON, Sept. 21.—Relief from Government pressure on busi- ness, including the film industry, was seen by observers here in the plan of President Roosevelt to the joint ses- sion of Congress today that business, legislation, which includes the New Deal block booking bill, be left in sus- pension until the regular Congress session in January.

The President's remarks to the spe- cial session on neutrality legislation were interpreted here as indicating that the White House administration's position to do nothing to disturb industry in general until it has adapted itself to the changing situation.

A possible effect on film industry activities abroad is seen in the provi- sion of President Roosevelt's neu- trality proposals to hold all American citizens out of the Euro- pean danger zone during the period of the war. The neutrality program was presented to Congress today.

American ships would be restricted from entering danger zones and Amer- ican crews may not travel to nations not at war on belligerent vessels or in danger areas.

Finish Yiddish Film

Completion of "A People That Shall Not Die," Yiddish film with English titles, is expected soon by Henry Levy producers. Most of the picture, now being cut, was produced in Europe. Release is slated for late next month.

Muni Here Today

Paul Muni arrives today from the West Coast. He will be starred in Maxwell Anderson's "Traffic in Life," which goes into rehearsal early next month. Edmund Goulding, director, is accompanying Muni here.
Yes, it's Lana Turner and she's on the way to stardom!

Just screened "Dancing Co-Ed"! It's Terrific!

One after another the red-hot hits are pouring out of M-G-M's sizzling studio! Every week a new smash! Embrace "The Women" and hold! Follow with "Blackmail" action barrage. And "Thunder Afloat" (best in 10 months, Washington, D. C. Premiere!) And then (while "Babes in Arms" World Premiere Biggest in 5 years at Houston!) make a date with delirious "Dancing Co-ed."

They'll be dancing in the aisles!

"Dancing Co-Ed"

And Leo's dancing with joy!

Yes, it's Artie Shaw and his No. 1 swing band!
Paramount Scoops Again
With First War Films

First Reels of War Films
Show Here

Spellbound Audience
First Films of War in Poland

News Reels Show German Air Raid
And Action B. B. Ball Abroad

First Official War Film
Reach Capital Screen

Eddie Cantor Booked for Capital
News Notes and Gossip of the

Hitler, Expected to Announce Polish Conquest and Offer to Make Peace
Those Crowds at the theatres playing Paramount News tell their story!

Newsreel Scoops are box office gold for you. And Paramount consistently beats the field!

Don't Miss this opportunity to add to your revenues. Smart exhibitors give the public its screen news ahead of their competitors by playing Paramount News!

..the No. 1 Newsreel..the Eyes and Ears of the World..the Newsreel that gets the front-page news on the screen FIRST!
 Warner Babylon Changes

ALBANY, Sept. 21—Warner Bros. Theatre here, has announced the following manager changes, effective immediately, in the Western New York district: Al Beckwith, from the Palace, Jamestown, to manage the Havens, Olean; L. N. Weesfall, from the Havens, Olean, to the Keeney, Elmira, as manager; William Leggiero, Kee- nor Hall, to the Bell, Jamestown, as manager; William Leggiero, Ken- nor Hall, to the Palace, Jamestown. District manager for the western New York section is Ralph Crabbie.

Victor in Brooklyn

Loew's Premier, Brooklyn, will begin a Tuesday night vaudeville and film policy Oct. 3, following on the success of a similar policy at the Oriental on Wednesday nights during the past nine weeks. The Premier stage show hereafter will be repeated the following night at the Oriental.

Rosner Shuts Howe

SAN FRANCISCO, Sept. 21—Transfer of management of the Esquire, Portland, Ore., to a similar post at the new Metropolitan, Seattle. The change is made by Herbert Rosner, operator of a west coast circuit of nine foreign language houses, Howe, will be succeeded in Portland by Henry Pincus.

Form Theatre Firms

ALBANY, Sept. 21—Evening Theatre, Inc., has been incorporated to conduct a motion picture enterprise by Robert H. Breen, Wilva L. Davis and Edward R. Beckerman, all of New York. Also chartered was Waybro Theatre Corp., formed by Leo Jay Broverman, Ethel Davis and Rose Brodsky, New York.

Atlantic City Houses Close

Lyric, St. James, Mayfair and Savoy will be the only theatres in Atlantic City remaining open for the Winter. The Ocean closed Tuesday, and the Paramount will lock its doors about the middle of next month.

Italian House Opens

Squire which was acquired recently from Consolidated Artists Enterprises, Inc., by the Esperia Film Distributing Co. opened yesterday as the Cine Citta. Policy of the house is to be first run Italian pictures.

Pioneers Beefsteak Dinner Set Oct. 20

Fall conference of Picture Pioneers, new organization of 20-year industry veterans, will consist of a beefsteak dinner to be held Oct. 20. Place will be de- cided later.

Bank Night Theatre Manager Is Fined

WILMINGTON, Del., Sept. 21—Facing lottery charges in connection with operation of Bank Night in the Arcade is fined $1,000. Manager Robert Dailey was held on $5,000 bond and costs in Salisbury yesterday. Charges against Lucy Neal, ticket seller, was set by the judge. The bank night case against Dailey is believed to be that of its kind in Maryland. He pleaded guilty.

W. B. Theatre

Chief's Attend

Albany Meet

ALBANY, Sept. 21—Warner Bros. Theatre, Western division, announced at the call of M. A. Silver, zone manager, for a general policy meeting and discussion of the new product. Representatives from all 20 update the- atres were on hand, as well as Harry Goldberg, advertising and publicity director, for the eastern district; Ralph Crabbie, district manager, Jamestown, and Charles A. Snakwits, Albany district.

Silver assisted concentrated selling of every picture, greater showmanship and strict economy were necessary, when the “impending shortage in product” made it necessary to stretch out the runs wherever possible.

—entertainer the visiting managers completed on the opening of the Hotel for luncheon. Present were:

Ralph Crabbie, Jamestown, western New York district manager; C. A. Snakwits, eastern New York district manager; Jim Macris, Diana, Medina; Dalton Vargert, Captiol, Dunkirk; C. L. Hollister, Wellsville, Bill Leggiero, Steuben, Hornell; Al Beckwith, Havens, Olean; Mel Con- ham, Elmira; L. N. Wes- fall, Keeney, Elmira; Al Newhill, Palace, Jamestown; Bill Haynes, St. Mary; Murray Lafayette, Avon, and Jack Oliva, Utica; Jack Swartout, American; Sidney Sommer, Lincoln, and Leo Rosen, Troy, of Troy; S. B. Bower, B. P. Strand; Eddieเซลlette, Albany, and Bob Rosenthal, Ritz, from Al- bany; R. H. Bos, Lafayette, Baf- tavia; Cliff Schausell, Majestic, Hornell, and Harold Fahrenholz, Strand, Elmira.

Zone office departmental heads at- tending included James P. Faughnan, contact manager; Jules Curley, advertising manager; Max Freeman, booker; Howard Pincus, booking sub- jects booker; Jim Wotton, sound and maintenance engineer.

Franklyn Warner’s

Cosmocolor Films

Franklyn Warner’s series of fea- tures, planned for RKO release, will be produced in Cosmocolor. Three of the films to be produced by the head of Fine Arts Pictures will be released during the current season.

Isle of Destiny,” which already has been screened on the Coast, also is in Cosmocolor. It will be the first RKO release, and will be followed by “Land’s End.”

Form Myclid Productions

ALBANY, Sept. 21—A license to conduct a motion picture enterprise has been granted to Myclid Produc- tions, Inc. Directors of the newly- formed company are: Alfred H. Baldwin for aldine Weiss and Rose Lader, New York.

Meeting Postponed

Motion Picture Associates’ luncheon meeting scheduled for yesterday was postponed to next Thursday at the Astor Hotel.
Feature Reviews

“A Brivele Der Mamen”
(“A Letter to Mother”)
(Greenfin-Sphair Cinemas)

One of the last films to be imported from Poland, “A Brivele Der Mamen” deserves to be ranked with the foremost foreign films exhibited here during recent years. Exhibitors whose houses are located in Jewish neighborhoods can well afford to switch to this Yiddish language feature for several nights, and the film is certainly worthy of playing time in houses which use foreign language films regularly. English subtitles are used.

Tender, passionate, tragic and gay, the mood shifts and runs the gamut of human emotions. A mother’s love and devotion for her family, a talented but unemployed father, wayward children and a loving son—all these are mixed in a tale of suffering and simple family joys.

The film deserved better camera work. The characterizations are uniformly excellent and each is deserving of special mention. Top honors must go, however, to Lucy Gehrman, who turns in one of the best foreign performances of the year. As the mother whose family rests on her broad shoulders, she is the emotional center of the film’s theme.

Interspersed throughout the story are homely little episodes—a Passover feast, a wedding, a group of immigrants hearing about the wonders of America—which lend color and fascination. Max Boyzik, as the villain, and Chaim Levin, as Boyzik’s wife, and Irving Bruner, as Avele, the youngest child, give forceful and impressive interpretations of their roles.

The story starts shortly before the first World War with the mother supporting the family and the husband despondent because he cannot assist. He runs off to seek success in the New World but finds only enough to send for Avele. The mother sees her family gradually dwindling as the war claims her other son, and her daughter runs off with a dancing master. After the war, the hapless mother learns that her husband has died and that Avele has disappeared.

In a desperate effort to find her baby she obtains transportation to the United States and a reunion, marked by tragic overtones, takes place. The activities of the Hebrew Immigrant Aid Society are pictured and its representative, Mischa Gehrman, plays the role of the friendly advisor to refugee Jews. The English subtitles are ample for those who do not understand Yiddish.

Joseph Green directed and Benjamin J. Weinberg produced.

Running time, 105 minutes.

G. & M.

EDWARD GREFF

“Dancing Co-Ed”
(M-G-M)

HOLLYWOOD, Sept. 21.—Comedy, music, dancing, a unique romantic love story and a surprise conclusion are the entertainment elements of M-G-M’s sprightly “Dancing Co-Ed.” Not only does the show give another demonstration that the studio has a valuable property in Ann Rutherford, but it reveals Lana Turner as a glamorous personality who in this vehicle exhibits all the earmarks presaging future stardom.

Plot of the story combines the excitement of a film talent quest and a collegiate comedy. When Monarch Pictures needs attractive new name, press agent Roscoe Karns conceives the idea of holding contests in the nation’s colleges. Playing both ends against the middle, he plants the pre-chosen winner and vaudeville hooper Miss Turner, in a midwestern university and sends Miss Rutherford along to keep a watchful eye on her. The story has much entertaining ramifications, the main idea of which creates a romance for Miss Turner and Richard Carlson, student paper editor. On the night when the winner is to be picked, with Artie Shaw presiding over the festivities, Miss Turner is mysteriously missing and to save the situation Miss Rutherford enters and wins the contest while the band picked winner prepares for marriage.

With Miss Turner, Miss Rutherford and Carlson carrying the legitimate story, fun and fury is added by the antics of Karns, Leon Errol, Henreid, King, Bowman, Thurston Hall and Walter Kingsford. The gay, airy quality of Albert Tnyer’s original has been expertly preserved in Albert Mannheimer’s screenplay and its lively qualities were expertly brought out in S. Sylvan Simon’s direction. Producer Edgar Selwyn gave the show colorful and picturesque mounting.

Running time, 85 minutes.

G. & M.

EDWARD GREFF

Lakewood, Nc, Sept. 21.—Whether Nebraska can pass a law outlawing combinations of music writers and publishers to fix prices for public performances—such as Ascap—submitted in federal court here today.

After four days of hard-fought testimony and presentation of evidence, the case, as boiled down in final arguments made before Justices Gardner, Munger and Domone, was whether Ascap—like every other public domain of music free to anyone.

The state law, he charged, is unconstitutional because it deprives the authors of the right of collecting royalty for public performances of their music.

William J. Hotz, special state’s attorney defending the constitutionality of the law, said that the method of Ascap was a monopoly and the public performance was stated in the law. The Ascap, he continued, has made much money in the public performance rights vested in the copyright under the federal copyright act than was ever intended. Hotz charged that Ascap controls, “...the source of the usable music in the country.”

Hotz continued that the legislature did not mean to do anything wrong with the copyright act, but only that the abuse of the copyright act which he attributed to Ascap should be stopped. He contended that if the act is found constitutional, the publisher need only add a public performance charge, and the method of collection to the author would be unchanged.

Frohlich also contended that as a practical matter to outlaw Ascap would deprive authors of public performance rights. It would also, he claimed, lead to more infringement suits and would in effect keep radio stations and bands in Nebraska from playing the music.

An early decision in the case is not anticipated. Should either side appeal from the decision which is likely, the case would go directly to the U. S. Supreme Court.

Loses in Suit Over Film Rental Contract

A clause in a film rental contract for $5,000 “liquidated damages” for failure to return prints was held to be out of proportion to the actual damages involved and therefore void and unenforceable by N. J. Supreme Court Judge Benedict D. Dineen after trial of the suit brought by Lina Pictures Corp. against Principal Film Ex-

However, the court ordered the return of all prints in the defendant’s possession and awarded $55 in damages. The defense contended that several prints had been lost and the court ruled that an affidavit stating that the films and had destroyed would be sufficient.

Short Subject Reviews

“Ride, Cowboy, Ride”
(Warner)

“Ride, Cowboy, Ride” is a two- western which probably身躯 ac-
more than the longer westerns. The action is considerably enhanced by the fact that the “Featurette” is done entirely in color. Maris Winton is out west to see her mother, Esther Howard, for the first time in many years when a cavalry is held up by an outlaw gang. She is saved by Dennis Morgan and his cowboys.

Later, Maris discovers that her mother runs a saloon. The bank is Cactus Kate. When the bandits attack the town bank and Kate’s saloon, Morgan and Clark Edwards capture them after a battle. Maris discovers that her mother, despite her exterior, is an outstanding character. The finale finds Maris and Morgan embracing. George Amy’s direction deserves praise. Running time, 20 mins.

“Land of the Midnight Fun”
(Schlesinger-Warner)

This “Merrie Melody” cartoon in color is an extravagant satire of the travelogue film. Witty and with many clever effects the reel is enjoy-
from start to finish. An ex-
pedition sets out to explore the land of the Eskimos in luxury liner. They observe the customs and inspect a night club where show lasts six months. Eskimo girls rouge their noses preparatory to “kissing.” On her return trip, the liner runs into a fog and ends atop the tyroon at the World’s Fair. Well above average. Running time, 7 mins.

“Ice Frolic”
(Warner)

Fancy ice skating and music make up this enjoyable Broadway Brevity. Little Eleanor (Snooky) Gardner wistfully watches the figure skating from her window but is interrupted to complete her music lesson. After singing one song, she dreams of an ice carnival where the Merry Maes, Adele Inge, the Rockwell Girls, conical Alfred Trenkler, Peggy Fahy and Richard Toney perform. When she awakes, her father presents her with a pair of skates and Snooky and her grandmother go skating in a humorous climax. Running time, 20 mins.

“Vincent Lopez and His Orchestra”
(Turner)

A melodic interlude for the theatre program, Vincent Lopez leads his well known band through a number of swing tunes and members of the or-
mer mighty social vocal choruses. Songs include: “Down in NOLA,” “Ride, Tenderfoot, Ride” and “One Man Mosc.” Instead of the usual massed chorus of girls, subcliques introduce each new number for a novel touch. Betty Hutton wins up the reel with a banjo rendition of that favori-
“One Man Mosc.” Running time, 10 mins.
Large Impetus Seen This Fall For Television

(Continued from page 1)

film companies still are averse to providing product for programs, Morton revealed, thus adding to the absence of an official policy. Meanwhile, NBC is content to use films from independent and foreign film distributors, as well as commercial sources.

“We don’t intend to go into the film business,” said Morton, “but we do have a film industry background through his association with RCA Manufacturing Co. We believe the film industry will eventually meet our half way, and we think there will be enterprising producers who will see the opportunities in making pictures for television and who will profit as a result.

“Just as a supposition, let us conceive of 20 or 24 television stations in eight or 10 key cities in the United States, linked together in a network and broadcasting for hours daily, two hours of which will be film. When you figure this on a basis of 365 days a year, the feature film consumption probably would be more than the total footage produced by the major companies in a year. It would open a tremendous new market, with a huge audience.”

As soon as the television audience becomes commercially attractive to sponsors, there will be companies devoted to the production of films expressly for the medium. Meanwhile negotiations with the major distributors have been slow. Morton revealed that Max Gordon, XBC’s play consultant on television, has handled the matter with Nicholas M. Scenck, president of M-G-M, and other executives, who have shown considerable interest. But there is the matter of a special production technique for television and other problems involved.

Moreover, the fact that the war in Europe, which has caused suspension of television in Great Britain, will have no effect on the development here, and that NBC will buy television rights in the field “provided we do not enter the war.”

Labor Fights Stage Work by Students

SPRINGFIELD, III., Sept. 21.—Illinois State Federation of Labor, in annual convention here, late today approved a resolution calling for investigation of junior and high school students working as stagehands, propmen, gripsman, rumeys and opera-tors in high school auditoriums. The resolution branded the practice as unfair competition, jeopardizing legitimate show business.

Accept Station-Breaks

SAN FRANCISCO, Sept. 21.—Station-break announcements are now being accepted by KPO and KGO, NBC outlets, for the first time in the history of either station. Twenty-word announcements are taken at the customary gross rate for 100-word spots.

Balaban & Katz Theatres

Close Deal on Giveaway

By WILLIAM F. CROUCH

CHICAGO, Sept. 21.—Letter-F. Mar-
in of Consolidated Theatres has been re¬
laid with the Balaban & Katz circuit to start the giveaway plan in the Northshore territory. It has turned over 100,000 handbills as well as a full-page adver¬
tisement in the Chicago Times were used in the opening campaign.

William F. Rodgers, M-G-M gen¬
eral sales manager, is expected here for the first of the two dealer deals now hanging fire in this territory.

Warner district managers held a meeting at the Blackstone yesterday. Ben Kalminson, C. K. Olson, Rud Lohrenz, Henry Herbel and W. E. Gallo were there to discuss the several plans for pictures to be re¬
 leased during the next six weeks.

Arthur Denman, of the New York RKO, was here over, following the premiere of “Nurse Edith Cavell” Monday night, to contact local news¬
papers on the forthcoming RKO release, “Levy and Ralph Rolan, also of the New York office, accompanied Anna Neagle and Herbert Wilcox to Cleveland.

Members of the Women’s Club of the Chicago film industry held their second meeting at the Congress Hotel Tuesday night and announced they would start a membership drive immediately. Selma Hackman is president of the group.

Walter Lantz, Universal cartoonist, has been in town this past week visiting the Brookfield Zoo to study the baby panda. Lantz is producing a new series about “Andy Panda.”

Clarence Shapiro, M-G-M talent scout, staged the initial showing of his new cartoon, “Pandora Last Does,” at the Women’s Club Theatre the other evening.

Karl Kruger, Paramount exploiter, is dividing his time between here and Minneapolis preparing for the arrival here of one of the Paramount boats used to publicize “Ruler of the Seas,” Local Sea Scouts, Mayor Edward J. Kelly and other officials will take part in a “Wedding of the Waters,” held here Oct. 11. The picture will be previewed at that time.

Henri Elman, John Medinikow, Sam Tishman, Dick Saheb and Dave Hal¬
berg were among the local film col¬
lum who attended the Louis-Pistor fight in Detroit Wednesday night. Elman was in the fight films here, starting Sunday.

Bill Bishop, M-G-M exploiter, is hold¬
ing meetings with circuit theatre managers explaining the national explo¬
 sition campaign the company has started. Local theatremen are extremely interested in the contest, Bishop be¬

Schneck Disagrees
With Goldwyn Idea

HOLLYWOOD, Sept. 21.—Assuring Samuel Goldwyn that he was not interested in the M-G-M proposed gross wages was conserva¬
tive, Joseph M. Schneck, president of A.M.P.P, today said that Goldwyn’s proposal of a fact finding committee to determine Hollywood production and activity in view of the European situa¬
tion was premature.

Schneck was leaving for Mexico City and South America, Schneck issued copies of the letter to Goldwyn, which reads:

“I feel that you are entirely correct in your analysis of the situation caused by the war in Europe and that your estimate of losses is conservative. I am sure that all producers are agreed that the first requirement is to give attachment to the very max it is pictures. Nothing must be permitted to weaken that requirement.

“However, it is my present belief that your suggestion for creation of a fact finding committee is somewhat premature. The extent of losses in the motion picture industry is not sufficiently apparent to permit setting of definite policies. Re¬
strictive measures based on what the joint committee will justify might not be accurate. When necessary facts concerning foreign business are definitely and conclusive¬
ly established, we would welcome any assurance that we give with better assurance. But anything that might be de¬
cided now might be completely wrong in the light of future develop¬
ments. For that reason I am coun¬
selling that we wait until all necessary information is at hand.”

British Houses Ask
Longer Show Hours

LONDON, Sept. 21.—No decision was rendered today by the British Home Office to the joint deputation of representatives of the Cinematograph Exhibitors’ Association and Kinetono¬
 gram Renters Society on the request for the extension of the film theatre hours in theatres in the West End of London.

The Home Office has promised to consider the matter and is expected to make a statement within the next few days.

Theatre owners protest that in the event of a refusal on the part of the Government to extend the hours they will remove all the seats from the the¬

Wins Fifth Renewal

SAN FRANCISCO, Sept. 21.—Marilyn Dell Dairy’s weekly amateur hour on KFRC, conducted Saturday nights by Dean Maddox, has been renewed for its fifth year. Indicating continued popularity of the amateur shows here, the station recently added “Kitty and Edie Karavan,” sponsored by Del Monte Creamery.

305,000 See ‘Folies’

SAN FRANCISCO, Sept. 21.—Second edition of Clifford C. Fisher’s “Folies Bergere,” now in its sixth week at the exposition here, has played to more than 305,000 paying spectators before going on tour.

‘Iron Mask’

Denver Lead

With $11,000

DENVER, Sept. 21.—“The Man in the Iron Mask” was the hit of the week, grossing a strong $11,000 at the Denver. “When Tomorrow Comes” came in second to “The Great Walla,” the $1 Million Dollar Legs” took $4,000 at the Paramount.

Evenings leadings for the week ending Sept. 20:

“When Tomorrow Comes” (Univ.)
Week. Gross. Average, $5,000.
“San Francisco” (Warren) 7 days.
Gross. Average. $5,650.

Mercer in the Iron Mask” (L. A.)
BROADWAY—(1,040)
7 days. Gross. $2,500.
“Beate Goetz” (Para.)
DENVER—(525)
7 days.
Gross. $1,100. (Average, $200)

“A Gentleman” (M-G-M)
“Spillbinder” (RKO)
OREGON—(2,050)
7 days. Gross. $2,000.
Animal Trainer (P.)
PARMAUT—(2,500)
7 days.
Gross. $8,700.
“Four Feathers” (U. A.)
RANCHO (2,550) 7 days
Gross. $9,000.

August Broadway

Tax Revenue Off

WASHINGTON, Sept. 21.—Federal admission tax collections in the Broa¬
dway District dropped to $336,191 in August, from $397,415 in July, but were above the $282,513 record for August, 1938, it was reported to¬
day by the National Revenue Bureau.

Lodges from July were shown in all categories except admissions to roof gardens and cabarets, where tax col¬
gle from July, $34,519 to $40,

Wells Fifth Renewal

SAN FRANCISCO, Sept. 21.—Marilyn Dell Dairy’s weekly amateur hour on KFRC, conducted Saturday nights by Dean Maddox, has been renewed for its fifth year. Indicating continued popularity of the amateur shows here, the station recently added “Kitty and Edie Karavan,” sponsored by Del Monte Creamery.

305,000 See ‘Folies’

SAN FRANCISCO, Sept. 21.—Second edition of Clifford C. Fisher’s “Folies Bergere,” now in its sixth week at the exposition here, has played to more than 305,000 paying spectators before going on tour.
35% Salary Cut for High RKO Officials

Those Getting More Than $4,500 Affected

RKO executives and employees earning more than $4,500 per year will take salary cuts to aid in offsetting losses of foreign revenue due to the European war, George J. Schaefer, president, said yesterday.

Through this means, Schaefer said, RKO expects to complete its entire new season production schedule without any impairment of its quality or entertainment value.

While the cuts were not detailed, Schaefer’s statement indicated that they would begin with a nominal percentage of the decline of foreign exchange and possible restrictions on withdrawal of funds from foreign sources.

Therefore, he said, economies at home will have to be made which will enable us, without dependence on income from the United Kingdom and France, to maintain our production program with quality and entertainment value unimpaired.

Salaries will be reduced in accordance with the several levels of earnings.

Drastic Foreign Losses

He described the measure as “temporary” but stated that he expects the drastic falling off in foreign revenue to continue for the duration of the war.

Schaefer’s statement asserts there can be no certainty of substantial revenues being received from Britain and France in the face of limited theatre openings, the decline of foreign exchange and possible restrictions on withdrawal of funds from foreign sources.

Therefore, he said, economies at home will have to be made which will enable us, without dependence on income from the United Kingdom and France, to maintain our production program with quality and entertainment value unimpaired.

Praises Fine Morale

The economy plans have been approved by RKO Radio Pictures, Inc., the producing-distributing company, and RKO Service Corp., home office and theatre company.

“It is my confident belief,” Schaefer said, “that with the fine morale now being shown throughout the organization, our plans will be successful and that the RKO program will be completed without the least sacrifice of quality or entertainment value.”

Schaefer said that he had been unwilling until now to make a statement that RKO would not curtail production, due to previous uncertainty as to the seriousness of the loss of foreign revenue to the company.

Higher Rentals Needed,
Schenck to Exhibitors;
Cites Losses by Studios

Hollywood, Sept. 24.—Joseph M. Schenck, president of the Motion Picture Producers Association, today called upon exhibitors to support film producers to “share responsibility of seeing that the studios derive enough rentals to permit the studios to continue in operation” through the European crisis.

Schenck’s public statement, made prior to his departure for Mexico and South America, said:

“Theatre operators of America must do their part in helping producers of pictures to overcome the crisis caused by the loss of revenues from war-torn Europe. Producers have signified their intention of continuing to make big pictures of highest quality despite the European situation. Responsible making these efforts successful now lies entirely with exhibitors.”

“It is no longer a question of profits, but of preservation of present quality standards of the entire industry, theatres as well as studios. Millions of dollars invested in theatres throughout America would be just so much brick and mortar if the structure of film production collapsed. Exhibitors must therefore share the responsibility of seeing that studios derive enough rentals to permit them to continue in operation.”

“First of all, it is essential that exhibitors do everything possible to extend playing time of pictures whenever public patronage justifies. Those pictures that have been showing for one week should whenever possible be held over for a second week, and a picture which definitely rates a two-week run should be extended for a third week. Likewise, in subsequent runs, three-day pictures should be held over for five or six days.”

“In order to justify this, exhibitors will find it necessary to display greater showmanship and interest in new ideas. It can and must be done to insure a return to the producer that will compensate for decreased revenues elsewhere.”

U. A. Drafts Own Queries,
Asks for U. S. Answers

United Artists filed a list of 38 interrogatories in U. S. District court here on Friday which confronts the government with almost as detailed a quiz of its information relating to the pending New York anti-trust suit as the Government imposed upon the defendants two weeks ago in serving through its 68 interrogatories.

The Government will be required to answer the interrogatories served by United Artists within 20 days or to obtain a modification of them from the court.

The United Artists' interrogatories, filed by O'Brien, Driscoll & Raiter, counsel for the company, for the most part seek the identity of all Government witnesses having knowledge of the acts charged against defendants in the Government's anti-trust suit complaint.

The company asks the Department of Justice for the names of those having knowledge of the victims of compulsory block booking imposed by United Artists, of instances of its having forced short subjects and newspapers on independent exhibitors of its having arbitrarily designated play dates; of having imposed unreasonable clearance and zoning schedules; of having permitted overbuying by affiliated theatres or of its having discriminated in the matter of rentals between independent and affiliated theatres.

The interrogatories also ask for:

Delaware to Make Blue Law Survey

WILMINGTON, Del., Sept. 24.—The nine-member commission appointed by the Delaware legislature to study the need of revising the state's 144-year-old Sunday blue laws has elected Rev. Ralph L. Miller, superintendent of the Ferris Industrial School of Wilmington as chairman. Rep. Henry M. Canby of Wilmington was elected secretary.

Members discussed the procedure they will follow during their investigation, and decided they will study recent blue law amendments in other states.

The commission will make a survey of all civic, fraternal and religious groups in the state to learn the reaction toward changes in the laws and recommendations.

The commission is to make its report to the 1941 legislature and will meet again in October when results of surveys will be ready for study.

Compromise Seen On West End Hours

LONDON, Sept. 24.—The government yesterday still refused to permit the extension of opening hours in West End theatres, but suggested a compromise scheme whereby certain houses will be allowed to remain open until 10. A system of staggered openings probably will be sanctioned. West End interests will meet tomorrow to answer the proposal.
Knox to Pick Fifth Arlber in Union Fight

Judge John C. Knox, president of the Federal court in the Southern New York district, will appoint the neutral arbitrator in the negotiations between operators' Local 306 and the New York major circuits.

The union has named Joseph D. Basson, president of the local, and Herman Gelber, recording secretary, as its members of the arbitration board, and the circuits have designated C. C. Moskowitz of Loew's and L. E. Thompson of RKO.

The contract provides that if opposing sides fail to agree on a fifth neutral member, he shall be named by the president of the local or the circuit. It is expected that Judge Knox will designate a representative business man outside the film industry.

In addition to a 25 cent wage increase, the union is asking for two weeks' vacation instead of the present one week. Coverage of the proposal is seeking to change working conditions.

The negotiations are under a 10-year contract made in 1937, subject to negotiation every five years.

Basson is a candidate for relection as president of the local, which post he has held for more than three years. It is not expected that he will have any serious opposition. A fight is brewing, however, on the executive board, with the younger element seeking representation. The annual election will be held in December.

Republic's Schedule Pushed Despite War

HOLLYWOOD, Sept. 24.—With 11 pictures on the new season schedule completed and five now in production, Herbert J. Yates today announced that Republic would start 10 more features and two serials before the close of the year.

Yates said that the outbreak of the European war has not had any great financial effect on Republic inasmuch as less than 20 per cent of its revenue comes from abroad, adding:

"The British Isles have been Republic's biggest foreign market, and although we have been unable to get any cash out of Great Britain for over a month, we have derived an operating profit from the British government for eight Gene Autry pictures for exhibition to soldiers and sailors.

Yates said that he does not feel that there will be any reduction in the number of studio employees nor will there be any pay slashes at Republic.

W. Va. Meet Tomorrow

PITTSBURGH, Sept. 24—Independently Theatre Owners of West Virginia will hold their first annual convention Tuesday at the Waldo Hotel, Clarion. The meeting will be presided over by W. A. Cook, manager of the session, which will include a business meeting, election of officers, a banquet and a motion picture day.

Universal Planning Important Changes In New Contracts

Universal is endeavoring to complete proposals for several changes in its new season license agreements, chief among which will be a graduated cancellation right and an optional arbitration clause, William A. Scully, general sales manager, said over the weekend.

The changes, which have been delayed by the press of selling activity which has prevented the Universal sales head from giving his full attention to the sales policy revisions, may be decided upon within the next few weeks. Any contract innovations decided upon will be retroactive for all new season deals and will conform with existing company policy and the newly imposed restraint Department of Justice prohibition upon an industry trade practice code, Scully said.

Revisions of the license agreement will not be extensive, the Universal sales head pointed out, inasmuch as the company has recently increased its license charge for a number of years past, nor has it made the licensing of shorts and newsreels a condition for the location of its features. Moreover, the company does not produce trailers. The limitations imposed by the Department of Justice make possible for distributors to grant exhibitors much more than this.

The optional arbitration clause will, of necessity, be applicable only to disputes arising out of performance of the contract and cannot be employed in any complaint involving breaches of contract.

Outside of the addition of this clause and the devising of a cancellation formula adapted to Universal's own selling experience, Scully sees little or no change required in Universal's sales policies.

The company has no serious problem stemming from designation of play dates, does not refuse to negotiate for its product with any responsible exhibitor for all or part of its output and for some time past has permitted cancellations of exhibition agreements on unsatisfactory terms to the bidders.

Schenck in Appeal For Higher Rentals

(Continued from page 1)

where, it is possible, only by increased rentals and, rentals from theatres of this country can producers be assured of revenues commensurate with the bigger type of pictures received. Producers, are willing to give any length and expense to make greater pictures, and they have every faith that the producers showing that it is not possible to recognize as the finest by the amusement public of the entire world. This leadership must not be sacrificed, and that standards be permitted to be lowered.

For their part, producers are keeping a close eye on the newsreels, but no economy measures by studios alone could offset the great loss of revenue resulting from the dropping of the high standard of quality to be maintained. It is, therefore, upon the exhibitor now to make this high standard of quality possible.

U. A. Drafts Queries For U. S. to Answer

(Continued from page 1)

Government for the identity of those who have knowledge of United Artists having prohibited an independent from double featuring while permitting an affiliated theatre to do so; of its having collected score charges; of its having obtained admission prices on exhibitions; of its having allowed material alterations of contracts by affiliated theatres; and of it having authorized them to adopt "move-overs."

The interrogatories ask for the identity of persons having knowledge of the violations of acts of the Government, and those having knowledge of the violation of contracts from first run houses; of the company's having contributed to a monopoly of exhibition in first run metropolitan houses; of its having failed to prevent any acquisition of theatres with other deficiencies to effect a division of exhibition conditions, and its having had part in other acts of conspiracy or restraint of trade alleged by the Government.

'Beau Geste' Omaha Winner at $10,000

OMAHA, Sept. 24.—"Beau Geste," pulled in $10,000 at the Omaha.

Estimated takings for the week ending Sept. 20-21:

"Way Down South" (RKO) GRANDIES—1,300c (25c-40c) 7 days Gross 8,300. (Average, 1,200).

"Beau Geste" (Para.) OMAHA—6,200c (25c-40c) 6 days Gross 6,100. (Average, 1,000).

"Belle of 1938" (M-G-M) ORPHEUM—4,300c (25c-40c) 7 days Gross 8,700. (Average, 1,200).

Associates' Dinner Set November 25

Motion Picture Associates have set the date of their annual dinner and dance which will be held November 25, the eve of Thanksgiving Day.

Monogram Closes Deals

Recent circuit deals concluded by Monogram for the 1939-40 product, according to George W. Weeks, vice-president of the company, closes the Morse Circuit of Boston; Renton Circuit, St. Louis; Louis Long Circuit, Los Angeles, and Waters Theatre Co., Atlanta.

Money Restrictions In Most of Europe

Countries with currency restrictions and prohibitions include: Germany, Poland, Latvia, Estonia, Jordan, Lithuania, Greece, Hungary, Bulgaria, Turkey, Spain, Argentina, Brazil, Chile, Uruguay, Roumania and Japan. In these countries, restriction has been placed on the transfer of currency, as was the case from France and England, as well as Australia, New Zealand and Canada.

Purely Personal

LEONARD GOLDENSON and LEON NETTER, Paramount house office theatre executives, return to New York today from a two weeks' trip to the west, covering such cities as Chicago and Minneapolis operations.

MONTS BANK, 20th Century-Fox director, sailed Friday night for Washington for England. RUSSEL MUTH, Movietone News European director, is also enroute to England, France and Bonny Powell, cameraman, sailed on the same boat with plans to cover the war.

E. C. MILLS and JOHN G. PAINE of Ascap, and LOUIS FROHLICH and HARRY CHERKELEIN of Ascap counsel, arrived in New York from Lincoln over the weekend.

MALVIN J. KUTINSKY, son of LOU KUTINSKY, RKO salesman, is now representing the Price Theatre Premium Co. in New York and Brooklyn.

JULES BERNSTEIN, Loew's manager in Toronto, has returned following a two weeks' trip to New York. He is a brother of DAVID BERNSTEIN.

MRS. JOHN BALABAN and daughter Ina Mae, of Chicago, are in town for the World's Fair. John Balaban will fly in to meet them.

HERR OCHS, Warner Cleveland branch manager, came into town over the weekend for conferences with home office officials.

Mr. and Mrs. AL MARGOLIES and family back in town after spending the summer at Fire Island.

HARRY BUOXAUS'S daughter, BETTY MARY, has left for Los Angeles. W. VA., to attend Greenbriar College.

LeBaron to New York

HOLLYWOOD, Sept. 24—William LeBaron, manager of Paramount productions, has gone to New York for conferences with Eastern executives. He is expected to return to New York in two weeks to meet with Barney Balaban, Russell Holman and Neil Agnew.
No medium of advertising gives you the coverage you get with NATIONAL SCREEN TRAILERS on your screen...

...or reaches as many actual customers... or sells as many seats... or has the double selling values combined in the NATIONAL SCREEN TRAILER which sells your show through the eye and the ear... by means of the printed word and the spoken word.

No other advertising has a record of performance as a ticket-seller to compare with the NATIONAL SCREEN TRAILER.

No other advertising medium costs so little as NATIONAL SCREEN TRAILERS or sells so many seats: EFFECTIVE and CHEAP!
"Couldn't have been released at a more opportune time ... A fine production, brilliantly directed ... Anna Neagle puts feeling and reverence into the role."
—Wanda Hale, N. Y. Daily News

"Impressive... profoundly stirring... comes to the Music Hall with terrible timeliness."
—Bland Johanneson, N. Y. Daily Mirror

"A deeply affecting tale of individual heroism under the crushing influence of modern warfare."
—Frank S. Nugent, N. Y. Times

"A true picture, and a fine one... Its strength lies not alone in the story it tells, but in the manner of its telling."
—Eileen Creelman, N. Y. Sun

"An unusually distinguished production ... fine and forceful ... Miss Neagle's performance brilliant."
—Rose Pelswick, N. Y. Journal & American

ANNA NEAGLE in her first Hollywood
with EDNA MAY OLIVER • GEORGE H. B. WARNER • SOPHIE STEWART • MA
 Powerful and honest...telling
and timely...every incident takes
added impact and significance
in a time when ruthless invasion,
the killing of women and children,
and high courage are once more
in order of the day."
—Howard Barnes, N. Y. Herald-Tribune

... The film takes on all the
thrills and excitement, suspense and
terror of a spy melodrama... leaves you limp with terror and
fear... A beautiful directing job."
—William Boehnel, N. Y. World-Telegram

Dignified portrait... Miss
Cavell is rather a beauty to behold
brings warmth and inspiration."
—Irene Thirer, N. Y. Post
SEATTLE, Sept. 24.—The "Rains Came" and "Hawaiian Nights" at the Fifth Avenue led the town with $9,300. Also good were "In Name Only" and "Waterfront," with $7,200 at the Paramount. "Mutiny on the Blackhawk" and "Nancy Drew and the Hidden Staircase," at the Palomar, plus a Major Bowes unit on the stage, pulled $5,000. The weather was warm.

Estimating takings for the week ending Sept. 22:
"The Rains Came" (20th-Fox) $5,000
"Hawaiian Nights" (Univ.) $2,250
FIFTH AVENUE — (2,550) (25c-30c-40c) 7 days, Gross: $3,200. (Average, $7,000)
"Golden Boy" (Col.) LIBERTY — 3,000 (25c-30c-40c) 5 days, 1st wk. Gross: $3,000. (Average, $6,000)
"Beau Geste" (Para.) *Night Work" (Para.) $2,000
WATERFRONT — (2,650) (25c-30c-40c) 7 days, 2nd wk. Gross: $2,000. (Average, $4,000)
"Adventures of Sherlock Holmes" (20th-Fox) $1,500
WAYNE Smith (RKO) ORPHEUM — (2,450) (25c-30c-40c) 7 days, Gross: $1,400. (Average, $6,000)
"Mutiny on the Blackhawk" (Para.):
Nancy Drew and the Hidden Staircase (W.B.) $750
PALOMAR — (1,000) (25c-30c-40c) 7 days, 1st wk. Gross: $750. (Average, $5,000)
"In Name Only" (Para.)
WATERFRONT — (2,450) (25c-30c-40c) 7 days, Gross: $1,500. (Average, $6,000)
"The Old Maid" (W. B.) ROOSEVELT — (750) (25c-30c-40c) 7 days, 2nd wk. Gross: $440. (Average, $880)

*G" denotes general classification.

Cantor Show Is Set In Pittsburgh House
PITTSBURGH, Sept. 24.—Eddie Cantor and his radio show, including Bert Gordon and five other acts, will launch the renewed vaudeville-pictures policy at the Warner Stanley Sept. 29. Penciled in by Harry Kalmine for dates during the next eight weeks, with an initial seven-week run, are Glenn Miller, Hal Kemper, Horace Heidt, Ted Weems, and a personal appearance by Cantor. The NBC broadcasts of the "Dr. I. Q." shown from the Stanley stage every Monday night will be continued for three more weeks.

Workshop in Final Program of Summer
The "Columbia Workshop Festival" will conclude its summer series with "The Fall of the City" on Thursday, from 10 to 10:30 P.M.

The elaborate presentation will be tried in the Los Angeles Memorial Coliseum with a cast of 500, using 60 microphones. More than 75,000 are expected to turn out for the air presentation of the Archibald MacLeish poem. Irving Reis is directing the project.

"Cavalcade" Showings
Trade showing of 20th Century-Fox's "Cavalcade," which opens in the Coliseum on Friday, has been held on the morning of Oct. 3 at the Ziegfeld Theatre, 6th Ave and 53rd St. Trade showings in 37 other cities are scheduled on the same day.

Hollywood Preview
"Here I Am a Stranger"
(20th-Century-Fox)
HOLLYWOOD, Sept. 24.—With some new twists that make for novelty and add to sentimental appeal, "Here I Am a Stranger" is another exhibition of the father-son plot. This 20th Century-Fox offering, which stars Richard Dix and Harry Joe Brown, is directed by J. M. Moore and features Brenda Joyce, Roland Young, Gladys George, Russell Gleason, Edward Norris, and George Zucco.

As directed by Roy Del Ruth from an original by Gordon Malherbe Hillman, for which Milton Spering and Sam Hellman did the screenplay,going, this is made of contemplative detail to build the denouement. Meanwhile, however, quite a bit of irrelevant material is included.

Greene, scion of divorced parents, learns after entering college that Dix, erstwhile Stafford football hero and brilliant student, but now a rum soiled newsmen, is his father. Inspired by the boy's affection for him, Dix gets a new grip on himself. Meanwhile, Green experiences all the good and bad things of college life and gains the friendship of Professor Young's daughter, Miss Joyce.

A crisis comes into the lad's life, however, when Norris, hit-and-runs driver, kills a woman. Mother Gladys George, business tycoon Koller and stepfather Zucco plead with him to save Norris and let Russell Gleason take the blame. Even Dix pleads in a way the boy, who has high ideals, cannot understand. Still he sticks to his purpose and does the right thing, much to the discomfort of all but himself, Dix and Gleason.

Running time, 80 minutes. "G."
SMPE Plans
One Session
At N. Y. Fair

One of the evening sessions of the Fall convention of the Motion
Picture Engineers will be held at
the New York World's Fair, so that
visitors may witness special photo-
grams of scenes of the demonstration
at two exhibits, according to W. C. Kunzman, convention
vice-

president and chairman of the
Atlantic Coast section, in charge of local arrangements.

The convention opening Monday, Oct.
16, and on the opening session will con
vene at the Chrysler Exhibit for a
demonstration of stereopticon pictures.
This will be followed by a special
demonstration of recording in the A.
T. & T. Building. The afternoon and

evening of the second day of the con
vention have been left open for dele-

gates to visit the Fair or go sightsee-
ing.

The convention, to be held at the
Hotel Pennsylvania, will conclude on
Oct. 19. Four officers for 1940 will be

elected, financial vice-president, secre-
tary, treasurer, and treasurer, and

the convention will be climaxd at the semi-
annual banquet and dance, in the grand ballroom of
the hotel on Oct. 18. At that time the society's Progress Medal and Journal Awards will be presented, and new
officers introduced.

AGVA Has 3,891
Members in East

Membership in American Guild of
Variety Artists has reached 3,891 in the east, Jean Mair who is in

charge of the organizational drive revealed over the weekend. National figures are not yet available. The AGVA has been named chairman of the membership committee.

A.G.V.A. has served notice that
actors who have resisted the organiza-
tion of the new union must join before Oct. 1 or be subject to possible penali-
ties. With Sonnie Tucker, American Federation of Actors president, now in the A.G.V.A. ranks, the continued existence of A.F.A. is once more being questioned. A meeting of the A.F.A. council early this week is expected to

finally clarify the issue.

SAG Pledges Aid
To Goldwyn's Idea

Hollywood, Sept. 24.—The Screen
Actors Guild, under Ralph Morgan,
president, yesterday offered its co-
operation to Samuel Goldwyn in his

suggestion of creating a fact-finding
committee to delve into the Hollywood
studio situation with respect to the

effect of the European war.

Morgan said:

"I believe the members of S.A.G.
have sincere confidence in your in-

tegrity and believe that any round
table conference negotiated by you will

be honest, complete honesty and

fairness to all concerned.

"I am aware that our industry must recog-
nize the facts to current conditions, and I can assure you that

our organization will do its part at
all times to protect and safeguard this industry.

SHORT SUBJECT
REVIEWS

"History Repeats Itself"
(Warners)

Joe the Rogues provide a hilarious in-

terpretation of history in an unsuccess-

ful effort to aid two swindlers.

With a face from the district attor-

ey, this man who has sold stock

in a time machine which is sup-

posed to reproduce ancient events, en-

traps the Three Rogues. As the D.A.
calls for past events, the Three Rogues

re-enact the scenes. Historical char-

acterizations and impersonations of familiar screen personal-

ities. The plot is exposed when the

Rogues crash through the screen. It
proves to be plenty of laughs. Running
time, 10 mins.

"Jeepers Creepers"
(Schlesinger-Warner)

This is a "Looney Tune" cartoon in

which Officer Porky is ordered to in-

vestigate a haunted house. Enter-

ing the haunted house, Porky encounters a playful ghost

who proceeds to tease him.

Many amusing effects are obtained

as Porky outwits the Porky ghost but the latter

gets even by refusing the ghost a ride

in his patrol car later. Running time, 7 mins.

"Sword Fishing"
(Warners)

Howard Hill, champion archer,
takes a party fishing for marlin and
croakfish. Instead of using a con-
temporary rod and reel, Hill does an
amazing bit of fishing with his bow

and arrow. With the arrows attached
to a line so that they can be retrieved,
Hill first shoots some flying fish for
the others in the party to use as bait.

Later, Hill shoots some marlin direct-
ly and reels them in. One member of
the party decides to go out in a small
boat after a swordfish has been

hit. A spectacular shot is obtained

as the swordfish rams his way com-
pletely through the rowboat. Running
time, 10 mins.

"Think First"
(M-G-M)

Women in crime attract the spot-
light in the latest issue of the "Crime
Does Not Pay" series. A shopping
gang enters two young waitresses in-
to its employ and they become pro-
fessional shoplifters. Ultimately they
are caught by a store detective and
are given prison terms. The gang is ar-

rested after a battle. Well cast and
effectively directed. Running time, 20 mins.

"Unseen Guardians"
(M-G-M)

Three types of "Unseen Guardians"
are portrayed in this issue of "The
Passing Parade." First comes the post

office inspectors who guard the mails
against fraudulent mail order houses.
The practices of such disreputable
firms and the manner of detection are

skillfully traced. Then the work of
the Underwriters' laboratory is de-
picted, with the manner of testing the

various items which come to them for
approval. Finally, the camera shows
how orphan homes select proper
guardians for homeless children.
Exceptionally well done. Running
time, 11 mins.

"A Day on Treasure Island"
(Pitt-Patria-M-G-M)

The San Francisco World's Fair is the
subject portrayed in this color

Traveltalk. A pleasant variety of
scenesc are shown including the amus-

ement section, the foreign area with its
gay display of flags, a flower exhibit

maintained by amateur horticulturists
and many of the other color ex-
hibits. Running time, 10 mins.

"Football Thrills of 1938"
(M-G-M)

With the football season upon us,
this thrilling Pete Smith Speciality
presents a timely resume of the
top flight football plays of the last
year. It is a compilation which will lift

the football fans out of their seats and
will engage the active attention of the
rest of the audience. No only are last
year's crack teams shown, but the reel
is carefully edited down to the out-

standing plays of each team. Exciting
throughout, the reel is a sure fire hit.
Running time, 10 mins.

"Buy's Bein's Play"
Kermit Bloomgarden, business man-
ager of the Group Theatre, has ac-
quired "Havenly Express," play by

Albert Bein, and plans to produce it
early next year with John Garfield

in the lead.

NOW
for immediate
dates . . .

THE GREATGEST
WAR FILM

What war does to men!
What war does to women!
What war does to humanity!
BOOKED SOLID BY RKO-WARNERS-SKOURAS
And Leading Circuits
WIRE FOR DATES

Museum to Teach
Motion Picture Art

History, technique and aesthetics of
the motion picture will again be taught
at the Museum of Modern Art, mark-
ing the third successive year of the
project. Class of forty selected stu-
dents, to be conducted by Iris Barry,
curator of the Museum's Film Library,
will commence the session Oct. 3.
Course will enjoy the cooperation of
the motion picture industry, with lec-
tures by prominent men in the indus-
try and visits to various studios and
laboratories provided. Last year's
guest lecturers included Walter Wan-
ter, Arthur Hitchcock, Archie Mayo,
Rouben Mamoulian, Anna Neagle and

Eric Knight.

This week's program of films shown
daily at the Museum is as follows:
today, "Moana of the South Seas" and
"Berlin, the Symphony of a Big City";
Tuesday, "The Love of Jeannie Ney";
Wednesday, "His Bitter Pill," "The
Freshman," "The Sex Life of the Polyp" and "The Skeleton Dance;" Thursday, "Hotel Imperial" and "The Wind;" Friday, "Hands" and "Sun-
rise"; Saturday, Tatters, A Tale of the
Shmus" and "Underworld" and on
Sunday, "Plane Crazy" and "The Last
Command."

Shows Spanish Film

The Forty-Eighth St. Theatre
opened formally Friday night with
the Spanish film, "El Capitan Aven-
turero." Policy of the house is to be
Spanish and Scandinavian language
pictures alternated. Jean Kunzler op-

erates the theatre. There are three other Spanish film theatres in New York.
Radio station XEW here, which was inaugurated nine years ago, has incorporated the nucleus of a half-wave antenna 750 feet high. This, it is claimed, makes the station the most powerful in Latin America.

The National Federation of Cinematographic Industry Workers has postponed until Oct. 2 to 4 its convention in Guadalajara, Mexico, the capital of that country. It was to have been held this month. Organization of all Mexican picture workers in one big union is a primary objective of the meeting.

Metro Gives 'Frida Fair' Trips for 10

Ten M-G-M field employees, two from each of five offices, will visit the network's sister Studio International Exposition at San Francisco from Oct. 11-15. M-G-M field offices are at Culver City as guests of the company in October. M-G-M will give modest awards in M-G-M's annual efficiency competition which ended Aug. 31. Five leading expositions - New York, Washington, New Orleans and Chicago - each selected two staff members to make the trip.

Winners will meet in Chicago Oct. 13, and travel to San Francisco together, spending four days, Oct. 16-20, at the "Frida Fair" and sightseeing in San Francisco. These follow a two-days' stay, Oct. 20-21, at Los Angeles, after which the winners will return to their respective offices.

Winners of the free trips were: Cinettiste Schifferitz, office mananger, and Irwin Cordes, 111 E. 57th street, Washington, Esther Blendman, assistant bookkeeper, and Elizabeth Wyatt, film intern. From the West, Harry Hoffer, booker's clerk, and Joseph Laima, night film inspector; New Orleans, H. Franke, stenographer, and Rosemary McElroy, film inspector; Charlotte: Blanche Carr, cashier, and Jewel Terry, chief film inspector.

'Rains Come' Draws $8,500, Providence

PROVIDENCE, Sept. 24.—"The Rains Came" and "Stop, Look and Love" at the Majestic, led the town with "Stop, Look and Love" at the Strand, followed for two days by "Rains Come" doing well for $9,000.

Estimated takings for the week ending Sept. 19-21:

"The Women" (M-G-M) $14,230.00.
LOEW'S STATE—(3-220) (5c-35c-50c) 7 days $4,225.00. (Average) $600.00.
"Rains Come" (2nd-Box) $15,000.00.
"Step, Look and Love" (2nd-Box) $12,000.00.
"Should Husbands Work?" (Rep.) (4 days) $9,500.00. (Average) $2,375.00.
"Beau Geste" (Para.) (3 days) $4,000.00. (Average) $1,333.33.
"Inside Information" (Univ.) $6,000.00. (Average) $2,000.00.
"Harvest" $5,000.00. (Average) $1,666.66.
"The Old Maid" (W. B.) $2,500.00. (Average) $833.33.
"Winter Carnival" (U. A.) (2 days) $1,000.00. (Average) $500.00.
"Empire" (2-220) (2 days) run $1,500.00. (Average) $750.00.

Metro's gross at 27 stations for the week was $35,500.00.
Trade Mourns For Laemmle; Funeral Today

Paris, Sept. 25.—Plans are under way in France to resume film production, which has been stopped by the war. Jean Renoir, well known director, has been charged by the Ministry of Information to plan resumption of production along both "artistic and propaganda lines."

The production industry thus may come back under Government aegis, presumably with Renoir in charge. Renoir directed "Grand Illusion," film of the World War, and other pictures. Resumption of studio activity depends on the actors and technicians available. Reports are expected to ask leaves of absences for actors and technical experts, whose ranks were depleted by the mobilization. All of military age have been called.

Among those in the service is Charles Boyer, who arrived here several weeks ago to make a film which was scheduled also for release in America under the title the "Pirate." The war start before production could get under way. Boyer enrolled as a private in the Infantry. His wife, Pat Paterson, is staying with Boyer's brother at his home in Tigre.

The Boyers were scheduled to return to Hollywood late in the Fall. Enquiries made sought to learn what had happened to the film which was going on in Berlin at the time of the war, and has since been finished, and is reported to have enlisted in the army.

Laemmle's Picture Postponed

Laemmle, who is the studio's former head, will be suspended in Hollywood and at Universal exchanges throughout the world at that time for five minutes during which a silent period of respect will be observed. Flags were at half mast today at the Universal studio, which he founded and from which he retired from the motion picture business three years ago.

Funeral services will begin at the Wilshire Temple. The Rev. Edgar F. Magee of the Temple will officiate. The body will lie in state at the Temple from 7 to 9 p.m. until the hour for the service at 12:30.

Curt Laemmle

Harry Ross Finds Midwest Optimistic

Prospects for theatre business in the Midwest are exceedingly bright, due to the sharp rise in industrial activity, according to Harry A. Ross, president of Ross, Federal Service, who has returned from a two-week trip through the area.

With a few exceptions caused by weather conditions, the upswing in box-office grosses has been general. Ross noted, and he reports exhibitors as saying that the improvement in early fall product has been a great stimulus.

There is a general feeling of optimism throughout the industrial sections, Ross said. Detroit is booming with automobile production at a high level, and the steel mills of Pennsylvania are back to their 1929 prosperity, with thousands being reemployed.

Ross observed a direct parallel between a rise in department store sales and theatre business, both benefiting by the upswing in industrial activity.

PRODUCERS SEEK I. A. COMPROMISE

 Legionnaires Give Chicago Free Show

Chicago, Sept. 25.—Theatre business showed marked improvement over the weekend as 250,000 Legionnaires descended upon Chicago. The streets took on a mardi gras atmosphere with celebrants blocking traffic and entering passersbys. Chicagoans generally found that the free show on the streets was more attractive than film offerings and grosses failed to rise above the usual levels.

Find Demands Excessive; Ultimatum on Strike Expires Today

Hollywood, Sept. 25.—Meeting in an extraordinary session tonight, producers debated their course of action in the face of the ultimatum served upon them by the I.A.T.S.E.

The I.A., through William Bioff, issued an ultimatum Saturday, threatening a strike if the producers failed to respond favorably to demands for a general wage increase and improved working conditions for studio craftsmen.

It was indicated that the producers are willing to negotiate an agreement, but that they considered the wage demands excessive in view of the recommendations which the guilds have instituted to offset losses of foreign revenues caused by the European war.

The I.A. gave the producers until tomorrow to sign wage and working conditions provisions of the closed shop agreement which was consummated Aug. 10.

While some industry leaders did not view the strike threat with apprehension, I.A. officials declared that they were tired of being given the "run-around" and would strike to enforce their demands.

The strike, if it is called, will be confined first to the West Coast, it is believed, and not immediately involve projectionists in all of America's theatres.

The United Studio Technicians

COAST GRAND JURY TO QUESTION MAYER

Hollywood, Sept. 25.—The Federal grand jury will open its investigation of alleged income tax evasion and labor racketeering charges Wednesday with the first witnesses to be summoned being officers of various banks. Louis Mayer will be called Thursday by Charles Carr, assistant U. S. attorney general in charge of the investigation.

Scheduled also to testify are Ken Thomson, Aubrey Blair and Robert Montgomery, leaders of the Screen Actors Guild, William Bioff, I.A.T.S.E. leader, also has been subpoenaed.
One Big Union Plan Hindered By Television

Jurisdiction over television performers continues unsettled with Actors Equity still battling with Screen Actors Guild and American Federation of Radio Artists. It was learned from Associated Actors and Artists of America officials yesterday. It was hoped that the controversy will be settled during discussions on the “one big union” plan, but television is proving a major stumbling block.

Unification plans are moving much more slowly than was anticipated. New members of the American Guild of Variety Artists were issued two weeks ago that the plan would be ready for their approval “within two weeks,” but it is far from ready. Equity laid claim to television jurisdiction by virtue of a provision inserted in its charter in 1931, but SAG and AFTRA proposed that a tri-union committee administer the field. Equity is prepared to accept a compromise, it is understood, but does not wish to surrender its authority completely to a committee. Equity committees have been gathering data on working conditions in the television field and are prepared to start organizing immediately, but clarification of jurisdiction is desired.

Meanwhile, Maida Read, A.G.V.A. executive secretary, resigned over the week-end, and the Executive Committee was advised by 4-A officials that she had resigned for personal reasons. She was succeeded by a temporary committee consisting of S.A.G. and A.F.R.A. Paul Dullzelli, Equity executive secretary, Florence Marston, S.A.G. eastern representative, and Emily Holst, A.F.R.A. executive secretary, comprise the committee.

Goldenson, Netter at Atlanta Parade

Leonard Goldenson and Leon Netter, Paramount executives, have gone to Atlanta, where they will resume discussions of a new operating agreement for the Paramount houses in the Lucas & Jenkins circuit.

The negotiations were begun here several weeks ago with E. V. Lucas and W. K. Jenkins, the former agreement under which the houses were being operated expired last July. Goldenson and Netter just completed an inspection tour of Paramount theatre properties in Detroit, Chicago and Minneapolis.

Morris Signs Fio Rito

Ted Fio Rito has signed an exclusive six-weeks contract with the William Morris agency and will record four sides for Victor next week before leaving New York on a tour now being booked.

For Lunch, Dinner or Supper

LaHiff's TAVERN

The Industry's

MEETING AND EATING PLACE

156 W. 48th St. Tel. Chickerling 4-4200

Storm Stops Coast's Heat; Stars Escape

Hollywood, Sept. 25.—Southern California’s record eight-day heat wave was routed with violent winds and torrential rains, and today all-weather schedules were cancelled. The blazing temperatures had hindered picture shooting outdoors and postponed many production schedules.

The storm, in which 30 persons are believed to have lost their lives, caused no damage to studio properties, but during the heat wave and yesterday, Harry Rape, Metro producer, and a party were marooned in a small boat off Malibu. The anchor was cast. It rode out the storm until Rape and his guests were rescued this morning. Parties of guests on yachts owned by Errol Flynn, Frank Morgan, Victor McLaglen, John Ford and Frank Borzage were similarly marooned off Catalina by the high winds and seas, preventing landings until early today.

More than five inches of rain fell in downtown Los Angeles within six hours.

Further storm warnings ordered today caused Metro to postpone sending “Flying Down the River” to New York until the weather clears. Mud conditions on Warner’s “Fighters” is slightly interfering with the production.

Russia Will Show Stokowski Picture

“One Hundred Men and a Girl” will be shown in Soviet Russia under a deal negotiated by Anmiko with Universal.

The pictures, American picture purchased by Russia since Charlie Chaplin’s “Modern Times” in 1936. Negotiations have been on for several years. “Warner’s” “Juarez” and “Confessions of a Nazi Spy.”

The pictures made outside film deals on a flat purchase basis, acquiring a lavander outright. “One Hundred Men and a Girl” is a musical, featuring Tchirkino, export division of the Russian film industry.

One Big Union Plan Hindered By Television

Jurisdiction over television performers continues unsettled with Actors Equity still battling with Screen Actors Guild and American Federation of Radio Artists. It was learned from Associated Actors and Artists of America officials yesterday. It was hoped that the controversy will be settled during discussions on the “one big union” plan, but television is proving a major stumbling block.

Unification plans are moving much more slowly than was anticipated. New members of the American Guild of Variety Artists were issued two weeks ago that the plan would be ready for their approval “within two weeks,” but it is far from ready. Equity laid claim to television jurisdiction by virtue of a provision inserted in its charter in 1931, but SAG and AFTRA proposed that a tri-union committee administer the field. Equity is prepared to accept a compromise, it is understood, but does not wish to surrender its authority completely to a committee. Equity committees have been gathering data on working conditions in the television field and are prepared to start organizing immediately, but clarification of jurisdiction is desired.

Meanwhile, Maida Read, A.G.V.A. executive secretary, resigned over the week-end, and the Executive Committee was advised by 4-A officials that she had resigned for personal reasons. She was succeeded by a temporary committee consisting of S.A.G. and A.F.R.A. Paul Dullzelli, Equity executive secretary, Florence Marston, S.A.G. eastern representative, and Emily Holst, A.F.R.A. executive secretary, comprise the committee.

Goldenson, Netter at Atlanta Parade

Leonard Goldenson and Leon Netter, Paramount executives, have gone to Atlanta, where they will resume discussions of a new operating agreement for the Paramount houses in the Lucas & Jenkins circuit.

The negotiations were begun here several weeks ago with E. V. Lucas and W. K. Jenkins, the former agreement under which the houses were being operated expired last July. Goldenson and Netter just completed an inspection tour of Paramount theatre properties in Detroit, Chicago and Minneapolis.

Morris Signs Fio Rito

Ted Fio Rito has signed an exclusive six-weeks contract with the William Morris agency and will record four sides for Victor next week before leaving New York on a tour now being booked.

For Lunch, Dinner or Supper

LaHiff's TAVERN

The Industry's

MEETING AND EATING PLACE

156 W. 48th St. Tel. Chickerling 4-4200

Storm Stops Coast’s Heat; Stars Escape

Hollywood, Sept. 25.—Southern California’s record eight-day heat wave was routed with violent winds and torrential rains, and today all-weather schedules were cancelled. The blazing temperatures had hindered picture shooting outdoors and postponed many production schedules.

The storm, in which 30 persons are believed to have lost their lives, caused no damage to studio properties, but during the heat wave and yesterday, Harry Rape, Metro producer, and a party were marooned in a small boat off Malibu. The anchor was cast. It rode out the storm until Rape and his guests were rescued this morning. Parties of guests on yachts owned by Errol Flynn, Frank Morgan, Victor McLaglen, John Ford and Frank Borzage were similarly marooned off Catalina by the high winds and seas, preventing landings until early today.

More than five inches of rain fell in downtown Los Angeles within six hours.

Further storm warnings ordered today caused Metro to postpone sending “Flying Down the River” to New York until the weather clears. Mud conditions on Warner’s “Fighters” is slightly interfering with the production.

Russia Will Show Stokowski Picture

“One Hundred Men and a Girl” will be shown in Soviet Russia under a deal negotiated by Anmiko with Universal.

The pictures, American picture purchased by Russia since Charlie Chaplin’s “Modern Times” in 1936. Negotiations have been on for several years. “Warner’s” “Juarez” and “Confessions of a Nazi Spy.”

The pictures made outside film deals on a flat purchase basis, acquiring a lavander outright. “One Hundred Men and a Girl” is a musical, featuring Tchirkino, export division of the Russian film industry.
WORLD PREMIERE! BIGGEST IN 5 YEARS!

EYES ON HOUSTON!
EXTRA! 2nd BIG WEEK AND STILL S. R. O.!

Watch the First Engagement of M-G-M's
"BABES IN ARMS"

Here's what Houston means for you!
Take a tip from Houston's hysteria!
Start your planning now!
Clear the decks for your run!
No attraction like it in years!
Ask M-G-M for Extra Time immediately!
"Babes in Arms"! Oh baby!
A Sedative
Toronto, Sept. 25.—An interesting phase of the war situation is that theatres have put an end to paging public during performance because of the disturbing effect upon the audience, several of whom attending the show to quiet the nerves.

Set Benefit Plans
At Meeting Today
Production of the sixth “Night of Stars,” to be given at Madison Square Garden Nov. 15, will be planned at a meeting today in the office of Martin H. Schenck of Loew’s. The benefit for the settlement of refugees in Palestine. Among those who will attend the meeting are Ben A. Boyar and Schenck, associate chairman of the management, Leo Feinberg, of Radio City Music Hall; Arthur Knorr, Jesse Kaye, Roxy Theatre; Harry Kalman, Paramount; Harri Pederson, Republic; CBS, Samuel Chatzinoff, representing NBC; Sidney H. Fiermonte and Lester Isaac, RKO; Frank Rochembloc, WHN, and John Shimbier.

Floyd Gibbons Dies; Famous War Writer
Floyd Gibbons, 52, noted war correspondent, died unexpectedly of heart disease Sunday night at his farm near Stroudsburg, Pa. Gibbons, the author of two series of “Your True Adventures” shorts for Warners and was well known on the radio, has been an eye-witness to the World War in 1918. His death cut short his intention to cover the current war for the Hearst organization.

Toscanini Concert Schedule All Set
NBC has completed programming the schedule for Arturo Toscanini’s broadcast concerts, which opened Oct. 14, and is now en route to the States.

Tour Films Delayed
TORONTO, Sept. 25.—It is reported in Toronto film exchange circles that the release by the Canadian Government of the official Royal Tourfeature of the visit of King George and Queen Elizabeth to Canada and the U.S. has been indefinitely postponed because of the war. In the meantime, two commercially produced Royal Tour features have played to many thousands of persons in Toronto and other cities.

Settle Plagiarism Suit
A plagiarism action brought by George Gershwin and Topping against Billy Rose’s “Jumbo, Inc.” and associated defendants was settled yesterday in N.Y. Supreme Court on payment of $500 to the plaintiffs and with the stipulation that there had been no infringement by the Rose production.

Robbery of Patron
In Theatre Raises Question for Jury
Liability of an exhibitor when a patron is robbed in an unattended ladies’ rest room, is a question of fact for a jury to determine, the Appellate Division, First Dept., ruled in a recent published decision. The ruling reversed a lower court decision which dismissed the suit.

Cora L. Hart brought suit against the Elephant Theatres Corp., operator of the Palace Theatre, Manhattan, and testified that she was robbed while in the ladies’ rest room on the balcony floor. Both the plaintiff and her husband testified that there was no matron, usher or attendant present except on the main floor. The lower court dismissed the suit after the defendant had been granted a motion to dismiss, but the Appellate Court declared:

“Defendant owed plaintiff the duty of exercising reasonable care to protect her from injury caused reasonably to be anticipated. Under the circumstances, she is entitled to a trial on the issue of the probability of finding facts showing that the defendant expected, or anticipated the happening of the incident related by the plaintiff; and if the jury shall find that defendant had no such expectation anticipated such eventuality, then it is also for them to determine whether the defendant took reasonable precautions against the possibility of the plaintiff being injured by a false alarm by the theatre with matrons, ushers and attendants or in some other manner.

Du Pont Produces Finer Positive Film
A new type of fine grain positive film for the war has been produced by the Film Manufacturing Co. from specifications set by three Paramount executives, under the personal supervision of Leon Leonidoff, and James R. Williams, head of the studio sound, photographic and laboratory departments respectively. The new type film is so fine that film from fine grain negative film, is said to have improved qualities for both positive and negative reproduction.

On the photographic side, it is reported that reduction to a minimum screen process, of distortion and reduction of grain is said to aid sound reproduction.

December Trial Set For Movietonews
N. Y. Supreme Court Justice Isidor I. Stone has ordered the trial of the International Film Corp., against Movietonews and Fox Film Corp. to proceed to trial before a jury on the 6th of December.

The action seeks $100,000 for the loss of a plane loaned to the newsreel by the plaintiff in 1919, to transport pictures of the assassination of King Alexander of Yugoslavia.

‘Conflict’ Opens Oct. 6
The French film, “Conflict,” starring Jean Gabin and M.-A. Leduc, will open at the Little Carnegie Playhouse on Oct. 6. The film is released in this country by Transatlantic Distributors, Inc.

‘Rains’ Wins Biggest Draw At Pittsburgh
Pittsburgh, Sept. 25.—The Harris Alvin hit the top spot with $16,000 for the week ending Saturday, followed closely by “The Star Maker” drawing equally as large at Loew’s Penn. Estimated takings for the week ending Saturday were:

“The Rains Came” (20th-Fox) ALVIN ($1,900) (25c-35c-stk) 7 days. Gross: $13,220. Average: $1,888.

“Stanley and Livingston” (20th-Fox) LEW’S PENN (Para) ($1,700) (25c-35c-stk) 7 days. Gross: $12,000. Average: $1,629.

“The Road to Glory” (20th-Fox) (Reissue) M.L. HOBSON—(20th) ($1,600) (Average, 5) $10. Average: $2.80.

“Only Angels Have Wings” (Para) LOEW’S PENN (0.00) (25c-35c-stk) 7 days. Gross: $10,000. Average: $1,429.


“Magnificent Fraud” (Para) WARNER (35c-4c) 7 days. Gross: $4,000. Average: $571.

Fox Officials Attend Kent Sales Meeting
Home office executives of 20th Century-Fox will attend a branch sales meeting here today in connection with the S. R. Kent sales drive. This week will see the sales drive of M. A. Levy of Minneapolis, drive leader.

Attesting the meeting today will be Herman Wobber, general sales manager; Charles E. McCarthy, advertising and publicity director; Division Manager, William Gruenke, W. J. Kupper and W. C. Gehring; Roger Ferri, editor of the Dynamo, company newspaper; Harry B. Steinberg, head of the public relations office; Harold L. Huxbaum and Joe L. Lee will head the branch forces at the rally.

Republic Closes Deals In St. Louis
Republic closed a deal over the weekend with Fanchon & Marco first run house located at 9th and the Fox Avenue and the Fox Ambassador, Missouri and St. Louis, for 1939-40 product. Another deal was closed, with St. Louis Amusement Co. for 26 subsequent run houses in the same city.

Thaddeus L. Granger, Republic president, and Nat Steinberg and Barney Roseenthal, St. Louis franchise holders, acted for Republic while Harry Arthur acted for St. Louis Amusement and Max Schuler represented St. Louis Amusement.

Producers Debate IA’s Strike Threat
(Continued from page 1)

Guild, which last week’s election to determine the collective bargaining agency for studio workers, has filed a complaint with the National Labor Relations Board.

The Guild is seeking a new studio election, and the Allieders had already filed a petition. The IA has also moved to have the board's order in effecting the election canceled.
MORE LIGHT is the slogan of the day. From newspapers and magazines, the lecture platform and the school, the public is being taught the sight saving value of plenty of light.

Put your theater in step with this upward trend in light intensity. It has popular appeal. People like to enter a theater in which they can see their way to their seats. And they can do just that in the many theaters that are now equipped with high intensity projection.

Think this over if you still have low intensity projection. Those first minutes of blindness result from the low level of general illumination necessitated by lack of light on the screen. Don’t let poor lighting drive your patrons to other theaters. Install Simplified High Intensity projection and attract that growing body of theater-goers who appreciate plenty of light.

Write for a free copy of the booklet, “The Eternal Triangle in Picture Projection.”

The words “National” and “Suprex” are trademarks of National Carbon Company, Inc.

NATIONAL CARBON COMPANY, INC.
Unit of Union Carbide Corporation
CARBON SALES DIVISION, CLEVELAND, OHIO
General Offices: 30 East 42nd Street, New York, N. Y.
BRANCH SALES OFFICES: NEW YORK, PITTSBURGH, CHICAGO, SAN FRANCISCO
'Beau Geste' High Grooser In Twin Cities

MINNEAPOLIS, Sept. 25.—"Beau Geste" at the State was the best business gross for a Hollywood production, did very well too, taking in $20,000 at the Orpheum.

In St. Paul, "Beau Geste" was again the top-notch at the box-office, bringing in $2,000 to the Paramount. Estimated takings for the week ending Sept. 21.

Minneapolis:
- "The Spellbinder" (RKO), ASTER (900), 3 days; Gross: $2,000, (Average): $666.
- "Each Dawn I Die" (W. B.), CENTURY (1,100), 7 days, 2 week; Gross: $2,500, (Average): $357.
- "I Stole a Million" (Paramount), GOFHER (500), 7 days; Gross: $2,000, (Average): $286.

"Golden Boy" (Col.) ORPHEUM—(2,000) (25c-40c) 7 days; Gross: $1,800, (Average): $257.

New "Beau Geste" (Para.) STATE (1,500) (25c-40c) 7 days, Gross: $1,900, (Average): $412.

"Peril" (RKO) A-WORLD (600) (25c-40c) 7 days, 3rd week, Gross: $1,000, (Average): $143.

"When Tomorrow Comes" (Univ.) ORCHARD (1,200) (25c-40c) 7 days, Gross: $1,500, (Average): $214.

"Blast" (Goldwyn) PARAMOUNT (2,500) (25c-40c) 7 days, Gross: $2,000, (Average): $286.

Theatre, Personal Notes

Legion Approves 12 Of New Pictures

Legion of Decency for the current week has approved 12 of the new pictures reviewed and classified, nine for general patronage and three for adults, and closed three as objectionable in part. The new films and their classification follow.


Stations Join Mutual

WKRC, Cincinnati; WLAP, Lexington, Ky.; WIX, Nashville, WGR, Louisville, and WCMF, Ashland, Ohio; yesterday became affiliated with the Mutual network.

March on Texaco Show

Florence Eldridge and Fredric March will co-star in Philip Barry's "Tomorrow and Tomorrow" on Texaco Star Theatre Oct. 4.

Cut Seattle Prices

SEATTLE, Sept. 25.—Matinee prices at all downtown first run theatres have been reduced again, for the second time this month. The 120-cent rate is 25 cents until 6 P. M. on every day except Saturday and Sunday, instead of the former 30 cent rate. The price is 75 cents and 2 P. M. Evening prices remain at 40 cents, as before.

Protests Theatre Tax

PORT ST. JOE, Fla., Sept. 25.—Hugh G. Martin, owner of the Port Theatre, appeared before a recent meeting of the board of city commissioners to protest the imposition of a city tax on theatre admissions to increase local revenue.

Start Columbus Vaude. Soon

COLUMBUS, O., Sept. 25.—The RKO Pabst will inaugurate its stage show season Oct. 6, for the premiere of "Feathers." The company has been booked in for a three-day engagement. The house now is playing double features.

Managers in Cincinnati

CINCINNATI, Sept. 25.—James Wood, formerly manager of the suburban Mariemont, has been placed in charge of the new Elwood, 900-seat suburban theatre, succeeded by Elwood Amusement Corp.

Plans South Carolina House

ROCK HILL, S. C., Sept. 25.—R. E. Bryant, owner of the Capitol, has purchased the Pal together with the neighboring Cedar St. Theatre for a total of $8,000, and the Capitol will be erected on the site.

Remodel Miami Theatre

MIAMI, Sept. 25.—Remodeling work has been started at the State, which is temporarily closed.

Admit Children Free

SEATTLE, Sept. 25.—Children under 12 years of age, when accompanied by their parents, are being admitted free to the Metropolitan Theatre here. The house is operated by the Herbert Rosen circuit on a foreign film policy.

RCA Closes Deals

RCA Manufacturing Co. has closed equipment deals with the following theatres: Florida Theatre, West Palm Beach, Fla.; Orpheum, Green Bay, Wis.; Uptown, Muscatine, Ia.; Lake, Lake Worth, Fla.; Livd Calvert, Baltimore, Md.; Crystal, Brooklyn, New York; Yorkers, N. Y., Fox, Fort Worth, Tex., and the Plaza, Youngstown, O.

Shrifs Fabian Men

Harry Black, general manager of Fabian State Island theatres, has promoted Edgar Goth, manager of the Mill Creek and the reality head; moved John Finkles from the Liberty, Stapleton, to the Paramount there, Elihu Glass succeeds Finkles at Fabian's Liberty.

Changes in New Haven Area

NEW HAVEN, Sept. 25.—Various schedule changes have been made in the territory. The Winchester, Fish- man Park for the first time, has returned to full time operation. Warners' have resumed three-a-week op- eration at the Forefront, Ansonia, The Lively, Plainfield, under cutback, but the latter two's operation has been increased from three to six-a-week programs. The Edmondson Town Hall, Newton, has been reduced to four days a week, and Colorse's Cinema, Sound View and the Tower, Waltham and metropolitan, have been closed. Loew's have reopened the Lyric, Bridgeport, for weekend holder- only from the Poli and Majestic. Warners' also have made changes in admissions, raising all the Hartford neighborhoods from 25 to 30 cents, and the Cameo, Bristol and Strand, Manchester, from 35 to 40 cents. The Colonial, Hartford, tried as first run, day show at New London has been a Strand for a few weeks, has been returned to its former second run policy.

Drive-In House Gets Stay

MILFORD, Conn., Sept. 25.—The 900-car Milford Drive-in Theatre will run full house during the summer, with the stop- cution of the permanent injunction against it. The Drive-in was sued as a public nuisance in the Superior Court by Mr. Frank resident, and he has taken an appeal to the Supreme Court from the unfavorable decision.

Improve Texas Theatre

CORPUS CHRISTI, Tex., Sept. 25.—Corpus Christi Theatre has been reopened, improving the Ritz, and the Grande and Melva are scheduled to have Neon signs installed.

Build at Bryan, Texas

BRYAN, Tex., Sept. 25.—The Argyle will be built here by Bryan Amuse- ment Co.

Herron Joins GoldE Co.

CHICAGO, Sept. 25.—L. M. Herron, for the past 12 years has been active as a country and city salesman for Metropolitan Theatre Co., has been appointed sales manager of the GoldE Manufacturing Co. here.

Remodel Texas House

PORT, Tex., Sept. 25.—Port Theatre, once known as the Marigold, has been bought by C. W. Reepma, and closed for two years, has been remodelled, with 200 seats added.

Reopen in Toronto

TORONTO, Sept. 25.—The Garden Theatre here has reopened after being closed for the Bloom & Fine after a Summer layoff— but Soviet and foreign language films are still being shown, as was the case under the previous policy. The theatre is now offering chinaware gifts instead—along with double features in the program.

Springs Builds in Florida

LAKE WORTH, Fla., Sept. 25.—Permit has recently been obtained for the construction of a $6,000 Springs theatre here and work will begin as soon as the ground is cleared.

Close Two in Ashtabula

Following the closing of the Ocean last Tuesday and the Paramount next month, four theatres in Ashbury Park will close. They are the Lyric, St. James, Mayfair and Savoy.

in the general quota list. An annual world quota is set of 375,000, and for the annual total, 250 may be exhibited in first run houses with orchestras, and 100 in second run houses without orchestras. The remaining 120 films may not be shown within a year of their release. Short subjects and newsreels not exceeding 600 meters in length are also free of import restrictions. The average royalties payable on foreign product imported into Greece are fixed at $1,200 for the first group and $300 on films designed for showing in lower priced houses.

Washington, Sept. 25.—New import regulations for motion pictures entering Greece have been established, following the sending to the U. S. Department of Commerce from Commercial Attaché H. Lawrence Groves at Athens.

Rogers Sets Deals

On ‘Warning’ Film

Budd Rogers, vice-president and general manager of Alliance Film Corp., has set distribution deals for "The Warning," three-reeler on English royalty.

Louis Baxter is handling the film in Texas, Oklahoma, and Arkansas, Sack Amusement Enterprises is covering the rest of the country.

Berkman Will Keep

RK Post Till Nov. 1

Berkman has been granted RKO production for the past five years. He was assistant to Merian Cooper before the latter established his own production studio, and to David O. Selznick and William LeBaron prior to that time.

The original plans were to go abroad for a special contract, however the war had no doubt changed all of those arrangements. There is no indication given of what will be done when his term at RKO ends in a month.

Drop Murphy Order

On Roosevelt Order

WASHINGTON, Sept. 25.—Desire of President Roosevelt to have his own plan carried out during the present emergency was responsible for the final abandonment of plans to have Attorney General Frank Murphy address the Motion Picture Democratic Committee dinner in Los Angeles, it was said at the Department yesterday. It was explained that when Murphy asked the President for permission to go abroad, the latter had evinced the desire to have him remain nearer home for the present. Upon this information being transmitted to the committee, it was suggested that the Attorney General's address might be broadcast, but later it was decided to cancel it entirely.
‘Rains Came’ Draws $7,200 In Milwaukee

MILWAUKEE, Sept. 25.—Week’s best bet was “The Rains Came” and “Stop, Look and Love” with $7,200 at Fox’s Capitol. “Two Bright Boys,” with A Stage show, at the Riverside drew $7,000.

Estimated takings for the week ending Sept. 21:

- "Golden Boy" (Col.)—Five Little Peppers (Col.)—PALACE—$2,400 (25c-35c-50c), 7 days. Gross: $4,000. (Average, $571.43)
- "Twilight's Last Gleaming" (20th-Fox)—RICHD.—$3,400 (25c-35c-50c), 7 days. Gross: $7,200. (Average, $1,028.57)
- "The Star of Love" (Paramount)—FRANKENSHINE MARSHALL (20th-Fox)—STRAIND—$(4-400) (35c-50c-75c), 7 days. Gross: $1,200. (Average, $164.29)
- "In Name Only" (RKO)—THE HIDDEN DRUG BUSTERS (W. B.)—WARNER—$(4-400) (35c-50c-75c), 7 days. Gross: $4,800. (Average, $685.71)
- "The Rains Came" (20th-Fox)—STUP, LOOK & LOVE—WISCONSIN—$2,000 (25c-35c-50c), 7 days. Gross: $7,200. (Average, $1,028.57)

"Fifth Avenue" Hits $7,900 in Montreal


Estimated takings for the week ending Sept. 22:

- "Dust Be My Destiny" (W. B.)—EVERYBODY CAUSELESSES (COLUMBIA)—CAPITOL—$(3-400) (35c-50c-75c), 7 days. Gross: $6,300. (Average, $900)
- "Stanley and Livingston" (20th-Fox)—LOEW'S—$(3-400) (35c-50c-75c), 7 days. Gross: $5,000. 2nd week. (Average, $800)
- "They Shall Have Music" (U. A.)—OKFILL—$(2-150) (35c-50c-75c), 7 days. Gross: $4,000. (Average, $571.43)
- "The Adventures of Sherlock Holmes" (20th-Fox)—STUP, LOOK & LOVE—PRINCESS—$(2-227) (35c-50c-75c), 7 days. Gross: $4,500. (Average, $642.86)

"Mademoiselle Ma Mere" (J. H. Hofberg-Co-Regina Films)

An amusing bedroom farce in the French manner, which is to say, gay in situation and dialogue, bordering closely on the risque at times, and withal quite entertaining—for adults—is this importation from France. Regina Films of France produced the film.

Directed by Henri Decoin from an adaptation of the farce by Louis Vermeul, the film has a particular appeal for American audiences in a starring role played by Danielle Darrieux, who steps out of her usual tragic screen frailty to stamp and kick and squeal through the bright moments of farcical comedy.

That she does well with her assignment—it is a little too well at times—a tribute to her versatility. Her supporting cast includes no players known to American audiences. Charles Juthrum has supplied a plentiful quantity of English subtitles translations of the French dialogue.

In an effort to avoid marriage with a man she does not like the flighty and piquant Miss Darrieux marries a man old enough to be her father's wife, and good looking son. As his stepmother ignores his father and goes her merry way, he employs a private detective to shadow her. When she attempts to go away with another man, he follows, and the young pair suddenly discover they have been in love with one another from the start. Father is too old, but hemarries the woman, and his son marries his former wife—or something.

Running time, 85 minutes. 

Charles S. Aaronson

Columbia Recording Plans Radio Series

Columbia Recording Corp., subsidiary of CBS, has been a half hour each week on the network, beginning Sept. 29, on behalf of Columbia recordings. The show is to be called “Young Man With a Band” and will be broadcast Fridays from 10:30 to 11 P.M. over a network of 30 stations.

A different Columbia band will be featured each week, starting with Horace Heidt. Dan Seymour will act as master of ceremonies and John Henry Hammond, Jr., a member of the Columbia recording staff, will act as musical advisor.

Seebach Promoted

Julius F. Seebach, Jr., director of program operations for WOR, has been appointed vice-president in charge of the station’s radio and board of directors meetings. Seebach joined WOR four years ago, coming from CBS, where he also served as program director.

Feature Reviews

"$1,000 a Touchdown" (Paramount)

Hollywood, Sept. 25.—"$1,000 a Touchdown" is comic farce entertainment with Joe E. Brown and Martha Raye featured in roles as funny as they ever have had. There’s no such a thing as seriousness in the show. The Delmer Davis screen story is full of nonsense and producer William C. Thomas and director James Hogan, knowing very well what audiences expect of the comedy duo, let them burlesque things to a fare-thee-well.

The college, a family heirloom over which Miss Raye presides, is going to seed until broken down actor Brown shows up and sells her college to the highest bidder, and the campus filled with co-eds. Other college elements won’t have anything to do with the bizarre outfit. Therapeut Miss Raye challenges a champion professional team. Her best laid plans to pay off the mortgage by betting both ends against the middle fall until president-coach Brown enters the fray. He wins the game in side-splitting style.

Built for laugh purposes, "$1,000 Touchdown" shouldn’t have much difficulty in making almost anyone laugh. Running time, 70 minutes. By "G." 

G. McC.

w"G" denotes general classification.

"Mademoiselle Ma Mere" (J. H. Hofberg-Co-Regina Films)

An amusing bedroom farce in the French manner, which is to say, gay in situation and dialogue, bordering closely on the risque at times, and withal quite entertaining—for adults—is this importation from France. Regina Films of France produced the film.

Directed by Henri Decoin from an adaptation of the farce by Louis Vermeul, the film has a particular appeal for American audiences in a starring role played by Danielle Darrieux, who steps out of her usual tragic screen frailty to stamp and kick and squeal through the bright moments of farcical comedy.

That she does well with her assignment—it is a little too well at times—a tribute to her versatility. Her supporting cast includes no players known to American audiences. Charles Juthrum has supplied a plentiful quantity of English subtitles translations of the French dialogue.

In an effort to avoid marriage with a man she does not like the flighty and piquant Miss Darrieux marries a man old enough to be her father's wife, and good looking son. As his stepmother ignores his father and goes her merry way, he employs a private detective to shadow her. When she attempts to go away with another man, he follows, and the young pair suddenly discover they have been in love with one another from the start. Father is too old, but he marries the woman, and his son marries his former wife—or something.

Running time, 85 minutes. 

Charles S. Aaronson

Appellations Against On 'Nation' Showing

DENVER, Sept. 25.—Appeal from the conviction of Robert E. Allan, local capitalist, that he failed to pay $21,000, under a "Under-Pup" deal nicely at RKO-Keith's with $7,300.

Estimated takings for the week ending Sept. 21:

- "Thunder Afloat" (M-G-M)
  - LOEW'S—CAPITOL—(3-44) (35c-60c-50c), 7 days. Gross: $1,150. (Average, $164.29)
- "Lady of the Tropics" (M-G-M)
  - LOEW'S—COLUMBUS—(2-125) (35c-50c-75c), 7 days. Gross: $7,400. (Average, $1,057)
- "The Star Maker" (Paramount)
  - WARNER'S EMBASSY—(2-218) (35c-50c), 9 days. Gross: $1,150. (Average, $127.78)
- "The Old Maid" (W. B.)
  - WARNER'S METROPOLITAN—(1-919) (35c-60c-50c), 7 days. Gross: $7,300. (Average, $1,042.86)

"Beau Geste" (Para.)

NEW HAVEN, Sept. 25.—"Beau Geste" ($7,800) at the Paramount drew $6,700. "Dust Be My Destiny" and "Nancy Drew and the Hidden Staircase" at the Roger Sherman grossed $5,500.

Estimated takings for the week ending Sept. 22:

- "The Name of the Game" (RKO)
  - "Charlie Chan on Treasure Island" (20th-Fox)
  - COLLEGE—(1-499) (35c-50c), 7 days. 2nd week. Gross: $1,600. (Average, $228.57)
- "The Rains Came" (20th-Fox)
  - "Jones Family in Hollywood" (20th-Fox)
  - LOEW'S—POLIO—(2-104) (35c-50c), 7 days. Gross: $3,500. (Average, $500)
- "Dust Be My Destiny" (W. B.)
  - "Charley's Aunt" and the "Hidden Staircase" (W. B.)
  - ROGER SHERRMAN—(2-300) (35c-90c), 7 days. Gross: $5,500. (Average, $785.71)

Northwest Film Club Headed by Sheffield

SEATTLE, Sept. 25.—J. T. Sheffield, Republic Pictures franchise holder in this territory, has been elected president of the Northwest Film Club for the 1930-40 term. Frank Christie of Hamrick-Evergreen Theatre circuit will be first vice-president and president of the Northwest Film Club branch manager, will be second vice-president. Ed Lamb, manager of RKO exchange, will be executive treasurer of the club since its inception, was reelected.

New members of the board of trustees for the two-year terms, are: B. F. Shearer, retiring president; Leroy V. Johnson, Jensen-VonHerkerg circuit, and Keith Beckwith, Columbia.
Trade Mourns For Laemmle; Funeral Today

(Continued from page 11)

right and kept his plighted word. He
gave more than he asked. His friend-
ship braved the storm.

"Carl Laemmle had and deserved the
deep personal affection of all who
knew him. He was a little man who
was big enough to earn his place, a
hero in a public and a personal
way."—BARNEY BALDWIN.

Souls, "the death of Carl
Laemmle marks the passing of
one of the true pioneers of motion
pictures—the men of vision, daring
and indomitable courage who forged
and guided it through the troubled
early years of its existence. The
entire film industry mourns his passing
and honors his memory."

"Brave, Adventurous Spirit
MURRAY SILVERSTONE—"To his
family and to the industry Carl
Laemmle made his life's work, I offer
deep and sincere condolences. He was
a genuine pioneer with a brave, adventurous
spirit. I think this industry is much
greater and owes much to the
work of Carl Laemmle."

"George J. Schaeffer—"Carl
Laemmle helped mold the first half-
century of the motion picture industry. Almost
from its beginning he was a
vital force in it and his contributions
to its progress were many."

"Jack Cohn—"Having started
my motion picture career 30 years ago in
close association with Carl Laemmle,
Sr., I feel qualified to say that Carl
Laemmle was directly responsible for
the hard-driven development of our
industry. He had great foresight and
unlimited courage. I feel a great per-
sonal loss in the passing of Carl
Laemmle and was shocked beyond
words when I heard of it."

"Played An Important Role
A. Montague—"I was terribly
grieved and shocked to learn of the
death of Carl Laemmle. It seems
that when the industry was brought to
this country it is always with
the opinion that Mr. Laemmle played
one of the most important parts in the
development of this industry, and
naturally all are grieved at his passing."

"New E. Defont—"Having worked
for Universal from its organization until
1924 I had the opportunity to
know personally of the great leaders-
ship of Carl Laemmle and to respect
and admire his unbounded spirit and
courage."

"Edward A. Golden—"I have known
Carl Laemmle for over 25 years. In
day of crisis, when I founded the Uni-
versal franchise for New England, we
were closely associated, and I had a
great opportunity to observe this
dynamic little general functioning as a
leader and an independent fighter.
He really and truly was the first
fighting businessman in the business.
He followed sound principles and overcame great obstacles
by his determination in pursuit of an
idea. The industry lost a tough
champion for independents when he
retired, and in his passing, the world
lost a kind, charitable gentle-
man."

"W. Ray Johnston—"The death of
Carl Laemmle marks the passing of
one of the great figures of our indus-
try. His career summarizes in many
ways the evolution of motion pictures.
Although he had retired from active
participation in the industry, he
has left an indelible mark of
influence and lasting im-
pression on it."

Survived Many Crimes
WILLARD McKAY—"Carl Laemmle
was one of the truly great men of the
motion picture industry. I have known
him 60 years and have always
looked upon him as an able and courageous
executive leader. I don't know any
man who has successfully come through the
recessions, depressions and, physical
and spiritual, than did Mr. Laemmle
during his career. Only his indomi-
table spirit made this possible. How-
ever, it is as a real friend that I shall
miss him most."

"James S. Grainger—"It is difficult
for me to put into words what I feel
regarding the loss of the beloved Carl
Laemmle, Sr. I have always
looked upon him as my best
friend, and like others who knew him or felt his influence, will
remember him always for the whole-
time, tenderly and sincere person that
he was."

Leaves A Great Heritage
GEORGE W. WEEKS—"The film
indus-
tory is without the personality of Carl
Laemmle. Truly a pioneer, his color-
ful and colorful role was the vital part of the heritage of all
who labor in filmdom."

"Harry L. Gold—"The birth of the
motion picture industry and its subse-
quently success can be laid squarely at
the door of Carl Laemmle—a man
who, for almost 30 years, made his
life's work the building of the great
motion picture industry. Everything
we have today, owe basically to 'Uncle
Carl.' Long may his memory be re-
vered in this industry."

"L. J. Schaeffer—"Carl Laemmle
was one of the most beloved men this
pioneer, and the other men in his
industry, were ever known. From coast to coast, to
thousands of exhibitors—and, in
fact, all over the world—the name of Carl
Laemmle was a symbol of friendship
and fair dealing. He was my personal
friend, and I worked with him for
many years. His passing leaves this
industry minus one of its truly great
leaders."

"Louis B. Mayer—"It is impossible
to believe that Uncle Carl has crossed to
the Great Beyond. This great
day in the history of motion pictures
has been a part and parcel of the
development of our industry. Carl
Laemmle was beloved by countless
numbers to whom he was so sym-
thetic and helpful."

"Harry M. Warner—"The loss of
Carl Laemmle was indeed a sad blow
to the industry in which he was a
pioneer. We shall miss him greatly."

"Joseph M. Schenck—"Passing
of Carl Laemmle was a shock and a
great loss to the motion picture indus-
tory. He was more than a pioneer
—he was a builder. A kind gentle-
man, he fought for industry at time
when it was weak and shACKed and,
due to his courage and independence,
the fight was won."

SAMUEL GOLDWYN—"Death of Carl
Laemmle marks the passing of a true
pioneer whose determined spirit
reflected his faith in an infant industry.
He lived to see that faith justified.
His achievements for motion picture
business are a monument to the man,
who, in working so long and so
weary, always served as an inspiration to those who follow
in his footsteps."

"Jack L. Warner—"Death has re-
moved one of the industry's truly great
figures in Carl Laemmle. It is a
severe loss to the thousands who knew
him and regarded him with deep
affection."

"Jules Levy—"Carl Laemmle had
the vision of a pioneer and the
courage of a builder."

"Edward A. Small—"Few men
have contributed so much to any
industry as Carl Laemmle, Sr., did
to motion picture business. He was a
symbol of showmanship because of his
uncanny ability to interpret the public
desire in the matter of entertainment.
Possessing in great business, he leaves
a rich heritage."

"David O. Selznick—"The passing
of Mr. Laemmle is a source of great
sorrow to all who grew up in the pic-
ture business and knew him as one of
the great and best beloved pioneers."

"M. G. Steiger—"The influence of
this highly respected pioneer of the movie
industry will long be felt for he was a
leader in work and deed."

Biographic's Bronx Studio To Suspend

Due to the adverse effect of war
conditions, the Biographic Studio in
the Bronx will suspend operations on
Saturday, according to W. J. Sullivan,
general manager, and will suspend
an employee of the Bio-
graphic Studio's principal output consists of shorts for
Columbia, Universal and RKO.
The Newspaper Film Critics of America, new national organization of motion picture editors and critics of the daily press, have set March 2-4 as the dates for the first national convention of American film editors.

Merle Potter, film editor of the Minneapolis Times-Tribune, will serve as general chairman of the committee to poll the membership on the best pictures and performances of the year. The notification was sent by Harry Marquand, editor of the Minneapolis Commercial Appeal, chairman pro tem of the organization.

Laemmle has agreed to discontinue his own annual poll, and to assume the chairmanship of the official awards committee for the first year. The organization's planning committee, consisting of Potter, Marvin, Buck Herzog of the Milwaukee Sentinel, secretary pro tem; Keith Wilson of the Omaha World-Herald, met in Chicago last week.

They worked out a skeleton version of the constitution, for the organization, which will be presented at the March meeting. They call for the election of a board of governors to be chosen on a regional basis, the board in turn to name the national officers for the year. A temporary board is being selected by appointment of the committee to serve until an election can be held in each region.

Memphis has offered to play host to the March convention, but the committee has deferred a decision until a check of opinion can be obtained.

Trade Chiefs Attend Laemmle’s Funeral

Los Angeles, Sept. 26.—Final rites for Carl Laemmle, Sr., were held at 12:30 today at Temple B’nai B’rith, with Rabbi Edgar Maginn officiating.

Leaders of the city’s professional, business, educational and cultural life; numerous film executives, stars, producers, directors and extra players, present to the humbled who called “Uncle Carl” their friend, crowded the Temple to pay their last respects.

Laemmle was eulogized by Rabbi Maginn as follows:

"He was little in stature," he said, but he was big in spirit; a man whom to know was to love.”

Addressing members of the family, he emphasized that they ever would have before them an inspiring memory and that while “his passing is a sad tragedy, his noble life is a treasure to comfort you in your hour of grief and in which you may ever find consolation.”

Following the Temple services the body was taken to Temple of Peace Cemetery where private services were held for members of the family. Pending a decision as to final resting place, the body was temporarily entombed in the House of Peace Mausoleum.

Active pallbearers were David Tannebaum, Ben Strauss, Herman Einstein, Jack Ross, Sam Van Ronkle, Dr. Leland Hawkins, Sam Behrendt and Fred S. Meyer.

Laemmle’s will revealed that he left an estate of over $4,000,000 with provisions for his family and requests that his favorite charities be carried on.

Buying Pool Debate By Oklahoma Allied

OKLAHOMA CITY, Okla., Sept. 26.—Eleven members of the Allied Theatre Owners of Oklahoma attended the first annual convention at the Biltmore Hotel today, first day of a two-day scheduled two-day meeting.

Speakers included Col. H. A. Cole, Dallas, president of National Allied; George Miskovsky and William High, state representatives, sponsors of chain tax legislation affecting theatres in the next session of the legislature; Dr. W. B. Rizzell, president of University of Oklahoma, speaking on visual education; Dean Arthur B. Adams, dean of the School of Business, University of Oklahoma, speaking on monopoly in business.

Cole said “You cannot correct an evil by doing the same methods to fight it,” referring to the proposed buying pool suggested for use of Oklahoma exhibitors which was supposed to have been put in use here first and then adopted nationally by the National Allied if successful in Oklahoma.

“The buying pool puts too much power into the hands of one man or a few men,” Cole said in warning the organization.

A business session to consider adoption of a constitution, rejection or adoption of the buying pool plan, elections of officers and other matters are scheduled to be considered tomorrow morning.

There is some discussion of merging the Oklahoma organization with the Texas Allied because of the lack of interest among Oklahoma independents.

Silverstone Leaves For Coast Friday

Maurice Silverstone, United Artists chief executive, will leave for the Coast on Friday for conferences with company producers.

Also scheduled to leave New York for the Coast on Friday is George J. Schaefer, RKO president, who will discuss future production plans and studio economies made necessary by the war emergency.

Erich Pommer, whose “Jamaica Inn,” starring Charles Laughton, is scheduled to open at the Rivoli, following the run of “The Real Glory,” also will depart for the Coast on Friday.

Bronx Property to Close Down on Saturday

Several proposals have been received from major companies and others for lease of the Biograph studio in the Bronx, which is to be relinquished Saturday by Consolidated Film Industries at the expiration of its lease.

Proposals for purchase of the property have also been discussed, according to a representative of the Actinograph Corp., which owns the studio. Actinograph is a subsidiary of the Empire Trust Co.

Consolidated, through its subsidiary Biograph Corp., operated the studio for seven years. In the last two years it has not made much use of it, but has sub-rented it to others.

The studio, one of the oldest in the country, is assessed by the city at $425,000. Consolidated spent a large sum in improving the studio for sound work, but when it took over the property, the equipment was owned by Consolidated, and it is understood will be removed unless a deal is made by a new lessee.

Actinograph acquired the Biograph studio in 1932 under a mortgage.

U.S. Begins Census Of Theatres Jan. 2

WASHINGTON, Sept. 26.—Details of the 1939 census of amusement, to be taken next January, were made public today by the U. S. Census Bureau.

Enumerators going into the field January 2, will report, in addition to details of identification, the seating capacity of the houses, total 1939 boxoffice collections, amount of amusement taxes collected from customers and paid by the theatre directly to any local, state or federal taxing agency, and details of employment. A separate report will be required for each theatre in the case of circuits.

Details of the 1939 business census, in which it is estimated 50,000 places of amusement will be visited, will be comparable with the earlier canvases covering 1929, 1933 and 1935. First results of the survey will be made available during 1940, but complete details will not be published until sometime in the following year.

Sale or Lease Of Biograph's Studio Looms

NEW YORK, WEDNESDAY, SEPTEMBER 27, 1939

TEN CENTS

MOTION PICTURE DAILY

All U.S. Joins In Industry’s Gold Jubilee

Programs Next Week to Climax Observance

Observance of motion pictures fifteenth anniversary will reach a climax next week with local activities having been arranged by parts of the country. Luncheons, dinners, meetings, radio broadcasts, school, library and club activities are included on the various programs.

Weekend issues of the newspapers will include the visit of Will H. Hays to the Edison laboratories in West Orange, N. J., to pay the industry’s tribute to Thomas A. Edison’s memory for his invention of the motion picture. The noted clips will show the inventor’s widow, Mrs. Mina M. Edison Hughes, exhibiting one of the original Kinetoscopes, still in operation, to Hays.

It was the completion of the Kinetoscope on Oct. 6, 1889, that marked the birth of the motion picture. The date has been used as a news peg for theatre advertising and publicity campaigns to attract attention to this season’s films after 50 years of motion picture development.

The industry’s 25th Anniversary committee has available radio scripts containing highlights of film history which may be adapted to local use by inserting reminiscences of theatre and theatre development in individual communities.

Another radio script has been prepared by Mrs. Malcolm Parker MacCoy, chairman, Department of Motion Pictures, of the N. Y. State Federation of Women’s Clubs, for the use of local chairmen.

Elaborate celebrations have been ar-
**Selznick Publicity Post for Birdwell**

Hollywood, Sept. 26.—David O. Selznick today engaged Russell Birdwell as publicity counsel to David O. Selznick, Inc. The deal becomes effective immediately with Birdwell acting as advisor to the present Selznick press staff working under his supervision.

Selznick and Birdwell will meet tomorrow to plan the formation of a permanent press office for the Selznick International Pictures. At the same time plans will be formulated to exploit "The Sea Hawk," "Intermezzo," and "Rebecca.

While taking on the Selznick account Birdwell will continue his independent publicity service. Bill Herbert's status as publicity director remains unchanged for the present.

**New NBC-Red Serial**

"Against the Storm," a new five times a week serial, will start over NBC-Red Oct. 16. The program will be heard for 15 minutes from 5:15 p.m. Foster & Gamble is the sponsor and Compton Advertising is the agency. Sandra Michael wrote the script.

**File Appeal on 'Birth'**

Albany, Sept. 26.—Notice of appeal to the N. Y. Court of Appeals from an adverse three to two decision of the Appellate Division which upheld the censorship ban on "The Birth of a Baby" has been filed by Sam Citron for the Committee on Maternal Welfare.

Pelham House Closed

Pelham, 900-seat house operated by the Coney Island Motion Picture Corp. in Pelham, N. Y., has closed.

---

**Purely Personal**

W. RAY JOHNSTON, Mono-
gram president, returns to the
home office today after completing
conferences on production plans at the
studio.

- HERBERT I. ROSENTHAL, general
manager at Continental, Inc., left
Hollywood by plane yesterday
for the opening of the ORSON WELLES
and ANDRE KOSTELANETZ broadcasts
from the coast on Oct. 2 and Oct. 8,
respectively. ROSENTHAL will remain
on the Coast for three weeks.

- JOSEPH BERNHARD, general manager
of Warner Theatres, returned to the
home office yesterday from Washing-
ton, where he conferred with JOE
PAYETTE, zone manager, and his staff.

- M. A. SILVER, zone manager for
Warner, is making a tour of circuit
theatres in western New York, plan-
ing stops at Jamestown, Batavia,
Medina, Olean, Hornell and Elmira.

JULES LEVY, RKO sales manager,
will leave for Detroit at the end of
the month and will call on the
there for NAT LEVY, who is being
transferred to Philadelphia.

- PRESTON STURGES, writer, was
signed by Paramount yesterday to direct "Down Went McGinty," his second original story which he will also write the screenplay.

- KATHLEEN MUNGER, Quigley
Publishing Co. receptionist, will be
married on Oct. 14 to WILLIAM E.
O'CONNELL at St. Michael's Church,
Flushing, L. I.

- TED HUSING and JIMMY DOLAN
leave today for south Bend, Ind.,
preparing for Saturday's broadcast
over CBS of the Notre Dame-Purdue
football game.

- MONROE GREENHALGH of United
Artists celebrated a birthday yesterday
with a gala party at his New York
connection with the opening there of "The
Real Glory."

- E. F. BRADY of the Valley Theatres
in Texas and Mrs. Brady are in town.
Mr. and Mrs. George L. THORNTON
of the Wilcrest Circuit in Virginia
are also here.

- RALPH PILOW, M-G-M. Albany
manager, suffered an injury to his
hand recently and is making his calls
with his arm in a sling.

**Shirley Temple Air Debut for Charity**

Hollywood, Sept. 26.—Shirley Temple will make her first radio program appearance on the Screen Guild show, to be broadcast over a nationwide hookup on Christmas Eve, ac-
cording to Thomas L. autumn, president of the Motion Picture Relief Fund, and James Roosevelt, member of the fund's executive committee.

The 30-minute broadcast from here on Dec. 24 at 4:30 P. M. Shirley's parents and 20th Century-Fox, for whose studio the broadcast is
foreseen to have released all offers for
child to appear on the radio. It is expected that Shirley will sing and
she will sing, and may do a scene from "The Blue Bird." The Maurice Masterlin play in which she is now working.

**Paramount to Keep 'Bali' Three Weeks**

"Honeymoon in Bali," after clicking with an estimated $61,000 for the first week, will remain at the Paramount, where it has been held for three weeks. It starts its second week today, and will be fol-
lowed by "Gone With the Wind," which will open at the Paramount on Oct. 11.

"Parents on Trial" grossed poorly at the Globe with an estimated $3-
100. The 19th week of "Goodbye,
Mr. Chips" brought an estimated $3000 at the Astor.

---

**Philadelphia Facing Dual Warner Bills**

Warner circuit is seriously considering
whether to press both of the Philadelphia, as a result of its presence on the policy by independent neigh-
borhood operators in competition to the major circuit.

While the plan is still tentative, Warner executives are considering scheduling of dual films at
neighborhood houses and some of the smaller central city theatres playing
one and two-day runs.

Though management of Warner Theatres, conferred on the situation in Philadelphia with Ted Schlan-
ger, zone manager, this week. A probable change in policy will be fur-
ther discussed when Schlanger meets with Bernhard here next Tuesday.

While trouble is still rising in many sections of the country, has only on rare occasions played twin bills in the Philadelphia Theater Circuit. This has been confined to the small neighborhood houses.

The circuit in Philadelphia does not have so-called previews. It frowns on premiums and cash games, al-
though the rule is not so strict in this era of "get along and let kings.

"We have consistently tried to stay in the motion picture business, a statement which Warner's president, William H. "Phil" Warner enjoys the reputation of being the greatest single feature territory in the country."

A change in Philadelphia policy has been under discussion for some time as a result of the independents' adherence to the "call and call" system. Warner's have the matter up with leading independents in the city.

---

**Charity Show Posts To Piermont, Albert**

Sidney Pierson of Loew's was ap-
pointed stage manager of the "Night of the Stars." The show, which was
named musical director of the event, at a meeting of the producing committee yesterday in the office of the Manhattan Theater Co.

They will prepare plans for the af-
fair which will take place at Madison Square Garden Nov. 15 for the benefit of refugees.
MONDAY and TUESDAY
OCTOBER 2 and 3
(Date set locally by each exchange)

GALA THEATRE
PREVIEWS OF
HOLLYWOOD
CAVALCADE

FOR LEADING EXHIBITORS
IN EVERY EXCHANGE CITY
OF THE U.S. AND CANADA

All seats reserved! Admission by invitation only!

HAVE YOU MADE YOUR RESERVATIONS?
NOT A RE-ISSUE...

THERE CAN BE NO DOUBT

THE GREAT BOX-OFFICE

OF "U-BOAT"

SUBMARINE WARFARE MAKES
THE YEAR'S MOST
MELODRAMATIC
PICTURE!

U-BOAT 29

TODAY'S U-BOAT TERROR
MAKES THIS THE
YEAR'S TIMELIEST
PICTURE!

CONRAD VEIDT
VALERIE HOBSON
SEBASTIAN SHAW

A COLUMBIA PICTURE

Out of Europe's
closest to peace
flashes the in-
side story of
seconds of
near submarine
incredible wide
explosion!!

U-BOAT 29

CONRAD VEIDT
VALERIE HOBSON
SEBASTIAN SHAW

Sewn by Emanuel Posenberger
Directed by Michael Powell
A COLUMBIA PICTURE

These are the hard selling ads that were used in Hartford and Albany... They are in the press book!
NEW PICTURE!
NOW ABOUT POSSIBILITIES 29!!

You already know about HARTFORD and ALBANY but just to remind you...

LOU GOLINGING  . . .
Grand Theatre, Albany, New York
Says: "It is everything Columbia said about it!"

GEORGE LANDERS
E. M. Loew Theatre, Hartford, Conn.
Says: "One of the best showman’s pictures ever made. Its box-office is assured!"

SI FABIAN. . . . .
of Fabian Theatres
Says: "'U-BOAT 29' is tremendous success at Grand Theatre, Albany. It is a sure box-office hit...warrants the top billing spot and the campaign we gave it!"

SMART SHOWMEN ARE RUSHING DATES!

Flash from SEATTLE...
Liberty Theatre reports:
"'U-BOAT 29' brought in biggest business theatre has done in many weeks... Strength of business gives every indication picture is natural hold-over!"
Foresee No New Tax Laws Next Session

WASHINGTON, Sept. 26.—Indications that there may be no new tax legislation enacted at the next regular session of the Congress were seen here tonight in the disclosure by Representative Doughton of North Carolina that after a series of conferences his tax bill would probably be postponed indefinitely its consideration of revenue revision.

Representatives were for the group to meet well in advance of the coming session to hold hearings and write a new tax bill for enactment before March 15. The Treasury during the past several weeks has been holding closed conferences with business men on the subject of rate revisions.

The action of the Ways and Means Committee members to defer the matter is seen as reflecting a belief that war conditions abroad may to stimulate business here as to make revision of taxes unnecessary.

Bachelors' $5,500 In Oklahoma City

OKLAHOMA CITY, Sept. 26. — Action midsummer heat continued with no sign of abatement, "Bachelors' Mother" took $5,500 at the Criterion, as grosses sagged generally.

Estimates callings for the week ending Sept. 21:

"Bachelors' Mother" (RKO) CRITERION—$1,200 (25c-35c-40c) 7 days. Gross: $8,400. (Average: $1,200) The Saint in London" (RKO) STRONGER THAN DESIRE (M-G-M) LIBERTY—$1,000 (25c-35c-40c) 4 days. Gross: $4,000. (Average: $1,000)

"News at Night" (20th-Fox) COUNTER—$1,000 (25c-35c-40c) 5 days. Gross: $4,000. (Average: $800)

"Blackmail" (M-G-M) MIDWAY—$1,200 (25c-35c-40c) 4 days. Gross: $4,800. (Average: $1,200)

"Four Faces East" PLAZA—$750 (25c-35c-40c) 7 days. 2nd week. Gross: $3,000. (Average: $428)

"Hidden in the Money" (20th-Fox) PANTHER—$250 (25c-35c-40c) 5 days. Gross: $500. (Average: $100)

"The Woman in the Window" (RKO) HALE—$1,000 (25c-35c-40c) 7 days. Gross: $4,000. (Average: $571)

"To Kill a Mockingbird" (20th-Fox) TOWER—$33—$1,000 (25c-35c-40c) 5 days. Gross: $5,000. (Average: $1,000)

Sylvia Frisch to Be Married on Oct. 8

Sylvia Frisch, daughter of Mr. and Mrs. Louis Frisch, will be married to Mr. Theodore Reynolds of the Eighth Avenue Temple, Brooklyn, on Oct. 8. A reception will follow the evening wedding.

Frisch is head of Randforce Amusement Corp., with Samuel Rinzler. The circuit operates a number of theatres in Brooklyn.

Resume School Series

"This Living World," one of a series of "American School of the Air" series, will start from New York City high schools this week when CBS resumes the program Oct. 13. The program is broadcast Fridays from 9:15 to 9:30 a.m. and is rebroadcast later for western stations. It is expected that 50,000 high school students will see the program produced.

New York Review

"The Challenge" (Orson Welles-Film Alliance of the U. S.)

A thrilling story of one of man's most outstanding exploits, "The Challenge" tells the tale of the scaling of the Matterhorn, highest peak in the Alps. It is a gripping adventure, full of danger, courage and the intrigue of nations seeking the first honors.

Alpine scenes of the climbing parties are breath-taking in their splendor—indeed, the written by Emerson, directed by magnificent camera technique. Each measured step, the occasional but extremely dangerous slips, the desperate seeking for a foothold, are picked up by the camera with a realism likely to hold any audience tense.

The story starts with the meeting of Robert Douglas, a mountain climber, and Trenker, an Italian guide. After one unsuccessful venture up the side of the Matterhorn, both pledge themselves to make another try the next year. Meanwhile, a national movement starts in Italy to have one of their own countrymen as the first to conquer the highest peak.

Douglas and Trenker decide to stick together, despite their conflicting loyalties, but each is tricked into believing that the other has gone with his own country's party. As a result, Douglas leads an English group to victory while Trenker arrives a few moments later with the astonished Italians. On the descent, four of Trenker's party are killed and both are accused of deliberately cutting the ropes which bind the party together.

Trenker's portrayal of the Italian guide is a fine character study, although the burden of carrying the romantic interest would probably have rested better on Douglas. Joan Gardner is fine as a woman who effects a reconciliation. Trenker and Douglas after their race to the top of the peak. Supporting roles by Mary Clare, Cyril Smith and Fred Groves lend much flavor to the plot.

Credit for co-direction of the Alpine scenes also goes to Trenker. The screenplay was written by Emerson, directed by Kirkan and Milton Rosmer. Rosmer also directed. Un- sprinted praise for the camera work goes to George Perinal.

Running time, 65 minutes. "G."

Edward Greif

aw^G denotes general classification.

Invasion of Privacy Upheld as Suit Basis

SAN FRANCISCO, Sept. 26.—Decision upholding the right of an individual to sue broadcasting companies and program sponsors, for invasion of privacy, has been handed down in Federal court here by Judge A. F. St. Cyr.

Judge St. Cyr refused to grant the motion of Rio Grande Oil Co., sponsor, in suit filed by a woman against CBS western stations, to dismiss the action of Howard May, chauffeur, for alleged unauthorized use of his name in recreation of a holding which he was badly wounded two years ago.

Refute Corwin Short

Norman Corwin's radio play, "They Fly Through the Air with the Greatest of Ease," will be seen as "Bomber Number 6" when released by Warners as a two-reel film in color. Production is to start shortly. The play treats sardonically of the bombing of civilians. Another Corwin script, "Revolt Against Christmas," produced by CBS last year, is being considered for film production.

Manage K.C. Auditorium

KANSAS CITY, Sept. 26.—City Manager Eugene C. Zachman has appointed a board of eight men to manage the K.C. Auditorium. While there is a druggist, a merchant, an insurance agent, a real estate man, a newspaper owner and a street car executive on the board, there is no one from the entertainment field represented, though this was strongly urged.

Golden Addresses W. Va. ITO Meeting

CLARKSBURG, W. VA., Sept. 26.—The following business must not be destroyed and must be encouraged to carry on, Edward A. Golden, Monogram vice-president, told today at the ITO convention here. Golden was chief speaker at the convention of the Independent Theatre Owners of West Virginia, meeting at the Waldo Hotel.

"You as independent exhibitors and we as producers who represent the independent interest have much in common and it is time for us to take stock of our individual positions," continuted Golden. As members of an organization, you have left too much for your leaders to do. I have seen those leaders work and I know what they can accomplish for your good when they have your support.

Daniel Davis was chairman of the convention committee. Officers are: R. J. Hecht, president; R. D. Marks, vice-president, and Garland West, treasurer.

Name Series Announces

The seven announcers, who will broadcast the World Series games for Gillette Razor Co. have been announced by J. P. Sprague, jr., president of the company. They are Grantland Rice, Edwin C. Hill, Gabriel Heather, Stan Lomax, Red Barber and Bob Elson. Barber and Elson will give the play-by-plays of each game; Rice, Thomas, Hill and Heather will supply the color commentaries, and the series, while appearing in a different game of the series, while Lomax will do the commercials.

Brooklyn Majestic Closed

The Majestic, Brooklyn, which was taken over by a group interested in opening recently as a combination motion picture and vaudeville house, closed after two days on a continuous performance basis. They have scheduled a reopening for Sunday, when the Majestic has an Italian stage show each weekend, but the house remained closed on Monday and Tuesday.

Renew Altec Contracts

Lincoln Theatres, Inc. and King Coal Theatres, Inc, of Marion, Va., have renewed Altec service contracts on six theatres and have made contracts to build two additional theatre houses. E. C. Shriver and A. Fiore negotiated for Atec.

Open Pittsburgh House

PITTSBURGH, Sept. 26.—After a postponement of four weeks ago, following the Barry's closing, the Barry has closed again, following notice given to Manager Manuel Greenwald and the house staff by the Skirball Brothers, of Cleveland operators.

Century Circuit Changes

Century Circuit has made the following shifts: Jack La Reaux to the Huntington at Huntington, Long Island; E. Friedman to the Globe, Freeport; E. Freiberger to the Fantasy, Rocksvile Center; Fred Brunelle to the Colonial, Queens Village; Walter Smith to the Bliss, Long Island City; Leonard Freund to the Kingsway, Brooklyn; William Applegate, jr., to the Chestnut, Summit and R. Trettler to the Marine, Brooklyn.

Open Albany House

ALBANY, Sept. 26.—Bernie Mills, formerly Republic exchange manager here, has taken over the Scotia and reopened the house. The successor has reopened with Sam Milberg, who was a salesman for Republic under Mills, as manager.

Heads Buffalo Orchestra

BUFFALO, N. Y., Sept. 26.—Johnny Lyons, Buffalo orchestra director, has been confirmed as conductor of the new orchestra at the Twenty First Century Theatre here.

Cantor on Tour

Eddie Cantor and most of his company from last season's Camel road show are scheduled to play Loew's Metropolitan in Brooklyn for next month. Cantor is now touring the East and will play in uptown RKO theatres before coming to New York.
SAN FRANCISCO, Sept. 26.—“Girl from Mexico” (RKO) drew an excellent $21,000 at Golden Gate, followed by $17,000 for “The Rains Came” at the Fox. Grosses were better than average generally, with the exception of “Mexican Skies” and “Hawaiian Nights” to draw $10,500 at the Orpheum.

Estimated takings for the week ending Sept. 22:

* “Girl From Mexico” (RKO) GOLDEN GATE—(2,150) (5c-4c-5c) 7 days. Gross: $8,800. (Average, $1,257.)
* “The Under-Pop” (Univ.) HAWAIIAN NIGHTS (Univ.) ORPHEUM—(4,040) (5c-3c-4c-5c) 7 days. Gross: $10,500. (Average, $1,500.)

Red and the Blue

CINCINNATI, Sept. 26.—Natives were mystified all last week by scenes of girls walking nonchalantly along downtown streets, each wearing a red tie or a dress with embroidered umbrella to match. They displayed no signs, and “refused to be interviewed when questioned,” the spectator said. Saturday when signs were painted on the umbrellas annoncing “Red and the Blue” WSAI would begin to carry NBC Red and Blue programs Sunday.

$12,300 Kansas City

KANSAS CITY, Sept, 26.—“The Rains Came” drew $12,300 at the Esquire and Uptown. “In Name Only” and “The Black Cat” back up the Orpheum $9,700.

Estimated takings for the week ending Sept. 26:

* “The Rains Came” (20th-Fox) FOX—(3,050) (3c-5c-4c) 7 days. Gross: $9,500. (Average, $1,357.)
* The Old Maid” (W. B.) PARAMOUNT—(2,740) (5c-3c-6c-4c) 7 days. Second week, Gross: $2,000. (Average, $286.)

From Feathers” (U. A.) UNITED ARTISTS—(2,000) (3c-3c-4c-5c) 4 days. Gross: $6,300. (Average, $1,575.)

Pioneers Will Attend “Cavalcade” Showing

Members of the Motion Picture Pioneers, Inc., men who have served 25 years or more in the industry, have been invited to the trade showing of “Hollywood Cavalcade,” 20th Century-Fox color, to be held at the Ziegfeld next Tuesday morning.

The screening is one of 37 being held simultaneously at 20th Century-Fox offices throughout the country. Leading exhibitors in this territory, newspaper and magazine writers and radio commentators also have been invited to Tuesday’s showing.

Halt Canada Newscaast

TORONTO, Sept. 26.—Due to restrictions on account of the emergency measures adopted by the Canadian Broadcasting Corp., the Toronto Globe and Mail has discontinued permanently the newspaper’s newsreels twice a day over local Station CFRB. CFRB is privately-owned and one of the largest stations in the Dominion.

WOSU Wins Grant

COLUMBUS, Sept. 26.—U. S. Office of Education, at Washington, has given a grant of $8,780 to WOSU, Ohio State University station, to carry on a Federal radio project started last year. Approximately eight persons will be employed to find new applications for radio in education, according to Robert C. Higgy, station director.
BUSINESS SENSATION indicate another RKO RADIO BIG circle of $100,000-a-week hits! The world is all set for me ANNA NEAGLE in her first Hollywood with EDNA MAY OLIVER • GEORGE H. B. WARNER • SOPHIE STEWART • MA
Over D Week Music Hall

TIONAL!... First four days ONE shooting up into that charmed Hailed by a nation-wide chorus of accorded a picture, this story that the big openings this week and next!

Appearance as "NURSE EDITH CAVELL"

ANDERS • MAY ROBSON • ZASU PITTS

WARD • ROBERT COOTE • PRODUCED AND DIRECTED BY HERBERT WILCOX • SCREEN PLAY BY MICHAEL HODAN
Boston, Sept. 26—Best bet was "The Women," dueling with "The Man Who Came To Dinner" at Loew's State and Orpheum. The bill took a total of $27,800 in five days, $11,500 and $16,300, respectively. The Warners' "The Adventures of Sherlock Holmes" drew $21,000 at the Keith Memorial. Estimated takings for the week ending Sept. 29:

- "Flirting With Death" (Imp) (3 days) Gross: $9,000. (Average: $3,000.)
- "Second Fiddle" (20th-Fox) (4 days) Gross: $18,000. (Average: $4,500.)
- "The Slide" (20th-Fox) (RKO) (4 days) Gross: $8,000. (Average: $2,000.)
- "The Adventure of Sherlock Holmes" (M-G-M) Gross: $9,000. (Average: $2,250.)
- "Campfire Stories" (Col.) Gross: $21,000. (Average: $5,250.)
- "Beau Geste" (Para) Gross: $10,000. (Average: $2,500.)
- "Quick Millions" (20th-Fox) Gross: $15,000. (Average: $3,750.)
- "The Wrong Room" (RKO) Gross: $7,500. (Average: $1,875.)
- "A Night to Remember" (Col.) Gross: $18,000. (Average: $4,500.)
- "The Man They Couldn't Hang" (Col.) Gross: $15,000. (Average: $3,750.)
- "Loew's State" (M-G-M) Gross: $11,000. (Average: $2,750.)
- "The Man from Hollywood" (M-G-M) Gross: $15,000. (Average: $3,750.)

Women' Cleveland Leader at $9,000

Cleveland Sept. 26—The "Women" at Loew's Stillman was the leader here, grossing $9,000. The "Old Maid," moved to the Allen for a second week, made a good showing with $6,500. Business generally was good. Estimated takings for the week ending Sept. 29:
- "The Old Maid." (M-G-M) 7 days, gross: $4,250. (Average: $607.)
- "The Man They Couldn't Hang." (Col.) 7 days, gross: $4,250. (Average: $607.)
- "Loew's State." (M-G-M) 7 days, gross: $4,250. (Average: $607.)

'County Girl' to Start

"County Girl," 15-minute dramatic sketch featuring Charlotte Manson, Arthur Vinton, Carlton Young, Gladys Thornton, Katherine Rogers and Arthur Elmer, starts over CBS stations Oct. 9. The program, sponsored by Conno Products, will be broadcast twicedays through Fridays at 3:15 p.m. Roger White is producing the show and Ted Cott is directing, while David Davidson and Jerome Ross are collaborating on the script.

"Captain Spanky's Showboat" (M-G-M)

Our Gang stages a thrilling melodrama after a fight between two ships. Butch decides to bully his way into a singing act and causes considerable trouble by going backstage and taking over the bandstand. Thechrome melodrama staged by the gang is the real thing, with a mortgag on the homestead. Our Nell making the supreme sacrifice by offering to marry the villain, and all the other fixings. Our Gang really puts it over this time. Running time, 11 minutes.

"Ash Can Fleet" (M-G-M)

With public attention once more focused on submarine warfare, this timely reel should attract wide attention. The "Ash Can Fleet" is, of course, the little fleet of wooden boats that proved so effective against U-Boats in the first World War. The film starts with General Von Hindenburg's visit to the U.S. and shows David Bushnell, who pioneered in submarine craft and discovered the depth bomb during the Revolutionary War. Bushnell's early experiments and the later development of the depth charge are explained. Still hold interest both for military lovers as well as the general public and can only be exploited. Running time, 11 minutes.

"The Wrong Room" (RKO)

First of the Leon Errol comedy series finds the wobbly-legged "Professor" Errol involved in an apparent bigness. Errol, while returning the litter he has been separated from a party, wanders into a newsworthy's room by mistake and thinks he has been married again. He hires the grooms as his attorney and the resulting comedy of errors produces some hilarious results. Errol's portrayal of a dreamily gaited fellow who goes to bed should bring down the house. Bert Gilroy produced and Lou Brock directed. Running time, 19 minutes.

"Cupid Rides the Range" (RKO)

Ray Whitley with the Six Bar Cowboys sing their way out of jail and into a marriage for Ray. First of the "Ray Whitley Musical Westerns," this reed foreshadows a successful series. Ray falls in love with Lolita Morales, but their wedding is prevented by his promise to aid her father by marrying his unscrupulous landowner. Ray is jailed on a false charge, but he proves himself innocent. After a battle with Lolita's maid to the landowner, Ray weds Lolita. A tuneful offered. Produced and directed by Lou Brock. Running time, 18 minutes.

"Act Your Age" (RKO)

Mr. Kennedy starts off this season's series with a first rate comedy portrayal of his family difficulties. After Mike and Lillie are offered Lillie's maid to the landowner, Ray weds Lolita. A tuneful offered. Produced and directed by Lou Brock. Running time, 18 minutes.

Sign WHN Contracts

Five contracts for spot and station break announcements have been signed by WHN. N. Y. State Bureau of Publicity has taken 26 weeks, Ex-Lax, 14; Sears Roebuck & Co., 28; Professional Service Credit Association, one and Dodge Division of Chrysler Motors, five days.

Changes in Cincinnati

Cincinnati, Sept. 26—E. Kaltwein of "E. Kaltwein & Company," promotion manager, has been promoted to sales manager, succeeding Lloyd G. Vernard, who resigned.

ADV.

RKO, Mike Humicut, formerly of WMAL, Washington, and WNOX, Knoxville, has been placed in charge of "The Danny Kaye Patrol," early morning program sponsored by Dow Drug Co. He replaces Al and Lee Bland who go to WCKY to handle a similar program. AVRKC has named Jack Edmunds production manager and has engaged Bill Welsh as news commentator.

Promoted by U. S. Record

William R. Lewis has been appointed regional sales manager in charge of the Midwest territory by United States Record Corp. Lewis will make his headquarters in Chicago.

Heads WHN Show

Johnny Prentiss is the new chief of the daily WHN "Houseparty" show, replacing Ed East. Prentiss will continue on WQW and as "The Airarette of the Air" program Saturdays.

Manager Leaves WHN

Zeke Manners, who sang two hours of hillbilly tunes over WHN daily, is no longer with the station.

N.A.B. Appoints Clerk

William R. Cline, WLS commercial manager, succeeds Craig Lawrence of KSO as chairman of the National Association of Broadcasters sales managers' Committee. Neville Miller, WLS executive, will organize an executive committee of the sales managers groups to meet for discussions of cooperation with the Bureau of Education—and eventually the Women's Board. This is "Intermezzo, A Love Story" will open at the Radio City Music Hall Oct. 5, 6, and 7 \(^\dagger\) "eternal Yours" was produced by Walter Wanger, "The Real Glory" is a Samuel Goldwyn film.

Bernie Show Ready

Ben Bernie has returned to New York from a tour to start his CBS radio series for the American Tobacco Co. Resuming the program with Bernie are Minnie Prager and Louis Lehr. Air time for the series is 3:30 to 6 P.M. on Sundays. Lord & Thomas handles the account.

Set Bill Stern Show

Bill Stern's "Sports Newscast" will be heard on the NBC-Blue, on Sunday evenings, beginning Oct. 2. The program will be simulcast by the Colgate-Palmolive-Peet Co. Prominent figures in the sports world will appear with Stern. The Armchair Quarter will sing at the opening and closing of each program.
"INFORMATION PLEASE"

You'll find all the facts and figures about the motion picture industry in the Motion Picture Almanac for 1939-40.

Order your copy
$3.25 postpaid

Motion Picture Almanac
Rockefeller Center, New York
Non-Aryans Under Czech Picture Ban

Prague, Sept. 26.—Freemasons and non-Aryans have been virtually banned from the Czechoslovak film industry. Restrictions which are correlated with the regulations in force for the German industry.

The Czechoslovak Ministry of Trade has promulgated a number of rules covering distribution, exhibition and production of films, which can be shown in Czechoslovakian theaters in which a non-Aryan has the leading role. Films in which non-Aryans participate in any form cannot receive the approval of the Film Advisory Board of the Board of Trade, which supervises distribution and exhibition. Such films also will not receive any Government recognition or subsidy.

The same applies to pictures in which a character portrayed has any hand or connection. Another rule is that stories purchased for film production must be approved by the national culture bureau for elements inimical to Nazi ideology.

In the event any employee fails to follow these regulations, it is provided he shall be discharged as a penalty.

Tobacco Firm Sued Over Piracy of Idea

Complaint charging piracy of the idea of reviving old motion picture shots was sustained yesterday when N. Y. Supreme Court Justice Benven was denied an application of Liggett & Myers Tobacco and Newell-Emmett Co. to dismiss the suit of Dorothy T. Stone.

Defendants had sought the dismissal, claiming the time to file suit had expired. The plaintiff alleges that in 1930 she submitted a script called "Cinema Souvenirs" which originated the idea of reviving old motion picture shots with amusing comments. The defendants contracted with Paramount Pictures to make a number of these shorts for use in advertising Chesterfield cigarettes without her consent, the complaint asserts.

West End Houses In Protest Today

London, Sept. 26.—The British Home Office tomorrow will receive a deputation representing film theaters in the West End of London, which will protest the restriction on the hours theaters may remain open.

The Stoll Theatre, included in the designation of West End theaters by the Home Office, has been closed until the ruling requiring theaters to close at 6 P. M. has been abolished.

The Stoll Theatre, as well as six others, are situated in the West End, near the Gaumont British State Theatre in Kilburn, England's largest theatre, may follow the example of the Stoll.

FCC Hearing Today

Washington, Sept. 26.—The Federal Communications Commission will hold a hearing tomorrow on broadcasting application of Dr. William Carver, Thomas B. Williams and Byrne Ross for a new 1,420-kilocycle, 10,000-watt station at Lawton, Okla.

Non-Aryans Under Czech Picture Ban

“Espionage Agent” (Warner’s)

As timely as today's headlines, “Espionage Agent” should be jackpot material for the alert showman. Not only is it a story of war and secret agents at work here and abroad, but it gives force of an insight to the operations of the United States Department of Foreign Service and State Department diplomats.

Additionally, and making it especially timely, it uses as its basic theme the necessity of the United States Government protecting itself against the murmurings of espionage agents and saboteurs working inside the United States. Also, it causes its characters at intervals to stress the importance of the United States staying out of the war which, according to the film’s story, is about to engulf Europe.

The film opens with atmospheric indication of the kind of sabotage which destroyed American factories, munitions plants and the like in 1915, and points to that as a great object lesson for the United States in 1939. In a word, the film is propaganda material, but encased in an entertainment capsule which is quite palatable.

Joel McCrea, in the lead, is a name of marquee value, aided satisfactorily by Brenda Marshall, Jeffrey Lynn and George Bancroft in particular. McCrea, consul officer with Lynn in Tangier when the Spanish revolt flares, meets a friendless refugee, Miss Marshall, falls in love with her and marries her when he returns to the Foreign Service School in Washington.

The foreign spies with whom he had become unwittingly involved in Europe. And after all again, she reveals the situation to McCrea and he is dismissed. But, with his wife, he returns to Europe, and after considerable action and a measure of suspense, succeeds in uncovering the spy ring, and brings back evidence which persuades Congress to pass legislation necessary to enable the United States authorities to protect itself against foreign spies.

Lloyd Bacon directed from a screenplay by Warren Duff, Michael Fessier and Frank Donoghue and an original story by Robert Henry Bucket.

Running time, 83 minutes. “G.”

Charles S. Aaronson

“G” denotes general classification.

Suit Against Fox Theatres Quashed

Lazio, Inc., was barred from continuing a $100,000 breach of contract suit against Skoners Theatres Corp., Fox Theatres Corp., and Fox Metropolitan Theatres, by an order signed yesterday by N. Y. Supreme Court Justice Church. Lazio contended in its suit that the defendants breached an agreement entered into in 1931 which had awarded it the candy selling concession to the defendants' New England theatres. Justice Church ordered the preclusion when the president of Lazio failed to appear for testimony before trial.

Business Is Tripled By ‘Western Front’

The first two theaters to play Universal's unselected version of "All Quiet on the Western Front," the Adams, Detroit, and the Rivoli, Toronto, followed their normal business, according to reports to the company yesterday.

Both houses followed campaigns for the picture presented in a new press book prepared by Louis Pollock, Universal's Eastern advertising and public relations manager. More than 100 pictures have been ordered to over key cities.

Small Signs Vidor

Hollywood, Sept. 26.—Edward Small has signed Charles Vidor as the director of his forthcoming production of "My Son, My Son," from the novel by Howard Spring.

All U.S. Joins In Industry's Gold Jubilee

(Continued from page 1)

ranged for Cleveland, near which Ed- ison itself has been located since 1917 and the home town of Clark Gable, Adolphe Menjou, Bob Hope, John Howard, Eleanor Whitney and Philip Baxter.

Beginning on Monday, the main New York Public Library will have on display large prints from a made motion picture collection of the theatre- division, assembled by George Freed- man.

A special poster has been prepared by Walt Disney for Children's Book Week, Nov. 12 to 18, which shows solid hours of other characters rending literature classics on which motion pictures have been based. Approximately 20,000 copies will be dis- tributed to book stores, libraries and committees organizing programs for Children's Book Week.

Extend Disc Shows To Local Stations

Blackett-Sample-Hummert is ex- pected to extend the experiment of featuring transcribed rebroadcasts of their CBS and NBC serial programs on local stations. Originally tested over WOR, and found to be successful, the experiment now is to be extended to other local stations in New York City and to independent stations out- side of New York.

First out-of-town station to be se- lected by the agency is KXOK, St. Louis. The contract calls for 10 evening- hours a week, Monday through Friday, and the schedule is for two solid hours of other characters rending literary classics on which motion pictures have been based. Approximately 20,000 copies will be dis- tributed to book stores, libraries and committees organizing programs for Children's Book Week.

Wilton, Star in Buffalo

Herbert Wilcox, producer, and Anna Neagle, star of "Nurse Edith Cavell," will attend the opening of the picture at the Twentieth Century The- ater in Buffalo Friday night, Charles Levy of the office is in Buffalo making arrangements.

M-G-M Signs Huxley

Hollywood, Sept. 26.—Aldous Hux- ley, novelist, has been signed by M-G-M to prepare a screen treat- ment of "Pride and Prejudice." Joseph Fields and Jerome Chodorov also have been signed to write contracts by the studio.

Sponsor Raymond Swing

Raymond Gram Swing, WOR-Mu- tual's analyst on international affairs, will be sponsored two days weekly, be- comming the fifth on his list of other weekly broadcasts. He will be heard Monday and Friday from 10 to 12 M., sponsored by the General Cigar Co.

Craven in ‘Our Town’

Hollywood, Sept. 26.—Sol Lesser has signed Craven, the actor who played the role of the narrator in his film of the Thornton Wilder play, "Our Town." Craven had the same part in the original stage play.
**BRITISH FILMS ACT WILL STAY, BELIEF**

Projectorists Jobs
For French Women

Paris, Sept. 27—With most of the regular projectorists answering the national call to arms to fight on the Western Front, French theatres are having difficulty in reopening. As a result of the shortage of projectorists in France, it is now training women to fill the vacancies.

Okla. Allied Drops
Buying Pool, Elects

**OLAKA CITY, Okla., Sept. 27—**Allied of Oklahoma was formed today. Theatre owners of Oklahoma elected permanently the temporary officers who have served during the past few organizing months, voted to affiliate themselves with National Allied, elected eight directors to the board, each for one congressional district in the state.

**McVeigh Drops Buying Pool, Elects**

**OLAKA CITY, Okla., Sept. 27—**Allied of Oklahoma was formed today. Theatre owners of Oklahoma elected permanently the temporary officers who have served during the past few organizing months, voted to affiliate themselves with National Allied, elected eight directors to the board, each for one congressional district in the state.

Attorney Fuller Dies

**HOLLYWOOD, Sept. 27—**Walter K. Fuller, 32, attorney, died suddenly at his home today. He participated in many famous Los Angeles legal cases, among which was the Fox West Coast bankruptcy-receivership litigation. He also represented Paramount at the first N.L.R.B. hearings on the Screen Writers Guild recognition petition and was spokesman for all producer attorneys.

**Bankers Give Facts**

As U.S. Grand Jury
Opens Coast Probe

**LOS ANGELES, Sept. 27—**The Federal grand jury investigation into the existence of alleged income tax evasion and labor racketeering in the motion picture industry opened today.

During the morning session three bank officials, J. M. McLane, Jack R. Holt and F. T. Stimmig, were heard. Arthur W. Stebbins, nephew of Joseph M. Schenck, and Harland Holm, intern and vice-president of the I.A.T.S.E., were on the witness stand in the afternoon. Testimony of Stebbins, an insurance man, and Holmenden, who came here from Cleveland on a federal subpoena, occupied most of the afternoon session. Sid Rogell, RKO studio manager, was the afternoon witness.

Following usual grand jury procedure, no details of the testimony were available. Charles H. Carr, assistant U. S. attorney general who is in charge of the investigation, said that the first phase of the testimony to be presented will deal with income tax matters.

**Attorney Fuller Dies**

HOLLYWOOD, Sept. 27—Walter K. Fuller, 32, attorney, died suddenly at his home today. He participated in many famous Los Angeles legal cases, among which was the Fox West Coast bankruptcy-receivership litigation. He also represented Paramount at the first N.L.R.B. hearings on the Screen Writers Guild recognition petition and was spokesman for all producer attorneys.

**“Private Lives of Elizabeth and Essex”**

(Warners)

There’s a heap of box-office potency in this dramatic play of Good Queen Bess of England and the Earl of Essex, who lost his head because he loved his Queen and England too much.

A gripping love story, the film is distinguished by the brilliance of Bette Davis’ performance. Here she adds another sharply etched characterization to her gallery of portraits. And Errol Flynn is properly cast as the swashbuckling, hapless lover. The two are constantly at it in a clash of personalities, ruled by pride and ambition because of which an overpowering love is destined to failure.

For exploitation purposes, exhibitors can slant this for the woman’s angle, with an eye for the masculine trade in the contest of British power politics, court intrigue and martial action. In this respect, Flynn is the strong man of England who conquered not only armies but a headstrong woman’s heart.

The pageantry is well emphasized in the color, and the entire production denotes a class and finish worthy of one of the big pictures of the
Plea to Drop
British Films
Act Rejected

(Continued from page 1)
supplementary war budget to Com-
mom tomorrow.
The British Home Office today met
with a delegation representing film
houses in the West End of London
on the problem of reopening and op-
erating hours of theatres. A decision
may be forthcoming from the Govern-
ment office tomorrow.
It is anticipated that the Home Of-
vice will agree to the theatre proposal to
permit the reopening of 15 news theatres
days and 12 smaller houses. Stag-
gered operating hours also may be
permitted for six selected larger
houses in the Leicester Square and Piccadilly area.
At the first meeting since the dec-
laration of war of the general counci-
l of the Cinematograph Exhibitors
Association today, executive action on
the regularization of releases was
ratified. D. E. Griffiths, president of
the Cinematograph Renters Society
distributors) was thanked for his
work as the leader of the film industry
during the war emergency.
The meeting favored the abolition of
bargain matinee prices. The next
meeting of the council has been sched-
uled for some time in November.

• Reittle "Conflict"
Trans-Atlantic Films will release the
French film, "Conflict," in this
country as "The Affair Lafoi." Pic-
ture opens at the Little Carnegie
Oct. 6.

Herman Wobber, William
Sussman, W. C. Gehring and
William Kupper, 20th-Century-Fox
sales executives, occupied a luncheon
at Sardi's yesterday, with Clare
Eckhardt, exchange manager at
Chicago, and M. A. Levy of Minne-
sota. Yesterday, the New York
Eckhardt returned to Chicago last
night.

Jack Cobb, Abe Montague, Jack
Gott, Abe Schneider, Sam Citron,
Ralph Becker, Paul Bemans,
Arthur Breckner, Arthur Mayer,
and A. P. Wexman lunching at Bob
Goldstein's Tavern yesterday.

Harry Brandt, Sidney Phillips,
Joseph Seiden, William Brandt,
John Saunders, John Hicks,
E. C. O'Shea and Lee Shubert
at Nick's Hunting Room in the Astor
for lunch yesterday.

Ned Sparks, film comedian, will
appear as guest star on Fred Allen's
radio show, "Town Hall Tonight," when
broadcasts are resumed Oct. 4
over the NBC-Red.

Bernard Herrmann, CBS musical
composer and conductor, will mar-
y Lucile Fletcher of the CBS pub-
lishing department Monday in New
York City.

Ernest A. McKenna has been
appointed Chicago branch manager for
Ross Federal Service.

Christian van der Ree, Warner
agent in Venezuela, is conferring at
the home office.

Legion Parade Over,
Loop Business Good

Chicago, Sept. 27.—Theatre
business in the Loop returned to a normal
basis today after yesterday's 14-
hour American Legion parade which
attracted 500,000 persons along the
line of march.

Theatres did a heavy business last
night for the first time since the ar-
rest of the Legionnaires for their
national convention.

W. F. Rodgers and Jack Flym
conferred with Balaban and Katz of-
ficials today regarding the release of
Metro-Goldwyn-Mayer product here
which has two more years to run.

Connecticut Allied

Election Tuesday

New Haven, Sept. 27.—Allied
Theatres of Connecticut will hold an
election luncheon meeting on Tuesday
at the Hofbrau Haus Restaurant,
with Maurice Shulman presiding.

Nominations made at the last meet-
ing were to be voted on today.

Jack Schwartz, Walter Wele-
ber, Princess, Hartford; A. M. Schu-
man, Black Rock, Bridgeport, and
Charles B. Rickert, Meriden, vice-presi-
dent, same nominees; and Samuel
Hadelman, Capitol, Bridgeport;
treasurer, Leo Schapiro, Guil-
ford Theatre; Jack Schwartz, Welles-
ley End, Bridgeport; executive secretary,
Lawrence C. Caplan; chairman of
board of directors, Maurice Shulman,
Webster and Rivoli, Hartford, and Dr.
J. B. Fishman, Fishman Theatres,
New Haven.

John Leroy Johnston, di-
rector of publicity for Walter
Wanger Productions (U. A.), will
arrive in New York Oct. 3.

Gwen Hauge, daughter of Claire
Hauge, Canadian Universal Special
representative in Toronto, has won
the gold medal for dramatic soprano
in the open Canadian competitions.
Last year Miss Hauge captured the
highest award in the class for vocal-
ists 18 years and under.

J. J. Milstein, Eastern representa-
tive of Edward Small Productions,
flies to Hollywood today for con-
ferences with Mr. Small on his new
production, "My Son, My Son!" which
will go before the cameras shortly.

Ernst Lubitsch is scheduled to
arrive from Los Angeles by plane to-
yday. Lubitsch made the trip East to
meet Mrs. Lubitsch, his wife, who
arrives tomorrow from abroad on
the Nieu Amsterdam.

DeWitt St. Clair, owner of a
film theatre in Winchester, Va., was
recently married at St. Luke's Epis-
copal Church here to Jeanne Mans-
field of Sibley, La.

Alf L. Ironsides of the Toronto
branch of Associated Screen News,
Ltd., has enlisted in the Royal Ca-
nadian Air Force and is already on
duty.

Joseph Calechman, assistant to
the Howard, New Haven, and Sally
Eskin of New Haven have an-
nounced their engagement.

A. J. Balaban is in town.

LOANES BOUND
ONLY OVERNIGHT VIA
WA! FARE $149.95

Maj. Warner
Host Today at
Golf Tourney

Major Albert Warner, co-chairman
with David Bernstein of the Amuse-
ment Division of the Jewish Federa-
tion of Charities, will host today's
memorial golf tournament at
Stouffer's at a dinner to be held at
the Old Oak.

Prizes for the best scores in the
tournament will be awarded at the din-
ner to the following members of the
Amusement Committee: Adler: Art
Zilber, Meyer; Cohn, Abe; Haines,
Leo; Halpert, Nat; Kornbluth, Abe;
Kornstein, Samuel; Schwartz, Nat;
Weinberger, Nat; Zeev, Nat; Lt.
Major Warner, co-chairman
with David Bernstein of the Amuse-
ment Division of the Jewish Federa-
tion of Charities, will host today's
memorial golf tournament at
Stouffer's at a dinner to be held at
the Old Oak.

Prizes for the best scores in the
tournament will be awarded at the din-
ner to the following members of the
Amusement Committee: Adler: Art
Zilber, Meyer; Cohn, Abe; Haines,
Leo; Halpert, Nat; Kornbluth, Abe;
Kornstein, Samuel; Schwartz, Nat;
Weinberger, Nat; Zeev, Nat; Lt.

Ampa Honors Past

Presidents of Today

Eleven former presidents of Ampa
will be guests of honor at the organi-
ization's first meeting of the season to-
day at Stouffer's restaurant, Fifth Ave.
and 44th St. The luncheon will start
at 12:45 o'clock.

The guests will be Arthur James,
P. A. Parsons, Paul Lazarus, St.
John C. Flinn, Glendon Allvarge,
George Stover, Edward Klein, Eli
Horne, William R. Ferguson, Gordon
S. White and Ralph Rolan.

The only ex-presidents not attend-
ing will be those residing outside New
York.

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)
Published daily except Saturday, Sunday
and holidays by Quigby Publishing Company, Inc., Rockefeller Center, New York City.
*Subscriptions rates in New York, 75 Cents a year. All others rates per year $6.00 in the Americas and $12 foreign.
*Single copies 10c.
Keep on your toes and Warners will keep you smiling. The big drama that follows 'The Old Maid' is by the author of 'Each Dawn I Die', with the sweethearts of 'Daughters Courageous'. A big show! — A honey of a show! — A money show!

If you've seen it, you know it! If you haven't seen it, for the sake of your box-office arrange a screening this second of John Garfield and Priscilla Lane in 'Dust Be My Destiny'!

with Alan Hale
Frank McHugh • Billy Halop
Directed by Lewis Seiler

Screen play by Robert Carson & from a novel by Jerome Weidman
A First National Picture

Jack L. Warner • Hal B. Wallis
In Charge of Production
Louie F. Edelman
Executive Producer
Associate Producer
Construction
In Vancouver
Not Impeded

VANCOUVER, B. C., Sept. 27.—The fact that Canada is at war may cause postponement of any contemplated theatre construction projects for a while, but it has not checked any cessation of work on a number of projects started in this area prior to the outbreak of war.

The Varieties are under construction in the province of British Columbia, and a fourth is being rebuilt.

The Varsity Theatre, near the University district in Vancouver, will be ready for opening on Sept. 30. It is being built for A. B. Calvert at a cost of about $40,000. It will be a 600-seat suburban house.

A. C. Blake is building a 900-seat house on the north end of the city, at a cost of $50,000. This building got under way about a month ago.

H. E. Warren of the Capitol in Port Alberni is spending about $20,000 on a frame building for a 350-seat house in Alberni, lumber mill town of Vancouver Island.

Reconstruction of the Princess Theatre, east end downtown house, is well under way for A. B. Calvert, owner. It will have about 670 seats on the main floor, and 200 on the balcony. This project involves the expenditure of about $35,000.

Nearly three years ago Famous Players Canadian Corp., announced their intention of building a new $50,000 suburban house in the South Granville section of this city some time this year. This is the only new proposal that appears to have been shelved, but Col. W. T. Calvert, in war canoe later than their decision to delay the start of the new house.

Okla. Allied Drops
Buying Pool, Elects

(Madrid; Sam Caporal, Oklahoma City; Orville Veggiek, Okeene; C. E. Norcross, Selling; and three directors-at-large, A. B. Momand, Shawnee, Jess L. Cooper, Amters, and Mrs. Juanita Berry, Norman.

Despite scant attendance at yesterday's sessions, the organization went ahead today with permanent organization. Colonel W. T. Calvert, president of National Allied, personally aided organization proceedings. This morning the creation in by-laws were adopted unanimously and the name changed from Allied Theatres of Oklahoma to Allied, Oklahoma, Independent Theatre Association.

Basis for dues is one cent per seat per month with adjustments in rate to be made by board in cases of large theatres in small towns.

The proposed Oklahoma buying pool was dropped without comment when Colonel Col. advised delegates against going ahead with the plan in state. This will end any such plan nationally by Allied as this proposal was to have been put into effect nationally if proved successful in Oklahoma.

Insider's Outlook

By SAM SHAIN

UNIVERSAL has imparted something of a novel technique to the screen in its reissue of "All Quiet on the Western Front." A prologue and an epilogue, appropriate to the current European situation, have been added. Also, some peace talk. John Deering, the commentator, does a good job.

Altogether, a stirring document.

THE making of this picture was one of the highlights of the career of Carl Laemmle, whose death the industry mourns. Junior Laemmle produced the film. The New York premiere was one of New York's gala occasions, in 1931.

That night, after the performance, the elder Laemmle visited an old friend, whose office was in the Times Square district, for a moment of reminiscence before meeting a host of invited guests at a special party at the Laemmle apartment.

"What should I do with my boy?" asked Laemmle.

"Just take pictures, by that picture, you should leave him alone. He can take care of himself."

And—"the elder Laemmle did just that."

Not long after this interview, Junior Laemmle was given the reins of Universal Studio.

LAEMMLE'S last official trade press interview, as president of Universal, was given in the spring of 1936, shortly after he had concluded the transaction for transfer of his interest in the company to J. Cheever Cowdin and the latter's associates.

He was 69 then—and he said:

"I'm going to take it easy now."

It was not very long after this that a young man, out of the theatre operating field, took over the helm of Universal. Hardly a year and since then, Universal, under this young man's direction, has spurred from a losing company to a profitable one. It promises to earn in the neighborhood of $1,000,000 for the year. That young man is Nate Blumberg, president.

The Broadway stage season pressed forward this week.

"See My Lawyer," a farce with Milton Berle and Teddy Hart, produced by George Abbott, opened last night at the Biltmore. Ezra Stone directed. The authors are Richard Maibaum and Harry Clark. In the cast are Millard Mitchell, Mary Rolfe, Eddie Nugent, Piencing Ward, Carroll Ashburn and Robi Raymond.

"Straw Hat Revue" opens tomorrow at the Ambassador. The show was conceived and staged by Max Lieberman. The cast includes Imogene Coca, Danny Kaye, Alfred Drake, James Shelton, Robert Burton, Lee Brody, and Ruthanne Boris.

Morace Schwartz, of the Yiddish Art Theatre, opens the season tonight with "Salvation," a Sholom Aslach play. The cast includes Bertha Gersten, Miriam Riselle, Anna Appel, Isadore Cashier and Mark Schwartz.

One major company sales head analyzes the code situation and exhibitor agitation in this way:

"Forcing of shorts—we, how could we force shorts when we have a tough enough time selling features."

"If there is a 25-cent payment plan—we never had any.

"Score charges—we're happy enough to collect our regular film rentals.

"Selective selling—we pay good salaries to our salesmen just to get accounts who will negotiate with us for any kind of run.

"Cancelling—they, exhibitors talk about cancelling our pictures before they buy them. After they buy them, they clamor for adjustments before they even play them. Some exhibitors think that it is not a fair play to charge the price that is in it. The higher percentage bracket is sufficient reason for them to cancel.

"Designated playdates—maybe we ask for them, but do we get them?

"Optional arbitration—if only we can find an exhibitor who is agreeable to it!"

GENIAL Tallbot Johns, of the BBBO agency was host to the newspaper lads and lasses at the New West, in honor of an absent guest, Paul Sullivan, who couldn't attend because he was in Louisville yesterday, for his Columbia news broadcast.

TODAY, at Old Oaks, with Major Albert Warren, and numerous friends for a round of gold in connection with Federation work.

To Philadelphia, tomorrow, for the Jay Emmanuel golf tournament.

HONEYMOON in Bali," according to Bob Wetman, managing director of the Paramount Theatre on Broadway, played to 25,724 persons on Saturday, Yom Kippur holiday, a figure exceeded only by "If I Were King" at that house.

Splash of 30%
In Republic's Studio Force

(Continued from page 1)

it is possible that a business boom in America will help build up domestic revenue to replace the portion lost in Europe. In the meantime it helps us to make an intelligent study of the facts, thus preparing ourselves to meet every contingency as it arises. Above all we can avoid rashness or panic or equally blind optimism.

"We are fortunate that 2oth-Fox is in an entirely new and powerful position. Mr. Zanuck made it clear that any drastic action is contemplated at this time. He feels with us that a general salary cut is the poorest sort of economy, and should only be undertaken as a last resort. But savings must be accomplished and drastic new economies put into effect. It is to plan savings and economies that this convention has been convened. If we can work together in the crisis, we have better than a good chance of coming through without damage either to the studio or to ourselves.

Republic Cuts Studio Force

HOLLYWOOD, Sept. 27.—An immediate reduction of personnel in all departments at the Republic Studio was ordered today by President Herbert J. Yount. The order will reduce the normal working force of 250 at the studio by approximately 30 per cent.

It is the largest cut in any of the music industry, departmental staffs, public relations, and labor areas.

Up to the present no salary slashes have been ordered, but it is believed that this order will be expected momentarily.

According to Yount, the reorganization moves have been necessitated by war conditions.

High Rentals Studied
By Wisconsin I.T.O.A.

MILWAUKEE, Wis., Sept. 27.—Industrial problems, including high film rentals and 16mm, film competition, were considered today at the opening of the 30th annual convention at the Schroeder Hotel.

Final action on these subjects will be taken tomorrow afternoon.

Mayor Intervenes
In Ascap Warrants

Mayor LaGuardia yesterday intervened in the two-year-old controversy between Montana broadcasters and officials of Ascap.

He will take up the matter of arrest warrants facing eleven officials of the society and two broadcasting chains with the Corporation Counsel's office.

Among those named were Lenox Lohr, president; Niles Trammel, executive vice-president; A. L. Ashby, general counsel, and John Roval, reproduction director, all of NBC; William Paley, president, and Edward Klauber, vice-president, both of CBS.

Isaac Levy of station WCAU, Philadelphia, and Gene Buck, president, Edwin C. Mills, chairman; John Palein, general manager, and Louis D. Frolich, general counsel of Ascap, according to Commissioner Valentine.
THE THOUGHTS OF THE COUNTRY ARE TURNING SOUTHWARD...AND SOUTHWARD LIE THE SCENES OF THIS SPELLBINDING STORY...

Of a fascinating plunderer...of the lady whose fatal beauty sent him to a tropic penal cell...of a drifting young American who won the love that the other man had committed murder to keep!

The New Universal presents

Basil Rathbone and Victor McLaglen

Rio

with Sigrid Gurie, Robert Cummings, Leo Carrillo

Billy Gilbert, Samuel S. Hinds, Irving Pichel, Maurice Moscovich, Ferike Boros, Anne Gwynn

National Release Sept. 29th

Directed by John Brahm
### October 6

**Headliner**
TED FIO RITO AND HIS ORCHESTRA

**Color Cruise**
PERU

#### Motion Picture Daily's Booking Chart

<table>
<thead>
<tr>
<th>Studio</th>
<th>Film Title</th>
</tr>
</thead>
<tbody>
<tr>
<td>U.A.</td>
<td></td>
</tr>
<tr>
<td>Republic</td>
<td></td>
</tr>
<tr>
<td>Para.</td>
<td></td>
</tr>
<tr>
<td>M-G-M</td>
<td></td>
</tr>
<tr>
<td>Columbia</td>
<td></td>
</tr>
</tbody>
</table>

**Box Office Tested**

100% of box office tested.
Phillip Rains, Sept. 27.—"The Rains Came" was tops here at the Stanley, grossing $19,500. Jimmy Durante—"The Hawaiian Rascals" on the stage, with "Hawaiian Nights" as the screen feature, grossing $1,000 at the RKO while "Fifth Avenue Girl" earned $115700 at the Fox.

Theatre, Personnel Notes

Cruikshank Dead; Writer and Editor

Herbert Cruikshank, motion picture trade paper editor and writer, died yesterday morning of heart disease at the age of 47 at his home, 25 Central Park West.

Funeral services are scheduled for Saturday afternoon at the General Church, 81st St and Madison Ave. Surviving are his wife, Regina Cruikshank, former critic of The New York Evening Journal; a daughter, Beatrice, in the publicity department of Universal on the Coast, and a son, Lawrence, a writer for Warners.

UA Flights $250,000 Verdict Against It

United Artists Corp. yesterday asked the Appellate Division of the New York Supreme Court to set aside a verdict of a jury which awarded $250,000, inclusive of interest, against it to William S. and Mary H. Frank, plaintiffs in the suit, for damages arising out of an affair, reserved decision. The plaintiffs secured the verdict in the early part of the year on charges that the defendant violated a distribution contract by block booking the plaintiffs’ film, "Tumbleweeds," with an inferior picture.

Resume KDKA Show

KDKA, Pittsburgh, "Festival of Music" broadcasts will be resumed over the NBC-Blue Sunday at 1:30. P. M. First soloist to be Mary Martha Briten, soprano, and the orchestra will be under the direction of Maurice Spitalny, KDKA director of music.

Convenient

Cincinnati, Sept. 27.—L. B. Wilson, president and general manager of WCKY, has no first or middle name. This becomes publicly known when he was interviewed on the station’s inauguration of 50,000.

Wilson’s mother died five days after her birth. He was not married till a month later. Following a family consultation, he was named "L. B. The "L" is for Louise, his mother’s name and the "B" from the initial of his father’s middle name. Wesley Berry Wilson.

Monogram’s Sales 20% Higher in U. S.

Monogram’s domestic sales for the new season’s product are up about 20 per cent over last year, George W. Weeks, vice-president in charge of sales, declared yesterday. A national promotion plan for "Mutiny in the Big House" is being set to coincide with the release date, Oct. 10.

Demands for shipments from Latin American countries have increased almost 50 per cent, Norton V. Ritchie, general manager in charge of foreign distribution, said. Although it is still too early to determine the effect of the war on actual sales, demand for immediate shipment indicates that Latin American exhibitors are eager about the continuation of supply from belligerent countries and are stocking up a reserve, Ritchie pointed out.

RKO Hearings Will Resume October 11

Hearings on the RKO reorganization were referred yesterday by Federal Judge Cooie to Judge Bondy who will hold continuation of hearings on Oct. 11 at 3:30 p.m. Atlantic Corp., proponent of the plan, is presently considering the possibility of presenting a new underlying agreement and is attempting to fix a price for new common stock, attorneys for Atlantic stated after the hearing.

Niland’s Mother Dies

Cincinnati, Sept. 27.—Mrs. Bridget Niland, 77, mother of Peter Niland, city salesman for Columbia, died at her home here. Another son and a daughter survive.

Warners Oomph Girl Is Greeted by 5,000

Yesterday was "Oomph Day" at Grand Central station. Warners’ Ann Sheridan, the Omnipotent Oomph Girl, swirled in from Chicago, and police estimated a crowd of 5,000 on hand to welcome her on her first visit to New York. Also on hand were 11 press agents and two dozen reporters and cameramen.

Anti-Ascap Bill Fails in Alabama

BIRMINGHAM, Ala., Sept. 27.—The anti-Ascap measure in the Alabama legislature, which was passed by the Senate without a dissenting vote, failed to get on the House calendar before the legislature adjourned.

The measure is expected to be called up when the legislature reconvenes next June. The bill would require Ascap to charge for its music by the piece and prevents a blanket assessment against radio stations, hotels and other concerns using its music. It also would levy a three per cent annual gross receipts tax on the organization.

Gus Van Testimonial

Gus Van will be presented a plaque signaling his 30 years in show business, during next Monday night’s show at Loew’s State, where Van will head the stage bill for a week beginning today. A score of Broadway personalities have been invited to the testimonial ceremony.

AMPA presents

ARTHUR JAMES
P. A. PARSONS
PAUL LAZARUS, SR.
JOHN C. FLINN
GLENDON ALLVINE
GEORGE HARVEY

in

"PAST PRESIDENTS’ DAY" or

"Follies of 25 Years"

NEW LOW TARIFF!

Members: $1.00, incl. tips
Non-members: $1.25, incl. tips
**Private Lives of Elizabeth and Essex**
( Warners )

The dialogue is literate, probably by benefit of Maxwell Anderson's "Elizabeth the Queen," on which the film is based.

The picture-going public will respond tremendously to the power and tenderness of emotion as Elizabeth, the woman, fights to hold her man yet who, as a monarch, knows that the task is useless. In these moments Miss Davis becomes the cinematic Bernhardt.

The eloquent production proceeds smoothly under the deft directorial hand of Michael Curtiz. The screen play by Norman Reilly Raine and Aeneas MacKenzie is well rounded.

The play opens on the return of Essex from a victory over the Spaniards at Cadiz. He is the hero of the hour, much to the dislike of others at the court, including Sir Walter Raleigh and Lord Burghley, who have been left behind and become enemies. Essex is courted by Elizabeth for not capturing the Spaniards' gold, and he retires in a dudgeon.

An Irish rebellion impels the court clique to trick Essex into taking charge of the punitive army, but the obtaining adequate support and the expedition fails. Angered at the treatment which he falsely believes the Queen accorded him, Essex is ready to seize the throne, but his love for Elizabeth reasserts itself and he abandons his revolt. Whereupon Elizabeth, once again the Queen, condemns Essex to the block for treason. At the last moment, she repents and offers Essex the crown and England, but he determines that two such strong personalities would never bring England peace, and so he goes to the executioner.

The cast includes Olivia de Havilland, David Crisp, Alan Hale, Vincent Price, Henry Daniell, Janet Stevenson, Ralph Forbes, Robert Warwick and others. Erich Wolfgang Korngold handled the musical score. Robert Lord was associate producer.

Running time, 106 mins. G*

ALFRED FINESTONE

---

**‘Under-Pup’ Hits $22,500, Los Angeles**

LOS ANGELES, Sept. 27.—"The Under-Pup," paired with "Coast Guard" at the two houses, has been going splendidly at the two houses, aggregating $22,500 at the two houses, $11,200 at the Hillstreet and $11,300 at the Pantages. Earnest takings for the week ending Sept. 27:

- The Rainy Came (20th-Fox)
- Shanghai Express (20th-Fox)
- Chinese (20-00, 1900) 5 days, 2nd week, Gross: $5,200
- Four Feathers (U.A.)
- Tides of Man (20th-Fox)
- U.S.A. (Univ.)
- The Under-Pup (Univ.)
- Coast Guard (Col.)

HILLSTREET ($2,500) 3 days, Gross: $1,500

THE RAINY CAME (20th-Fox) 3 days, Gross: $1,500

LOEW'S STATE ($2,500) 3 days, Gross: $1,500

BEAU GESTE (Param.)

YOU FOLLOW THE BIRDS (Param.)

PARAMOUNT ($5,250) 3 days, Gross: $2,000

EVERYBODY'S Hoby (W.B.)

New York, Sept. 27.—"The Under-Pup," paired with "Coast Guard" at the two houses, has been going splendidly at the two houses, aggregating $22,500 at the two houses, $11,200 at the Hillstreet and $11,300 at the Pantages. Earnest takings for the week ending Sept. 27:

- The Rainy Came (20th-Fox)
- Shanghai Express (20th-Fox)
- Chinese (20-00, 1900) 5 days, 2nd week, Gross: $5,200
- Four Feathers (U.A.)
- Tides of Man (20th-Fox)
- U.S.A. (Univ.)
- The Under-Pup (Univ.)
- Coast Guard (Col.)

HILLSTREET ($2,500) 3 days, Gross: $1,500

THE RAINY CAME (20th-Fox) 3 days, Gross: $1,500

LOEW'S STATE ($2,500) 3 days, Gross: $1,500

BEAU GESTE (Param.)

YOU FOLLOW THE BIRDS (Param.)

PARAMOUNT ($5,250) 3 days, Gross: $2,000

EVERYBODY'S Hoby (W.B.)

Columbia in SEC Plea

WASHINGTON, Sept. 27.—Application for the registration on the N. Y. Stock Exchange of Columbia Pictures voting shares for 2,627 shares of common stock, and also for the 2,627 shares, was filed with the Securities and Exchange Commission today by the company, together with voting papers for the corporation for the registration on the country.

Plagiarism Suit

Paramount Pictures, Inc., and Charles Beahan were named defendants yesterday in a plagiarism suit filed in the U. S. District Court by Robert L. Buckner, who charged Paramount with infringing upon a play, "Dearly Beloved," written by him and Beahan, in the motion picture, "Midnight." Beahan was named defendant because he allegedly refused to join in the suit.

Pick Master to Hear Facts in Fox Inquiry

Federal Judge John C. Knox yesterday appointed Nathan A. Smyth as Special Master to hear the results of an investigation into the affairs of Fox Directors, Inc., and to bring to light whether further hearings were warranted.

This must be done, Judge Knox said, with the proceedings of hearings at the same time facilitate a hearing on the charges. A stockholders' protective committee and The Trust Company of Georgia are contending that the estate has been depleted through misappropriations and waste.

Law's Theatres Parade

Loew's circuit starts its new season in New York officially today, with a parade on wheels that will cover the metropolitan area for a week. The parade will include beauty contest winners, a swing band, an "autograph parade," motorists who have won awards in the Greyhound and M-G-M stars and floats on new season pictures.

---

**War Effects Debated By Hays Directors**

Effects of the European war on domestic and foreign film business occupied Hays office directors at their quarterly meeting yesterday.

The directors will consider the discussion of the meeting on Wednesday.

Attending the two-hour session will be H. H. Hayes, Barney Balaban, president, Paramount; Nate J. Blumberg, president, Universal; Harry D. Buck-

---

**Polite Estate Sale**

NEW HAVEN, Sept. 27.—Orlando Pelliccia, former employee of the late S. Z. Poli, who founded the Poli theatre in New England, is selling Poli's estate for $75,000 for services. It is the latest in a long list of suits against the estate, since Poli died two years ago.

**French Film Retitled**

Title of "J'Accuse," French film stars in New York which will be distributed in this country by Arthur Mayer and Joseph Burstyn, has been changed to "That They May Live." Premiere is scheduled for early next month.

---

**Studio Spurt Finds 47 Films Now Shooting**

HOLLYWOOD, Sept. 27.—Production spurted to 47 pictures this week, as 19 studios and six on location are in the preparation stages and 86 are being edited.


M-G-M started one short subject and finished another.

---

**A Granted Labor Board Certification**

WASHINGTON, Sept. 27.—The National Labor Relations Board today announced certification of the I.A.T.S.E., Universal in a unit selection case, an agency selected by a majority of tech- nicians and utility employees of Holly- wood studios.

Following a secret ballot election held Sept. 20, resulting in a count of 4,460 for the I.A.T.S.E., 1,967 for Universal Studios Technicians Guild, independent, which 31 for neither and 420 challenged ballots. A total of 6,478 ballots was counted.

---

**CIBC Is Criticized Over Hitler Speech**

TORONTO, Sept. 27.—The Canadian Broadcasting Corp. has come in for criticism by reason of the fact that the speech of Adolf Hitler, which was carried by the whole Canadian network while the reply of Neville Chamberlain, British Minister of Defence, was not broadcast by the Dominion's chain.

A formal protest over the matter has been forwarded to the Canadian Government by the Empire Unity League, the headquarters of which are in London. The speech was delivered by R. H. Richardson, general secretary. A number of other Canadian listeners have complained about the broadcasting of Hitler's talk. The reply of the CBC through General Manager Gladstone Murray is that the speech of Mr. Hitler has been criticized if it had not used the Hitler speech.

---

**Double Crime Booked**

"Double Crime in the Magrath Line," foreign film distributed by Tower Pictures, has been booked for showing at the following houses: New Amsterdam, New York, Sept. 30; the Studio, Philadelphia, and the Lardin, San Francisco, Oct. 6; the Esquire, Portland, Oct. 6; Waters' DeWitt, Bayonne, N. J., Oct. 10; the Esquire, Portland, Ore.; the Metropolitan, Seattle, and the Vogue, Kansas City.

---

**Atlas Acquires Film**

Atlas Film Exchange, Inc. has acquired the distribution rights in New York and the northern part of New England for "Bad Boy," Gateway production starring Johnny Downs.
henck, Bioff Will Not Face Coast Jurors

Louis B. Mayer and Two S.A.G. Chiefs Testify

Los Angeles, Sept. 28—William Bioff, I.A.T.S.E. leader, and Joseph M. Schnec, president of the Motion Picture Producers Association, will not be called before the Federal grand jury, it was disclosed today as jurors entered the second day of inquiry into alleged income tax evasion and labor racketeering in the film industry.

Principal witnesses today were Louis B. Mayer, M.G.M chief; Ralph Montague, president of Robert Montgomery, past president, of Screen Actors Guild.

Harold Holmston, international vice president of I.A.T.S.E., was recalled for his second day of testimony. Other witnesses were Aubrey Blair, organizing director of the American Guild of Variety Artists and a former officer of S.A.G.; Guy H. Cooper, suspended financial secretary of Studio Technicians Local 37, I.A.T.S.E., and J. B. Cudel, accountant for 20th Century-Fox.

The jury adjourned until next Wednesday. It is expected that several weeks of testimony will be required. (Continued on page 6)

Maj. Warner Host To Golfers, Diners

Gayety and brisk outdoor exercise under warm skies supplant business cares yesterday as Major Albert Warner played the role of host to members of his 1939 Amusement Division of the Jewish Federation of Charities.

Thirty-six film industry officials swung their drivers, irons and putters over the tough Old Oaks Golf Club course at Purchase, N.Y., taling fairly good scores.

First honors went to David Bernstein and Maurice Greenfield, each who carded 67. Other low scores were established by Sam Ringler, 70; Milton Weissman, 70; Harold Ringler, 72; Arthur Israel, 74; Oscar Dush, 76; Herman Robbins, 78; Marvin Schnec, 78; Sam Shain, 78; Leopold Friedman, 79; Eugene Picker, 81; S. Strauss, 83.

Major Warner, while not participating in the prizes, shot a net of 73. His assistant, Abe Kronenbarg, collected a 73 gross.

The dinner in the evening attracted (Continued on page 6)

TRADE ASKS GUARD IN NEUTRALITY LAW

Define Film Policy, British Producers Ask Government

LONDON, Sept. 28—Lord Strabolgi on Tuesday in the House of Lords declared in a motion calling on the British Government to declare its policy on British film production.

Producers are drawing up a memorandum asking for a Government declaration on the quota provisions of the Films Act and similar matters.

In reply to a question in the House of Commons today, Oliver Stanley, president of the British Board of Trade, said he could not promise a reply on the Government’s policy with respect to British film production within a fortnight.

He made the point that certain unnamed interests must be consulted first, and at the same time intimated that there would be no change in the Government attitude without prior consultation with the industry. He (Continued on page 6)

Broadway Enjoys Stronger Grosses

End of daylight saving time and the start of Fall weather brought strong grosses to Broadway boxoffices this week. "Nurse Edith Cavell" brought an estimated $92,000 in its first week at the Music Hall.

At the Capitol, "The Women" grossed an estimated $70,000 in its first week. Another new film, "Espionage Agent," attracted an estimated $43,000 at the Strand. All three are held over.

"The Real Glory" continued its fast pace at the Rivoli, coming through with an estimated $32,000 for its second week. It is held over and may go four or five weeks. "Here I Am" is nearing its closeout.

Third week of "The Rain's Coming" drew an estimated $42,000.
Trade Seeks Guard Under Neutral Laws

(Continued from page 1)

optimistic that a favorable decision, with the result to American film shippers, will be reached.

The second proposal about which the industry is seriously concerned is that forbidding the shipment of American goods to neutral nations on the ships of belligerent nations. This proposal, under which it is pointed out, in the shipment of films between ports in Latin America, for example, it is often necessary to use either French or English ships, as they are the only boats available in the area concerned.

The third point is that of war risk insurance. If American firms are forbidden to ship to belligerent nations on American ships, but must therefore use neutral or belligerent ships, the war risk insurance rate on the cargo is far heavier than it would be on American ships.

Direct assistance to American film interests in their attempt to receive special consideration in solving the problem is being accorded by various shipping companies, which handle a large proportion of the film shipments of American companies. This enhanced business with considerable business if new American neutrality legislation so limits the industry with restrictions, as to make shipments too difficult, the shipping interests have come to the front with strong support for the position of the film industry.

Eastern Managers In RKO Conference

General Sales Manager Jules Levy of RKO Radio Pictures will leave today for Detroit, where on Saturday he will attend the testimonial dinner to Eastern Central District Manager Nat Levy, sponsored by the Detroit Variety Club. This will take place at the Cadillac Hotel, Detroit.

The RKO Radio sales chief has called in the Eastern exchange managers for a sales conference in Detroit Sunday. Those attending will include E. L. McEvoy, Eastern and Canadian Sales Manager; Nat Levy and the following branch heads: E. C. Kruse, Albany, R. C. Cropper, Boston; C. Bossberg, Buffalo; B. Pitkin, New Haven; J. M. Barry, Philadelphia; G. Lefko, Cleveland; F. L. McNamie, Philadelphia, and H. H. Greenblatt, Pittsburgh.

The testimonial for Nat Levy is being given on the occasion of the transfer of his headquarters from Detroit to Philadelphia. All the Detroit exchange managers are on the testimonial committee, headed by Eddie Bowerman, universal.

Others serving on the committee are: James F. Sharkey, RKO Radio; John Howard, Paramount; Lester W. Weinberg, Columbia; B. G. William Plemion, Excellent; Sam Seplowin, Republic; Harlan Starr, Monogram; Robert S. Miller, Universal; Frank J. Downey, M-G-M; F. E. North, Vitagraph, and Carl H. Shalt, Columbia.

Purely Personal

WILLIAM F. RODGERS, general sales manager of the film, was in Cleveland yesterday following a Chicago visit and is due back here early next week.

Mr. and Mrs. George M. Gorden are winners of Wagner's "Eternally Yours," a prize awarded to the couple who have married the longest. Married 78 years, the two are 93 years old and live in Lucas, Ia.

Roger C. Clement, of the Paramount local staff, returns from England tomorrow aboard the Manhattan. He has been in Europe since early in July.

Ted Strueer has been signed as director of three choral groups which will be used on the Kate Smith Hour. The program will be resumed next Friday at 8 P. M.

Sterling Fisher, CBS director of education, will speak at the Conference on Adult Education at Hartford on Oct. 7. His topic will be "Education and Radio."

Meredith Oseron is scheduled to arrive from England today on the new Bermuda. Mrs. Oseron will spend a few days in New York before going on to the Coast.

Ethel Atman, secretary to Fay White of Loew's, has resigned and plans to leave shortly for Utica, N. Y., to set up housekeeping.

Marian Manning, vocalist, makes her television debut in "The Affordable Stars" in the country tomorrow as soloist in "Manhattan Melodies" at 12 M. over NBC-Blue.

Wynn Murray has been selected for the singing spot in the Fred Allen program, which is heard over NBC-Red Wednesdays at 9 P. M.

Bob Hamilton, organist, has been added to the Johnny Prentiss "House-party" program, a daily 10:30 A. M. feature over WHN.

Lou Little, Columbia football coach, will be guest speaker tonight at "Check It Out" of the WHN "Victory Rally" program.

George Zachary, CBS producer of the "Elliery Queen" program, will leave shortly for a vacation in Puerto Rico.

Wayne Morris and Edie Duchin left for the Coast last night via United Airlines.

Edward Klein, former New Yorker and now a London film man, is in town.

James R. Grainger, Republic president, has returned from a field trip.

Dave Bader, here from the Coast, was in Philadelphia this week.

Paul Gulick is in Vermont recovering from a serious illness.

Spencer Tracy and Groucho Marx arrived in New York by plane yesterday from the Coast.

Kelsey Allen was a guest at Ampa yesterday.

LEO SPITZ will leave New York for Chicago tomorrow.

Princess Martha Birgescio, novelist and author of "Kattia," which has been supported by Arthur Mayer and Joseph Burstyn, will not be able to attend the American opening of her picture since she has been unable to obtain passage for the United States.

Anna Neagle and Herbert Wilson, star and producer of "Nurse Edith Cavell," will make a personal appearance tonight at the New Twenty-First Century Theatre, Buffalo, in connection with the opening of the film.

Edward G. Clugston, manager of the Esty Agency, leaves by plane today for Paris, to be in time for the opening of the Burns and Allen program on Oct. 4.

John Gordon of Ruthrauff & Ryan, leaves for Minneapolis today to open a new show for Bauer & Black, "Quiz of Two Cities," to be heard there over Station WCCO.

Murray Silverstone, chief of world-wide operations of United Artists, leaves for Hollywood today. He will be accompanied by Mrs. Silverstone.

Neil Sullivan, cameraman, left yesterday by Clipper for France, where he will take up a roving assignment to film the war for Pathé News.

Robert Carney, assistant at the College, New Haven, is recuperating at home after an automobile accident.

Thomas Walker of the Liberman Flag & Valance Co., has fully recovered from a serious accident.

CBS Engineers End Meeting Here Today

A three-day meeting of CBS chief engineers winds up tonight after a visit to the World's Fair. E. K. Conde, director of engineering, will address this morning's session on international broadcasting. A. B. Chamberlain, CBS chief engineer, will discuss high frequency and relay broadcasting and his talk will be followed by an inspection of WABC relay broadcasting equipment. This afternoon, there will be talks on F.C.C. rules and current operating problems.

Delaware Poll Set On Sunday Laws

WINCHELSTON, Sept. 28—Scores of letters asking suggestions for revision of the Sunday laws were mailed to leading citizens and organizations today by the nine-member commission appointed by the legislature. An effort is being made to have the 144-year-old laws conform with modern life.

Free Kisses!

Theatre Hires Girls; Males Rush In!

KANSAS CITY, Sept. 28.—Seeking a giveaway that would appeal to the men, who are not particularly attracted by dishes given to women, the Oak Park, Jay Means' house here, offered free "kisses" from two beautiful girls.

Advertised the Oak Park: "Last time we held this devastating give-away, one blonde could not properly be described. Go rush, and Parsons necessary to issue 'charge cards.' You were disappointed. Today we have two blondest. Come, see and taste for yourself!"

The gentlemen who rushed into the Oak Park were a little sheepish as they accepted their kisses (the candy kind) from two attractive girls.

Republic Managers On Absence Leave

Five Republic district managers have taken leaves of absence to Jan. 1. Whether they will return to the company at that time depends on the world situation, but more than likely they will be assigned to other positions when available.

The out-of-town manager provided for is Jack Beylman, who has been assigned as manager of the Buffalo exchange. He was in charge of the Eastern district.

District heads on leave are Max Roth, Chicago; Harry LaVine, Philadelphia; Charles Mancall, San Francisco; Clair Higles, Atlanta, and William Benjamin, St. Louis.

Charlie Whalen and Charles Jones are jointly in charge of the company's advertising, publicity and exploitation, with Jones continuing to handle productions. This setup may continue indefinitely.

Rejoins Announcers

Harry Carlson, WOR production manager, has resigned his post, will return to announcing next weekting staff Sunday. John Hayes will take over as production manager with Charles Godwin as assistant. Arturo Mitter was production, then John Hedges, who will succeed Godwin as head of the Newark studios.

Motion Picture Daily

(Registered U. S. Patent Office)

Published daily except Saturday, Sunday and holidays by Motion Picture Daily Company Inc., Rockefeller Center, New York City. Telephone Granite 3-3900. Cable address "Quipspruf, New York." Martin Quigley, Editor-in-Chief and Publisher; Edison Brown, Assistant to the Editor; Harry A. Davis, Walter T. Rotherack, Vice-President; James Shaffer, Production Manager; Harry Williams, Manager; General Manager: Charles C. Hamm, 62 South Michigan Avenue, Chicago; Western Manager: Harry Dam, 820 Broadway, Los Angeles; Eastern Manager: Charles McLaughlin, 120 Broadway, Postal Union Life Building, Rochester 26, N. Y.; Associated Editors: A. Anderson, Charles H. Weaver, editor; London Bureau, 4 Golden Square, W., London, E. W., Harrison Williams, manager, cable address "Quipspruf, London." All contents copyrighted 1939 by Quigley & Co., and the stationery and publications; Motion Picture Herald, Better Films & Songs, Motion Picture Magazine, Motion Picture Almanac, and Fame. Entered as second class matter Sept. 5, 1932. Postage paid at office of New York, N. Y., under the Act of March 3, 1879. Subscription prices: yearly $6 in the Americas and $12 foreign. Single copies 10c.
WE HAVE JUST SEEN "NINOTCHKA" and we pronounce it SENSATIONAL!

Long live the Lubitsch touch! It has brought your box-office a new Garbo, sly as a wink! A gorgeous Garbo they’ve never seen before! A champagne lady, lively, lovable! This comedy of a flirtatious secret affair in Paris will positively captivate the nation! It makes Garbo a bigger star than she ever was before in her entire career! One of the year’s IMPORTANT pictures! Prepare for another M-G-M triumph!
A million dollars' worth of charm wrapped up in the smile of a little girl who's probably the greatest young skater in the world! . . . Presented in an all-laugh show alive with music and dancing, a throbbing heart story, startling production values, positively sensational skating ... and full of that BOX-OFFICE touch of Showman Sol Lesser!
EVERYTHING'S ON ICE

with

IRENE DARE

ROSCOE KARNS • EDGAR KENNEDY

LYNNE ROBERTS • ERIC LINDEN

Directed by Erle C. Kenton
Produced by SOL LESSER

Screen play by Adrian Landis and Sherman Lowe
Selznick Will Take 4-Months' Vacation

Hollywood, Sept. 28.—David O. Selznick will leave Hollywood early in December for a four months’ vacation following complete of “Rebecca.” He will combine the vacation with field work for Selznick, Inc. in New York and his new story material. Selznick’s first stop will be Atlanta, Ga., where he will see new wave films and have its world premiere. From there Selznick will proceed to New York for the film’s opening there. Selznick will also tour many theaters, seeking to determine the public’s trend on films. While in New York he will complete production during his absence, but an executive staff will remain operating.

Paramount Meeting

Regular monthly meeting of the Paramount Pictures was held at the home office yesterday. Routine business was discussed.

Metro’s K. C. Chief Dies

KANSAS CITY, Sept. 28.—Herbert W. Center, 46, office manager for Metro-Goldwyn-Mayer here, died today.

Hollywood In Brief

Hollywood, Sept. 28.—The film colony returned almost to normal this week with the delay of a single day in the relentless advance of the large-scale rains which brought five and a half inches of rain in 36 hours subsided, after breaking the record rainfall for the month and threat of an IATSE projectors strike was averted by the granting of a 10 per cent wage increase. Production is continuing and there was no strike. Some telephone lines were out a number of telephone cables.

One of the bright spots was the contract given William Wellman, under which he will produce and direct for Paramount “F. O. R. Detroit,” story of the automobile industry. Wellman’s original script will be put into a screen play by Dwight Taylor, and Wellman hopes to get Carole Lombard for a top role. Production won’t start until next year, however, when Wellman finishes a vacation.

M-G-M rushed into print with its plans for the reviving of the shelved “I Take This Woman,” Henry Lehrman’s-Tracy vehicle postponed in the middle of production several months ago before Miss Lehman and Robert Taylor started work in “Lady of the Tropics.” In the new version, W. S. Van Dyke will be the director, replacing Frank Borzage. James Mason is reviving the screen play.

Dale Carnegie is in town discussing with M-G-M producer for plans for producing a picture from his book, “How to Win Friends and Influence People.”... 20th Century-Fox has signed Ralph Spence working on “Down Rio Way,” story with a South American background. Miss Deanna Durbin is the leading role opposite the South American background, while the leading male role opposite Miss Deanna Durbin is the leading role opposite the South American background is replaced by Olivia de Havilland in the female lead opposite Errol Flynn, who will wear “Virginia City.” Bob Hope and Edie Adams, “Roche ter” Anderson get top roles in “The Ghost Breaker,” from the stage comedy by Guy Bolton and Charles Goodner. Virginia Vale plays opposite George O’Brien in “Legion of the Lawless,” this is his fourth assignment opposite the western star, the first being in “Marshall of Mesa City.”

Premier Condemns Political Radio Ban

MONTEAL, Sept. 28.—Canadian Broadcasting Corp. authorities have announced that no broadcasts of election messages from political parties will be allowed during the war. Scripts of political addresses from parties to be broadcast in Ottawa for approval in advance of the broadcast. The announcement was released on a furious basis by one of the provincial Quebec, where Premier Maurice Duplessis a few days ago announced a provincial election for next month. “As Premier of the province, I will submit no text to the Canadian Broadcasting Corp.,” Duplessis is said.
War Changes Affect Canada Broadcasting

MONTREAL, Sept. 28.—Canadian Broadcasting Corp., has issued the following statement in connection with scheduled alterations due to be made in Canada's national radio broadcasting system, like all other large enterprises in the Dominion, has attempted to make, as rapidly and effectively as possible, necessary adjustments to meet the changed conditions imposed by the war.

"When the outbreak of hostilities became imminent, radio in particular had an unusually heavy responsibility imposed upon it, without precedent for guidance, or time in which to develop plans.

"When the international situation re-rolled the proportions of tasks, emergency procedures were effected to in-crease the Canadian listening public an up-to-the-minute service of all im-portant news. These talks will be given with the Canadian Press, special broadcasts and foreign commentaries. Leave of absence recently returned from as yet taken their holidays was revoked; programs from distant points were cancelled and substitute entertain-ment from the radio stations. Allied with everything in readiness to be cleared for immediate nationwide news services as well as entertainment."

Extra Transmission Circuit

"To further facilitate the release of special news, CBC engaged an extra Dominion-wide duplicate transmission circuit. These talks will be given by Canadian and foreign authorities, originating in distant points, such as Vancouver or Halifax, were brought directly to the main Toronto studio, there to be re-transmitted over the regular network circuit. This permitted immediate broadcast cut-ins on all programs of important news, sent directly to the Toronto offices.

"Now that the early period of ad-
justment has passed, the Canadian Broadcasting Corporation—while retaining a certain necessary flexibility in its program plans—has reverted to a normal transmission schedule. Canadian listeners are now assured, through the cooperation of CBC with the Canadian Press, of complete news coverage of the latest international developments, broadcast at regular, strategically-spaced intervals."

Comments by Authorities

"CBC has also arranged to present, at short notice, special talks on the background of critical developments in European situations. These talks will be given by Canadian and foreign authorities on European problems, some of whom have been recently returned from Europe. In addition, of course, at Britannia Heights, Ontario, the CBC short-wave receiving stations will pick up and relay coast to coast, reports from the front lines, regular and special news information and commentaries direct from the European scene.

"In addition to the measures that have been taken to provide news that is as accurate and authoritative as possible, special emphasis will be placed on entertainment. It is ac-
tpected as sound war-time psychology, that song, music and laughter should help lighten to some degree the grim realities of the situation. To do so is a helpful means of retaining a calm and cheerful frame of mind while the nation wards off the national war effort of this country.

"News and varied Fall radio pro-
grams will introduce to CBC listeners the best in the Canadian entertainment world. Outstanding features of the re-
cently-announced schedules of the leading stations and syndicate companies will be heard over the corporation's net-
work, and fuller cooperation with the British Broadcasting Corporation is expected at an early date."

Feature Reviews

"Río"

(Universal)

An international financial swindle, a French penal colony, an escape, and a romance with a charming American engineer in South America are the elements which have been skillfully blended by director John Brahm to make an altogether charming, melodramatic adventure story of "Río". They are elements which have power to draw at the box-
one and it is a story to stir young and old alike.

Performances by Basil Rathbone, the corrupt, merciless financier, and Victor McLaglen, his trusted aide, merit special praise, but to Sigrid Gurie and Robert Cummings go top honors for developing the love interest with winsomeness, charm and delightful, heartwarming grace. Cummings first appears on the scene as an unsuccessful engineer, then on his dependant way to meet Miss Gurie during a hilarious but touching sequence with Cummings under the influence of liquor. Cummings gradually changes, however, and emerges with his ambitions renewed.

Miss Gurie, Rathbone's wife, who refuses to desert him during his difficulties, sings the song "I Love Opening My Eyes," with music by Jimmy McHugh and lyrics by Ralph Freed, and "Heart of Mine," with music by Frank Skinner and lyrics by Freed. Supporting roles by Leo Carrillo, a cafe proprietor, Irving Bacon and Maurice Moscovitch, as convicts, and Billy Gil, the cafe manager, excellently portrayed, round out this well balanced cast.

Rathbone and Miss Gurie are celebrating their first wedding anniversary when he is arrested for depositing forged bonds as collateral for huge bank loans. A financial panic results and Rathbone is sent to a penal colony. Miss Gurie and McLaglen work in a Rio cafe in order to be near him, and it is here that Cummings enters the scene. Miss Gurie steadfastly refuses Cummings' offers of marriage, although she admits that she stopped loving her husband when his true character was revealed. Rathbone's flight from the colony is an exciting episode but after the ruthless slaying of a fellow fugitive, Rathbone succeeds in meeting his wife once more.

When she sees her husband at liberty Miss Gurie regards herself as free from further responsibility to him and when Rathbone is killed by the police, she rejoins Cummings. In all, it is a film which will hold any audience tense throughout.

Stephen Morehouse Avery, Frank Partos, Edwin Justus Mayer and Aen Kandel wrote the screenplay from an original by Jean Negulesco. Running time, 75 minutes. G.**

Edward Geff

"Three Sons"

(RKO)

HOLLYWOOD, Sept. 28.—Neither the story told in "Three Sons" nor the cast names it makes available appear to be the kind of screen entertain-ment assets that will attract quick interest for this picture.

In idea, the piece is a series of character studies, origin of which are found in Lester Cloveh, 's "Sweepings" which RKO screened several years ago. The present screenplay is by John Twist and the directing job was done by Jack Hively.

The central character, Edward Ellis, has two babies. One is to build his store, the Bazaar, into the greatest mercantile establishment of post-fire Chicago. The other is to train his three sons to follow in his footsteps and take over the business after his death. He succeeds in the first and only partially succeeds in the second. The two elder sons, Kent Taylor and Robert Stanton, as well as the daughter, Virginia Vale, prove great disappointments. Only the youngest, Dick Hogan, gives evidence of reforming and becoming the kind of man his father hoped he would develop into. While this group carries the story, Edward Gargan, J. Edward Bromberg, Katherine Alexander and Grady Sutton are featured in the principal supporting roles.

Running time, 70 minutes. G.**

G. McC.

"G" denotes general classification.

Theatre, Personnel Changes

Moresco Rebuilding

Friore Moresco is rebuilding the Academy, Wappinger Falls, N. Y.

Closes Resort Houses

The Broad, Arverne, L. I., and the Edgewater Beach, L. I., have been closed after the summer season by Irving Renner.

Newbury Shuts Four

Newbury circuit has shut down the Ocean, Ashbury Park, N. J.; the La-velte, Lavellette, N. J.; Balito, Belmar, N. J.; and Grove, Point Pleasant.

Reopens in Morristown

The Jersey, Morristown, N. J., has been reopened by Leo Justin.

Cocalis Reopens Theatre

Cocalis circuit has reopened the Empire, Rahway, N. J. It will be oper-
ated Friday, Saturday and Sunday only.

Frecher Takes Pelham

The Pelham Beach, N. Y., is now being operated by Leo Brecher. It was formerly run by Joseph Carbone.

Takes Manhattan House

The Public, Second Avenue, Man-
hattan, formerly a Yiddish legitimate stage house has been acquired by Pub-
lic Enterprises, Inc. (M. J. Berancco, president; William Brown, secretary, and Clarence Loeve, treasurer), and has been reopened for films.

Century Takes Quentin

The Quentin, Brooklyn, has been taken over by the Century Circuit.

Form Florida Company

TALLAHASSEE, Fla., Sept. 28.—Or-
lando Drive Inn Theatre, Inc., Or-
lando, Fla., has announced with a capital of $150 shares preferred stock, $100 par, and 300 shares common stock, $5 par value. Incorporators are Horace Walworth, Frank Harris and Harris Robinson.

Takes Missouri House

KANSAS CITY, Sept. 28.—E. A.
Peterson has taken over the Plaza, Greenfield, Mo., from A. J. Simmons.

Building Near Cincinnati

CINCINNATI, Sept. 28.—A 900-seat theatre, the first in that vicinity, will be built at suburban Westwood by Louis Wiethe, who recently opened the 900-seat Kentucky at nearby Latonia.

Open Ohio Theatre

CINCINNATI, Sept. 28.—The 600-
seat Cloverloog, built by J. W. Nord-
lof and R. W. Tusch, at suburban College Hill, has opened. The thea-
tre is of the same name as an institu-
tion which is blind located nearby.

Plan Tennessee House

RIPLEY, Tenn., Sept. 28.—The Strand Enterprises plan a $40,000 mo-
tion picture house here.

Remodel Miami Theatre

MIAMI, Sept. 28.—Remodeling work has been started on the State here, to cost approximately $30,000.
Boston, Sept. 28.—"The Women," dealing with "The Man They Could Not Hang" at Loeve's Orpheum and State, took a total of $30,000 in the second week, $21,600 and $17,400, respectively. "When Tomorrow Comes" and "The Adventures of Sherlock Holmes" took in $15,000 at Keith Memorial in the second week.

Estimated takings for the week ending Sept. 29:

The Spellbinder" (RKO) (3 days with vaudeville): $4,500.

"Smuggled Cargo" (Rep.) (3 days with vaudeville): $4,000.

"The Return of the Freshman" (Select) (4 days): $4,000.

"Demon Barber of Fleet Street" (Select) (5 days): $4,000.

"The Old Maid" (W. B.): $3,000.

"Torchy Plays with Dynamite" (W. B.): $2,500.

"Sherlock Holmes" Memorial (RKO) (3 days): $2,150.

"The Man They Could Not Hang" (Col.): $1,500.

"Loew's ORPHEUM" (3 days): $1,200.

"Charlie Chan at Treasure Island" (2nd-Fox): $1,000.

"Beyond the Blue Horizon" (Para): $1,000.

"Charlie Chan at Treasure Island" (2nd-Fox): $1,000.

"FENWAY" — (1,382): $1,000.

"Quick Millions" (2th-Fox): $1,000.

"ORPHEUM—" (28 days): $750.

"The Arizona Kid" (Repulic): $750.

"Fairly Rogue and George "Gabby" Hayes enlist on the side of the Confederacy in a western setting during early Civil War days. Their fighting, however, is directed against a local stock raider, Stuart Hamblen, and his gang, rather than the Union troops.

The action gets under way at a lively pace when the southern part of Missouri decides to aid the South, although the state has voted its allegiance to the Union. Roy and Gabby enlist as scouts and they soon learn that Hamblen, a Confederate captain, is more interested in his looting than in the Southern cause.

This information is conveyed to the Southern general staff and Hamblen, rather than take an official reprisal, decides to turn outlaw. He is aided by David Kenner, who is Roy's half-brother, and by Sally March. Kenner, because of long friendship with Roy, saves the latter's life on one occasion and in return, Roy permits Kenner to escape at a later time. In the end, however, Kenner is captured and executed while Roy kills Hamblen in a gun duel. Roy sings two songs and there is one encore. All cast and special effects are placed in such manner, however, as to slow up the action somewhat.

Joseph Kane produced and directed. The screenplay was written by Lucie Ward and Gerald Geraghty.

Running time: 61 minutes. "A."